

# BASIC PRINCIPLES OF PROPERTY LAW

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A Comparative Legal and  
Economic Introduction

*Ugo Mattei*

# Basic Principles Of Property Law A Comparative Legal And Economic Introduction

**John G. Sprankling, Raymond R.  
Coletta, Matthew Campbell Mirow**

## **Basic Principles Of Property Law A Comparative Legal And Economic Introduction:**

Basic Principles of Property Law Ugo Mattei, 2000-01-30 The first attempt to address comparative property law in a common integrative framework this study discusses German Italian French American and British property law as mere variations based upon a few fundamental themes through which these nations developed legal systems to provide responses to common economic problems and to set legal foundations for working markets Basic Principles of Property Law was produced to offer a common framework for the discussion of the law of property within countries in transition thus it has its basis not on just one legal system but on the institutional commonalities that make western property law a working market institution It offers a major challenge to conventional thinking that in property law the differences between common law and civil law are so important that common core research is impossible Mattei hopes to guide the reader to think comparatively about property by shedding many preconceived formalistic abstractions The substance of property law he argues is much more common throughout the Western legal tradition than legal scholars would have us believe Through a set format and accessible writing this book looks at national legal traditions as responses to common economic problems It sets the foundations for further much needed integrative comparative legal research in the domain of property law

Research Handbook on Political Economy and Law Ugo Mattei, John D. Haskell, 2015-11-27 Events such as the global financial crisis have helped reveal that the drivers and contours of governance on a national and international level remain a mystery in many respects This is so despite the ever increasing complexity and sophistication in the management and understanding of economic legal and political spheres of global society Set in this context this timely Research Handbook is the first to explicitly address the constitutive relationship between law and political economy With scholarly contributions from diverse disciplinary and geographic backgrounds this authoritative book provides an expansive overview of the legal architecture of the global political economy It covers in three parts topics surrounding money and markets the relations of organization and commodities land and resources Scholars and policymakers as well as undergraduate and postgraduate law students interested in the intersection of socio political economic and legal dynamics of governance will find this book a thought provoking and insightful resource

Procedural Requirements for Administrative Limits to Property Rights Martina Conticelli, Thomas Perroud, 2022-09-01 Through a comparative survey spanning twelve legal systems and a transnational regime the fourth volume in this series aims to shed light on the core of administrative activity that exemplifies the negative State Within the vast field of adjudication the book addresses one of the most traditional sets of procedures namely the exercise of public powers affecting property rights Following the method adopted in the CoCEAL project this volume takes the fundamentals of expropriation in a given legal order as its starting point and examines various cases The main requirements for property rights deprivations and restrictions are presented through national reports and discussed through hypotheticals while the comparative analysis focuses on procedural propriety and fairness This book is divided into three

parts The first part introduces the project and the topic The second part covers the legal systems chosen for this study The third goes on to present a synchronic comparison across systems highlighting the relationship between shared and distinctive traits with a view to the way supranational and international rules increasingly supplement municipal regimes The concluding chapter discusses the current regime on public regulation of property in contemporary administrative systems

**Cases, Materials and Text on Property Law** Sief van Erp, Bram Akkermans, 2012-07-23 This casebook examines the history foundations underlying principles and basic concepts of property law in a systematic and accessible way

**Protection of Immovables in European Legal Systems** Sonia Martin Santisteban, Peter Sparkes, 2015-09-11 How should a landowner respond when a squatter occupies their land This book discusses the issues focussing on vindicatio possessory remedies and trespass but also explores administrative procedures for their removal In many cases these actions derive from Roman laws which are expertly explored in an introductory chapter Also included is a chapter exploring human rights interventions in such actions Twelve case studies offer an extensive and comparative analysis across sixteen European jurisdictions The basic defendants covered are squatters taking over a home environmental protesters licensees and former tenants The case studies include amongst others self help restitution competing claims to ownership and the relevance of registration systems to claims to ownership adverse possession neighbours nuisance and encroachment

Legal barriers to the energy modernisation of dwellings occupied by low-income tenants and opportunities to overcome these barriers Jana Karras, 2024-06-03 This book explores the legal barriers to energy modernisation in Germany's residential building sector especially when low income tenants are involved It also examines potential solutions to the landlord tenant dilemma and how they may be applied within the German legal framework The book conducts an in depth examination of the regulations economic factors and social dynamics that impede progress in energy efficiency improvements Drawing upon extensive research comparative case studies and insights from the Swedish experiences this book provides a comprehensive analysis of the challenges and opportunities surrounding the decarbonization of dwellings occupied by low income tenants in Germany The book explores the concept of energy poverty in Germany and Sweden and how these countries address it or don't within their legal frameworks It delves the reader into the complexities of German and Swedish legal systems and how they impact the ability to address energy efficiency in low income housing The reader can explore the landlord tenant dilemma and the hurdles faced when trying to invest in energy modernization with a special focus on low income tenants This book takes an in depth look at the legal landscape exploring both EU policies and national regulations Sweden's experience especially its use of municipal green bonds to finance energy transition projects offers a valuable lesson for Germany Drawing on comparative insights from Sweden which has made strides in addressing similar issues the book aims to identify transferable legal strategies to facilitate energy transition in the rental housing market By dissecting the intricacies of regulations and legal frameworks this book offers innovative solutions that can bridge the gap between climate goals and the realities faced by low

income tenants This book is intended for a diverse audience including policymakers legal professionals researchers academics environmentalists housing authorities and advocates for social and climate justice It serves as an essential resource for those seeking a deeper understanding of the legal complexities surrounding energy modernization in low income tenant occupied dwellings and the pathways to surmount these barriers It serves as a comprehensive resource for those dedicated to dismantling legal barriers to energy efficiency and advancing social and environmental equity

