

# **Delict**

## **A Guide to the Zimbabwean Law of Delict**

This Guide provides an outline of the main aspects of the Zimbabwean Law of Delict. Delict is a concept of civil law in which a willful wrong or an act of negligence gives rise to a legal obligation between the parties, despite the lack of a contract. A Cases section follows the main text, containing summaries of salient Zimbabwean cases and also of some important South African and English cases.

## **Reparation**

A guide for international criminal practitioners. It talks about the crimes, defences, procedures, rules of evidence, and jurisprudence of the International Criminal Tribunals for Yugoslavia and Rwanda and the permanent International Criminal Court. It is a manual on the procedure of the International Criminal Court and the Tribunals

## **Principles of Delict**

Book & CD. Significantly updated to reflect all the latest legislation, this sixth edition remains a user-friendly text for all who have dealings with local government. One of the new features is the accompanying CD-ROM, which contains regulations concerning procurement, fair administrative procedures and the new legislation on corruption.

## **Municipal Administration**

The Historical Foundations of Grotius' Analysis of Delict explores the origins of a generalised model of liability for wrongdoing in the history of European private law. Using Grotius as its focal point, it analyses the extent to which earlier civilian and theological doctrine shaped his views. It divides Grotius' approach into three elements – the infringement of a right, fault, and remediation – and traces the development of parallel concepts in earlier traditions. It argues that Grotius was influenced by the writings of Thomists to a far greater extent than has previously been acknowledged, virtually eclipsing any sign of civilian influence except where Romanist learning had already been incorporated into theological doctrine.

## **The Historical Foundations of Grotius' Analysis of Delict**

Pure economic loss is one of the most-discussed problems in the fields of tort and contract. This book takes a comparative approach to the subject, exploring the principles, policies and rules governing tortious liability for pure economic loss in a number of countries across the world including the USA, Canada, Japan, South Africa and Denmark.

## **Pure Economic Loss**

This title is part of an established Series which introduces various legal systems of the world. It provides an authoritative and accessible overview of the main branches of South African public, private and commercial law. Offering insight into the rich system of South African law, this title will be of particular interest to the international legal community. The South African legal system has not only developed fascinating mixtures of civil law and common law rules over more than a century, but has also experienced a post-apartheid South Africa. Of particular interest is the way in which so many branches of law have been infused by basic

constitutional values. Many of the contributors have published work in their own fields and have considerable experience of presenting their subject matter in a broader comparative perspective. The succinct and balanced nature of the contributions makes this title attractive to a wide audience of academics, students and practitioners with an interest in this remarkable legal system.

## **Introduction to the Law of South Africa**

This book is widely regarded as one of the most remarkable achievements in Roman Law and Comparative Law scholarship this century - a fact attested to by the universal acclaim with which it has been received throughout Europe, America, and beyond. As a work of Roman Law scholarship it fuses the vast volume of 20th century scholarship on the Roman law of obligations into a clear and very readable (and in many ways original) account of the law. As a work of comparative law it traces the transformation of the Roman law of obligations over the centuries into what is now modern German, English and South African law, presenting the reader with a contrast between these legal systems which is unique both in its scope and its depth. As a whole the book is written with a deep understanding of human nature and of many social, economic, and other forces that determine the face of the law.

## **The Law of Obligations**

Recognising the multi-faceted nature of this Scots law, McManus and Russell have produced a full guide to delict. With case studies and questions for discussion after each chapter, this is essential reading for all students encountering delict for the first time as well as practitioners who require a ready reference for their practice.

## **Delict**

Covers various European countries and South Africa.

## **Unification of Tort Law: Wrongfulness**

Reprint of the first edition. This classic work by the important Austrian jurist is the fullest exposition of his enormously influential pure theory of law, which includes a theory of the state. It also has an extensive appendix that discusses the pure theory in comparison with the law of nature, positivism, historical natural law, metaphysical dualism and scientific-critical philosophy. "The scope of the work is truly universal. It never loses itself in vague generalities or in unconnected fragments of thought. On the contrary, precision in the formulation of details and rigorous system are characteristic features of the exposition: only a mind fully concentrated upon that logical structure can possibly follow Kelsen's penetrating analysis. Such a mind will not shrink from the effort necessary for acquainting itself with...the pure theory of law in its more general aspects, and will then pass over to the theory of the state which ends up with a carefully worked out theory of international law." Julius Kraft, *American Journal of International Law* 40 (1946):496.

