

# Contents

1. Fraud No. 3	I
DAVID DAUBE <i>Professor of Law, Berkeley, California, sometime Regius Professor of Civil Law, Oxford</i>	
2. Form and Substance in Legal Reasoning: The Case of Contract	19
P. S. ATIYAH <i>Professor of English Law, Oxford</i>	
3. The Acceptability of Legal Arguments	45
JOHN BELL <i>Fellow of Wadham College, Oxford</i>	
4. Democracy and Adjudication	67
HUGH COLLINS <i>Fellow of Brasenose College, Oxford</i>	
5. Fictions Ancient and Modern	83
PETER BIRKS <i>Professor of Civil Law, Edinburgh</i>	
6. Natural Justice as Fairness	103
GERRY MAHER <i>Lecturer in Jurisprudence, Glasgow</i>	
7. Speech Acts, Legal Institutions, and Real Laws	121
NEIL MACCORMICK <i>Regius Professor of Public Law, Edinburgh and</i> ZENON BANKOWSKI <i>Lecturer in Jurisprudence, Edinburgh</i>	
8. Digest 23.2.6	135
ANDREW LEWIS <i>Lecturer in Laws, University College London</i>	
9. Ownership of Land in English Law	143
J. W. HARRIS <i>Fellow of Keble College, Oxford</i>	
10. The History of the Roman <i>Condictio</i> up to Justinian	163
DETLEF LIEBS <i>o. Professor, Freiburg im Breisgau</i>	



11. L. Fufius—Another Undeserving Winner	185
ALAN RODGER, Q.C. <i>Advocates Library, Edinburgh</i>	
12. <i>Causam Mortis Praebere</i>	203
DIETER NÖRR <i>o. Professor, Munich</i>	
13. Obligations, Sanctions and Obedience	219
NICOLA LACEY <i>Fellow of New College, Oxford</i>	
14. Law and Punishment: The Western and the Traditional Chinese ‘Legal Mind’	235
G. D. MACCORMACK <i>Professor of Jurisprudence, Aberdeen</i>	
15. The Formation of the Scottish Legal Mind in the Eighteenth Century: Themes of Humanism and Enlightenment in the Admission of Advocates	253
JOHN W. CAIRNS <i>Lecturer in Scots Law, Edinburgh</i>	
16. Legal Tradition, with particular reference to Roman Law	279
W. M. GORDON <i>Douglas Professor of Civil Law, Glasgow</i>	
17. The Tasks of Historical Jurisprudence	293
PETER STEIN <i>Regius Professor of Civil Law, Cambridge</i>	
18. The Publications of Tony Honoré 1950–1985	307
BARBARA TEARLE <i>Law Librarian, University College London</i>	
Index	313