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	2.	Cambridge, UK: Cambridge University Press, 1–11, 12–22 P.D. Finn (1989), 'The Fiduciary Principle', in T.G. Youdan (ed.),	2
	4.	Equity, Fiduciaries and Trusts, Chapter 1, Carswell, Toronto,	
		Canada: Law Book Company, 1–56	24
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		(ed.), Equity and Contemporary Legal Developments, Jerusalem,	
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		Dishonest Assistance', Modern Law Review, 67 (1), January, 16–47	105
	6.	(), or or	
		Fiduciary Obligations', in Andrew Burrows and Lord Rodger of	
		Earlsferry (eds), Mapping the Law: Essays in Memory of Peter	
		Birks, Chapter 31, Oxford, UK and New York, NY, USA: Oxford	
	7	University Press, 577–98	137
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		Fiduciary Law, Chapter 3, Oxford, UK and New York, NY, USA:	
		Oxford University Press, 63–90	260
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		Miller and Andrew S. Gold (eds), Contract, Status, and Fiduciary	
		Law, Chapter 6, Oxford, UK and New York, NY, USA: Oxford	
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	12. 13.	Remus Valsan (2016), 'Fiduciary Duties, Conflict of Interest, and Proper Exercise of Judgment', <i>McGill Law Journal</i> , 62 (1), September, 1–40 Henry E. Smith (2017), 'Fusing the Equitable Function in Private Law', in Kit Barker, Karen Fairweather and Ross Grantham (eds), <i>Private Law in the 21st Century</i> , Chapter 9, Oxford, UK, Portland, Oregon, USA: Hart Publishing, 173–95	316 356
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	16.	D.W.M. Waters (1967), 'The Nature of the Trust Beneficiary's	
	17.	Interest', Canadian Bar Review, XLV (2), March, 219–83 Roger Cotterrell (1987), 'Power, Property and the Law of Trusts: A Partial Agenda for Critical Legal Scholarship', Journal of Law and	408
	18.	Society, 14 (1), Spring, 77–90 David Hayton (1996), 'The Irreducible Core Content of Trusteeship', in A.J. Oakley (ed.), Trends in Contemporary Trust Law, Chapter 3, Oxford, UK and New York, NY, USA: Oxford	473
		University Press, 47–62	487
	19.	George L. Gretton (2000), 'Trusts Without Equity', <i>International and Comparative Law Quarterly</i> , 49 (3), July, 599–620	503
	20.	Robert Chambers (2002), 'Liability', in Peter Birks and Arianna Pretto (eds), <i>Breach of Trust</i> , Chapter 1, Oxford, UK, Portland,	
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	22.	International, 203–41 Tony Honoré (2003), 'Trusts: The Inessentials', in Joshua Getzler (ed.), Rationalizing Property, Equity and Trusts: Essays in Honour of Edward Burn, Chapter 1, London, UK: LexisNexis Butterworths,	565
	23.	7–20 John H. Langbein (2004), 'Mandatory Rules in the Law of Trusts',	604
	24	Northwestern University Law Review, 98 (3), March, 1105–28 Paul Matthews (2006) 'The Comparative Importance of the Pule in	618
	24.	Paul Matthews (2006), 'The Comparative Importance of the Rule in Saunders v Vautier', Law Quarterly Review, 122, April, 266–94	642
	25.	Lionel D. Smith (2008), 'Trust and Patrimony', Revue Générale de Droit, 38 (2), November, 379–403	671

26.	Ben McFarlane and Robert Stevens (2010), 'The Nature of	
	Equitable Property', Journal of Equity, 4, March, 1–28	696
27.	Lusina Ho (2013), 'Trusts: The Essentials', in Lionel Smith (ed.),	
	The Worlds of the Trust, Chapter 1, Cambridge, UK: Cambridge	
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28.	J.E. Penner (2014), 'Distinguishing Fiduciary, Trust, and	
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30.	Robert Chambers (2016), 'The End of Knowing Receipt', Canadian	
	Journal of Comparative and Contemporary Law, 2 (1), March, 1–32	799
31.	Ying Khai Liew (2016), 'Reanalysing Institutional and Remedial	
	Constructive Trusts', Cambridge Law Journal, 75 (3), November,	
	528–49	831
32.	Alexandra Braun (2017), 'The State of the Art of Comparative	
	Research in the Area of Trusts', in Michele Graziadei and Lionel	
	Smith (eds), Comparative Property Law: Global Perspectives,	
	Chapter 6, Cheltenham, UK and Northampton, MA, USA: Edward	
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33.	John Mee (2017), 'The Past, Present, and Future of Resulting	
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34.	Lionel Smith (2017), 'Massively Discretionary Trusts', Current	
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