## **General Theory of Law and State**

Reprint of the second revised and enlarged edition, a complete revision of the first edition published in 1934. A landmark in the development of modern jurisprudence, the pure theory of law defines law as a system of coercive norms created by the state that rests on the validity of a generally accepted Grundnorm, or basic norm, such as the supremacy of the Constitution. Entirely self-supporting, it rejects any concept derived from metaphysics, politics, ethics, sociology, or the natural sciences. Beginning with the medieval reception of Roman law, traditional jurisprudence has maintained a dual system of "subjective" law (the rights of a person) and "objective" law (the system of norms). Throughout history this dualism has been a useful tool for putting the law in the service of politics, especially by rulers or dominant political parties. The pure

theory of law destroys this dualism by replacing it with a unitary system of objective positive law that is insulated from political manipulation. Possibly the most influential jurist of the twentieth century, Hans Kelsen [1881-1973] was legal adviser to Austria's last emperor and its first republican government, the founder and permanent advisor of the Supreme Constitutional Court of Austria, and the author of Austria's Constitution, which was enacted in 1920, abolished during the Anschluss, and restored in 1945. The author of more than forty books on law and legal philosophy, he is best known for this work and *General Theory of Law and State*. Also active as a teacher in Europe and the United States, he was Dean of the Law Faculty of the University of Vienna and taught at the universities of Cologne and Prague, the Institute of International Studies in Geneva, Harvard, Wellesley, the University of California at Berkeley, and the Naval War College. Also available in cloth.

## **Pure Theory of Law**

Andrew Riggsby provides a survey of the main areas of Roman law, and their place in Roman life.

## **Tort Theory**

Now in a fully updated sixth edition, this book is an established treatise in the field of civil jurisdiction and judgments. It states, analyses, illuminates and evaluates the law of civil jurisdiction and the enforcement of foreign judgments in English law, with this new edition taking into account the implications of the new Brussels I Regulation recast, Regulation (EU) 1215/2012, as well as the great number of developments in the case law which have taken place since 2009. This book looks in detail at the jurisdictional rules put in place by the (recast) Brussels I Regulation the common law rules of jurisdiction the principles according to which that jurisdiction will or will not be exercised the extent to which proceedings before a foreign court may be assisted or impeded obtaining interim and interlocutory relief recognition and enforcement of foreign judgments This text is an authoritative and comprehensive reference for all legal professionals working in commercial law across jurisdictions.

## **Philippine Law on Torts and Damages**

A complete and updated commentary on the Code of Canon Law prepared by the leading canonists of North America and Europe. Contains the full, newly translated text of the Code itself as well as detailed commentaries by thirty-six scholars commissioned by the Canon Law Society of America.

## **Roman Law and the Legal World of the Romans**

This two-volume series offers the first detailed and systematic account of the history of private law in Scotland. Volume 2 covers topics such as insurance, negligence, liability, breach of contract, unfair contract terms, sale, and defamation.

## **The Law of Delict: Aquilian liability**

"This new work provides a reminder of how extensive is the range of the law of delict? The subject might suggest the image of a large mansion to which many additions have been made over the years in response to changing conditions in society? This book rises to the challenge and offers the fortunate visitor a systematic guide to the edifice." From the Foreword by The Rt Hon. Lord Cullen PC, Lord Justice-Clerk The Scots law of delict encompasses a vast array of legal sources and contradictions ? many elements are modern and highly developed while others remain ancient and obscure. The majority of delictual principles are caselaw driven and yet, increasingly, legislation plays a part. Further, although the concept of delict is limited to the Scottish jurisdiction, private international law cannot be ignored. Recognising the multi-faceted nature of the subject, the authors of *Delict* have produced, in one single volume, a truly comprehensive guide to the law.

Illustrated throughout with numerous explanatory case studies, and featuring key questions after each chapter which act as a useful aid to comprehension, this is essential reading for all students encountering delict for the first time as well as practitioners who require a ready reference for their practice.

## **Civil Jurisdiction and Judgments**

Covers various European countries, Israel, South Africa, and the United States.

## **New Commentary on the Code of Canon Law**

This title, part of the new European Commentaries on Private International Law series, is devoted to the Brussels I Regulation, dealing with jurisdiction and recognition of judgments in civil and commercial law matters. Contributors in the series include leading experts from almost all EU member states. The series initiates a new specific European style of commenting on European enactments merging the various, and thus far cross-national, methods of interpretation of legislative acts. Commentaries will pay tribute to the practice of the European Court of Justice and to relevant judgments of national courts as well. Moreover, the needs of practitioners and the requirements of the practice will receive particular attention.

## **Obligations and Contracts' 2003 Ed.**

This remarkable collection contains some of the very best work on themes developed by Hans Kelsen, regarded by many as the most influential legal philosopher of the twentieth century. The volume addresses in rich detail the topic where debate on Kelsen's work has been liveliest: 'normativity' as Kelsen's alternative to both traditional legal positivism and natural law theory. The book boasts a truly international list of contributors, with authors from Europe, North and South America, and Australia - a dozen countries in all.