*Land Law in Comparative Perspective* International Association of Legal Science. Colloquium,2002-10-11 Nothing provides as much material for comparative legal study as the great variety of rule making that characterizes land law Land law is perhaps the only legal area in which the leveling march of globalized uniformity has had to yield to the progressive development of local customary law It is a rich and rewarding field for comparative law scholars a field with a diverse past that resists classification and an equally unpredictable future This engaging book presents fourteen stimulating essays all originally presented at the 2001 Annual Colloquium of the International Association of Legal Science held in Santa Cruz de Tenerife Canary Islands in October 2001 These essays all by leading scholars in the field deal with a broad array of significant issues including such debates as the following Public vs private property a meaningful distinction How customary law defeats the purpose of state land law Land ownership to pollute or not to pollute There are also detailed discussion of the special land needs of small islands private residential governments regulatory takings land transfer mortgage law securities in property transactions housing town planning agricultural land use and water and riparian rights The scope is global with attention to the great differences in terminology and even in basic legal concepts The lasting contribution of this symposium lies in its exposure of the enormous intellectual wealth arising from the numerous different legal techniques used to solve land use problems No lawyer or legal scholar no matter how conversant with land law will come away from this book without valuable new ideas

Publicity Rights and Image Gillian Black,2020-02-27 This book provides a theoretical and multi jurisdictional review of the nature of publicity practice and its appropriate legal regulation

**Security Interests under the Cape Town Convention on International Interests in Mobile Equipment** Sanam Saidova,2018-06-28 This book provides an extensive analytical examination of the Cape Town Convention and its Protocols The Convention aims to facilitate asset based financing and leasing of aircraft railway and space objects by establishing a uniform legal regime for the creation and protection of security and related interests in these types of equipment The book provides a detailed treatment of issues arising from the creation of security and other international interests under the Convention from the need to ensure their priority among competing interests to the enforcement of remedies in the case of the debtor s default or insolvency Security interests in aircraft railway and space objects are among the most frequently invoked mechanisms used to ensure repayment of the debt It is their significance effectiveness and frequency of use that explains this work s focus and scope

**Pure Economic Loss in Europe** Mauro Bussani,Vernon Valentine Palmer,2003-07-31 Pure economic loss is one of the most

discussed and controversial legal issues in Europe today raising complex questions which affect the law of tort and contract How far can tort liability expand without imposing excessive burdens upon individual activity Should the recovery of pure economic loss be the domain principally of the law of contract And is there a common core of principles policies and rules governing tortious liability for pure economic loss in Europe Originally published in 2003 this is a comprehensive study of the subject using a fact based comparative method and in depth research into the laws of thirteen European countries Following a historical and analytical introduction to economic loss experts from most European countries consider how their national systems would deal with the same practical problem highlighting similarities and differences in a range of comprehensive issues This is the third publication of the Common Core of European Private Law *Syracuse Journal of International Law and Commerce* ,2007 The Elgar Companion to the Economics of Property Rights Enrico Colombatto,2004 Illuminating the major accomplishments of the economics of property rights this volume features 22 chapters written by contributors from around the world *Anthology, Volume 1 Through Volume 13: Some thoughts on comanagement* ,2008 **Cardozo Journal of International and Comparative Law** ,2005 Fundamental Rights and Private Law in the European Union: Comparative analyses of selected case patterns Gert Brüggemeier,Aurelia Colombi Ciacchi,Giovanni Comandé,2010 Comparative study carried out by the Research Training Network on Fundamental Rights and Private Law in the European Union P iv of cover Vol 1 2 **Introduction to Italian Law** Jeffrey Lena,Ugo Mattei,2002-03-06 Introduction to the Laws Series Volume 4 This is a methodologically advanced introduction to the main features of the Italian Legal System Its eighteen chapters cover all the significant changes and innovations that have recently taken place including a new system of private international law a greatly altered and expanded body of family law a new code of criminal procedure fundamental changes in civil procedure the effects of European legislation on Italian municipal law the reformation of administrative law and the latest computer assisted research tools and techniques used to research Italian law Written for academics and lawyers alike this book is an indispensable tool for those wishing to grasp the context of Italian legal activity Written by Italian experts at the top of their respective fields An Introduction to Italian Law is a readable yet technically sophisticated and critical discussion of the systemic features that make the Italian legal system a landmark of the civil law tradition

**Encyclopedia of Law and Society** David S. Clark,2007-07-10 The Encyclopedia of Law and Society is the largest comprehensive and international treatment of the law and society field With an Advisory Board of 62 members from 20 countries and six continents the three volumes of this state of the art resource represent interdisciplinary perspectives on law from sociology criminology cultural anthropology political science social psychology and economics By globalizing the Encyclopedia s coverage American and international law and society will be better understood within its historical and comparative context **Global Issues in Property Law** John G. Sprankling,Raymond R. Coletta,Matthew Campbell Mirow,2006 This title is designed to introduce comparative law perspectives that help students understand domestic

property law concepts in areas including adverse possession the right to exclude estates in land future interests marital property the landlord tenant relationship eviction of tenants low income housing land sales transactions title assurance nuisance and land use It also introduces students to areas of international law that are beginning to affect domestic property law including the human right to property international regulatory takings and global land sales transactions Each chapter is designed to stand on its own so they can be used in any order or combination

**Constitutional Structure and Purposes**  
Michael Conant,2001 Emphasizes the failures of the justices to consider constitutional structure and the original meaning of language in context *Current Publications in Legal and Related Fields* ,2000

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