Contents

Ackr	nowledgements	V
Cont	tributors	ix
Tabl	e of Cases	xi
Tabl	e of Legislation	XXV
Table of Treaties		xxix
Ι.	e of Treaties Rights and Private Law Donal Nolan and Andrew Robertson Rights in Private Law Peter Cane Our Most Fundamental Rights Allan Beever	I
2.	Rights in Private Law Peter Cane	35
3.	Our Most Fundamental Rights Allan Beever	63
4.	Social Purposes, Fundamental Rights and the Judicial Development of Private Law François du Bois	89
5.	Rights and Other Things Robert Stevens	115
6.	Beyond 'Right' and 'Duty': Lundstedt's Theory of Obligations TT Arvind	151
7.	Of Rights Superstructural, Inchoate and Triangular: The Role of Rights in Blackstone's Commentaries Helge Dedek	183
8.	Rule-Based Rights and Court-Ordered Rights Stephen A Smith	221
9.	Rights and Responsibility in the Law of Torts John CP Goldberg and Benjamin C Zipursky	251

viii Contents

10.	Damages and Rights Andrew Burrows	275
11.	Explaining the Inexplicable? Four Manifestations of Abuse of Rights in English Law JW Neyers	309
12.	Rights and the Basis of Tort Law Nicholas J McBride	331
13.	Is the Role of Tort to Repair Wrongful Losses? Gregory C Keating	367
14.	The Edges of Tort Law's Rights Roderick Bagshaw Rights, Pluralism and the Duty of Care	407
15.	Rights, Pluralism and the Duty of Care Andrew Robertson	435
16.	'A Tort Against Land': Private Nusance as a Property Tort Donal Nolan	459
17.	Private Nuisance Law: A Window on Substantive Justice Richard W Wright	491
18.	Rights and Wrongs: An Introduction to the Wrongful Interference Actions Sarah Green	525
19.	Misfearance in a Public Office: A Justifiable Anomaly within the Rights-Based Approach? Erika Chamberlain	553
20.	Unjust Enrichment, Rights and Value Ben McFarlane	581
21.	Rights and Value in Rescission: Some Implications for Unjust Enrichment Elise Bant	609
Inde	X	639