## **A History of Private Law in Scotland: Volume 2: Obligations**

This important collection of essays includes Professor Hart's first defense of legal positivism; his discussion of the distinctive teaching of American and Scandinavian jurisprudence; an examination of theories of basic human rights and the notion of \"social solidarity,\" and essays on Jhering, Kelsen, Holmes, and Lon Fuller.

## **Principles of the Law of Scotland**

For some Western European legal systems the principle of good faith has proved central to the development of their law of contracts, while in others it has been marginalized or even rejected. This book starts by surveying the use or neglect of good faith in these legal systems and explaining its historical origins. The central part of the book takes thirty situations which would, in some legal systems, attract the application of good faith, analyses them according to fifteen national legal systems and assesses the practical significance of both the principle of good faith and its relationship to other contractual and non-contractual doctrines and forms of regulation in each situation. The book concludes by explaining how European lawyers, whether from a civil or common law background, may need to come to terms with the principle of good faith. This was the first completed project of The Common Core of European Private Law launched at the University of Trento.

## **Delict**

Available for the first time in a comprehensive English translation, this thoroughly annotated but easy-to-use presentation of the classic 1917 Code of Canon Law by canon and civil lawyer Dr. Edward Peters is destined to become the standard reference work on this milestone of Church law. More than just of historical interest, the 1917 Code is an indispensable tool for understanding the current 1983 Code under which the Roman

Catholic Church governs itself. Dr. Peters' faithful translation of the original Latin text of 1917, along with his detailed references to such key canonical works as Canon Law Digest and hundreds of English language doctoral dissertations on canon law produced at the world's great Catholic universities, now allows researchers to access directly this great fountain of ecclesiastical legal science. No student of canon law, and indeed, no one with a need to understand modern Church administration, can afford to be without this important volume.

## **The Theory and Principles of Tort Law**

We are delighted to introduce the proceedings of the first edition of the Workshop on Multimedia Education, Learning, Assessment and its Implementation in Game and Gamification. This Workshop has brought researchers, developers and practitioners around the world who are leveraging and developing the education, media learning and scientific technology. We strongly believe that this Joint Workshop on Multimedia Education, Learning, Assessment and its Implementation in Game and Gamification provides a good forum for all researcher, developers and practitioners to discuss all scientific and technological aspects that are relevant to Digital Society. We also expect that the future Workshop will be as successful and stimulating, as indicated by the contributions presented in this volume.

## **Unification of Tort Law**

Kelsen, Hans. Principles of International Law. New York: Rinehart & Company, Inc. [1952]. xvii, 461 pp. Reprinted 2003 by The Lawbook Exchange, Ltd. ISBN 1-58477-325-1. Cloth. \$85. \* Upon his retirement from the faculty of University of California at Berkeley in 1952, noted legal philosopher and political scientist Hans Kelsen [1881-1973] produced arguably this his most important work, \"... a systematic study of the most important aspects of international law, including international delicts and sanctions, reprisals, the spheres of validity and the essential function of international law, creation and application of international law and national law.\" Nicoletta Bersier Ladavac, \"Hans Kelsen (1881 - 1973) Biographical Note and Bibliography,\" European Journal of International Law Vol. 9 (1998) No. 2.

## **Brussels I Regulation**

\"Embodying the Institutes of Gaius and the Institutes of Justinian, tr. into English by J. Ashton Cross.\"--T.p.

## **Normativity and Norms**

Borkowski's Textbook on Roman Law is the leading contemporary textbook on Roman law. Providing students with a clear and highly readable account of Roman private law and civil procedure, it gives a comprehensive overview of both the historical context and modern relevance of Roman law today. Translated extracts from the most important Latin legal sources, the Digest and the Institutes of Justinian, are included throughout. Annotated further reading sections at the end of each chapter support further research. Book jacket.

## **Essays in Jurisprudence and Philosophy**

This casebook is designed to introduce the Roman law concerning delicts, private wrongs which broadly resemble torts in Anglo-American law. The Roman law of delict is unusually interesting, since many basic Roman principles of delict are still prominent in modern legal systems, while other Roman principles offer sharp and important contrasts with modern ideas. The influence of Roman law has been especially strong in the Civil Law systems of Continental Europe and its former dependencies, since these systems derive many basic principles from Roman law; but Roman influence on Anglo-American law has also been appreciable in some areas, although not usually in tort. A casebook relies on direct use of primary sources in order to

convey a clear understanding of what legal sources are like and how lawyers work. For Roman law, the primary sources are above all the writings of the early imperial Roman jurists. Almost all their writings date to the classical period of Roman law, approximately 30 B.C. to A.D. 235 The 171 Cases in this book all derive from the writings of pre-classical and classical jurists.

## **The Law of Delict**

Good Faith in European Contract Law

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