

Index

- abduction 3, 238
- abstract
 - category of fact 160
 - concepts 230, 234, 278
 - element 175
 - entity 261
 - model 101, 173, 175, 177, 261–262, 272, 287
 - particular (and) 43–44
 - principles 82, 185
 - propositions 61
 - reasoning 119
 - rules 53, 250, 270
 - structure 109, 175, 261
 - style 70
 - system 150
 - see also* axiom
- abuse 278
 - rights (of) 104, 307–309
 - sexual 305
- accident
 - road 139, 152, 160, 161, 243
 - workplace 139, 140
- accommodatio factorum* 190, 191
- Accursius 15, 18, 22
- act
 - criminal 293
 - God (of) 152
 - intervening 152
 - legal 237
 - quasi-criminal 293
- actio* 31, 37, 46, 47, 48, 50, 55, 66, 67, 71, 75, 88, 99, 108, 111, 111, 115, 118, 147, 231, 293, 295, 299, 301, 302, 303, 306, 312, 313, 315, 327
 - in personam see* action
 - in rem see* action
 - mandati* 38
 - popularis* 302
 - quasi ex contractu* 52
 - quasi ex delicto* 52
- action 31, 37, 48, 88, 124, 146, 147, 175, 293, 323
 - case (on the) 76, 77, 78, 79
 - cause of 3, 80, 111, 112, 113, 114, 128, 131, 141, 148, 149, 192, 283, 310
 - chose in 313
 - civil 48
 - debt *see* debt
 - discovery *see* discovery
 - ex contractu* 48
 - ex facto* 48
 - forms of *see* forms of action
 - in facto* 48
 - in personam* 20, 48, 124, 295
 - in rem* 20, 37, 48, 55, 124, 295
 - money had and received 141, 149, 250, 252
 - money paid 250
 - penal 302
 - praetorian 48
 - quantum meruit see quantum meruit*
 - striking out 303
 - see also actio*; remedies
- actional *see* schemes of intelligibility
- activity
 - risky 150
 - social 275
- actor 273, 275–276, 277
 - law *see* person; *persona*; subject
 - film 205, 206
 - self-interested 292
- actus reus* 189–190
- ad similia* 14
- adoption 51
- advantage 290

- advocate 259
- aesthetic 199, 200, 226, 227
- agency
 nurse 217, 218
 state (of the) 320
- agreement 46, 64, 146, 215, 244–245, 249
 see also contract
- aid
 legal 267
- air
 free 254
- aircraft 227
- airport 227
- Airport '77* 227
- air-raid shelter 163, 244
- Alexander, Larry 258–284, 329, 330
- Alfenus, Varus 40, 50
- algorithm 31, 82, 212
- alphabet 75, 293, 306, 327
- alteri stipulari nemo potest* 315
- Alzheimer's disease 124
- Amsselek, Paul 192
- analogy 3, 14, 18, 19, 26, 32, 38, 45, 53, 54, 55, 56, 59, 89, 91, 93, 112, 113, 115, 116, 150, 173, 175, 178–179, 186, 202, 211, 212, 238, 241, 242, 249, 258–259, 263–270, 272, 280, 284, 330
 biology 134
 theatre 146, 200
 see also reasoning
- analyse *historico-critique* 3
- analysis 13, 14, 15, 16, 20, 28, 49, 119–120, 200, 207, 216, 237, 241–242, 253–254, 257, 259, 275, 312, 316, 332
 critical 209
 dialectical *see* dialectic
 facts (of) 50, 53, 132, 136, 177
 see also fact
 films (of) 198, 199, 201, 202
 formalist *see* formalist
 functional 187, 188
 see also function
 historical data (of) 199
- Hohfeld, Wesley Newcomb *see* Hohfeld, Wesley Newcomb
- idealistic 278
- institutional 293, 294, 328
- legal 46, 48, 68, 73, 92, 135, 176, 199, 210, 254, 259, 271, 272, 291, 299, 306,
 see also Alexander, Larry;
 Sherwin, Emily
- mathematical 8
- method of 14
- preliminary 178
- psychoanalytic 208
- rights 288
- Rylands v Fletcher* (of) 93–94
- scientific 169
- social science 234, 272, 278
- synthesis (and) 121
- textual 21
- three-dimensional 293
 see also schemes of intelligibility
- anima* 207–209
- animal 150, 212
- answer
 fact construction (and) 155–156
 reasoning model (and) 129, 131
 right 63, 84, 248
 rules (and) 259
 taxonomy (and) 125, 126
- anthropology 170
- antibiotic 181
- antimony 21
- anti-Semitism 209
- approach
- axiomatic 60
 see also axiom; axiomatic
- bottom-up *see* reasoning
- context-activated *see* theory
- deductive *see* deduction
- diachronic 4–6, 9, 271, 329, 331
- empirical 261
- epistemological 3
 see also epistemology
- formalist 13, 182, 188
- functional *see* function
- hermeneutical *see* hermeneutics
- historical 7
- holist *see* holism

- individualist *see* individualism
 literary 81–82
 nominalist *see* nominalism
 positivistic 210
 practitioner 185
 realist *see* realism
 reductionist *see* reductionism
 scholastic *see* scholastic
 scientific 69
 structural *see* schemes of
 intelligibility; structure
 synchronic 6–7, 9, 271, 331
 systems *see* system
 text-activated *see* theory
 top-down *see* reasoning
 universalist *see* universalist
see also method; schemes of
 intelligibility
arbores actionum 30
 argument 7
 a contrario 69
 a fortiori 69
 analogical *see* analogy
 bootstrap 311
 coherence of *see* coherence
 consensus and *see* consensus
 dialectical *see* dialectic; schemes of
 intelligibility
 Dworkin and 7
 see also Dworkin, Ronald
 functional *see* function; schemes of
 intelligibility
 legal 2, 40, 321
 policy *see* policy
 practical 270–271
 scientific *see* science
 structural *see* schemes of
 intelligibility
 superior *see* Dworkin, Ronald
see also reasoning
 argumentation 72, 84, 85
 Aristotle 17, 21, 22, 27, 31, 89, 210
ars
 boni et aequi 41
 demonstrandi 56
 hermeneutica 67
 judicandi 67
 art 200, 256, 275
 critic 256
 liberal 14
 artefact 10, 87, 114, 115, 117, 142,
 145, 175, 192, 285, 306, 330
 artificial intelligence (AI) 8, 272
 as if 51–52, 54–55, 138, 157–158,
 230–257, 330
 see also Bourriau, Christophe;
 fiction; Vaihinger, Hans
 asbestos 156–159, 173, 235
 assault 105
 asset 289, 299
 see also property; thing
 association
 consumer *see* Consumers'
 Association
 employers' 298
 trade union 298
assumpsit 78, 128
 Astolfi, Jean-Pierre 145
 Atias, Christian 5, 255
 atom 89
 attitude
 epistemological 10, 229, 231–233,
 255, 330
 see also epistemology; Vaihinger,
 Hans
 law and 7, 8, 9, 12, 86, 115, 331
 see also Dworkin, Ronald
 obsessive 276
 Roman jurists (of) 42–47
 see also Roman law
 social 141
 theory (and) 231–232
 Western 9
 Aubry, Charles 64
auctoritas 17, 27, 32
 audience 258
 participation 214, 218
 psychology of 219
 reaction 218
 sophisticated 216
 textbook 119
 university 79
 Vertigo (and) 203–204
 wider 2, 85
 see also cinema
 Aumont, Jacques 201

- Auslegungskanon* 72
aut ... aut 212
auteur 224
 see also theory
 author
 case-note 256
 chain novel (of) *see* Dworkin, Ronald; novel
 film (of a) 215
 interpolations (and) 58–59
 interpreter (and) 189
 judge as 97
 meaning (and) 218–222
 originality of 119
 see also reader; Staiger, Janet
 authority
 advocate (of) 259
 Bartolus 23
 see also Bartolus de Saxoferrato
 code (of a) 222
 coherence (of) 60–61
 decision-making as 269
 exercise of 269
 foreign law (of) 142
 ius commune 25
 local 161, 298, 300
 paradigm *see* paradigm
 populus (of the) 29
 public 324
 reasoning by 39
 regulae (of) 31
 text 14, 17, 19, 28, 30, 32, 46, 55, 60, 70, 71, 198, 282
 weak 222
 autonomy
 semantic 262, 278
 axiom 60, 62, 63, 67, 74, 182, 183, 271, 287
axiomata 62, 63, 64, 90, 182
 axiomatic 60, 70, 84, 127, 132, 185, 270, 287, 288, 322, 329
 see also system and systematics
 Azo 14, 18

 Bachelard, Gaston 4, 5
 Bacon, Francis 90
 Bacon, Henry 214

 bacterium 125
 Bagshaw, Roderick 223
 bailee 219
 bailor 219
 Baker, John (Sir) 75, 76–77
 Baldus de Ubaldis 18, 23–24, 26, 32, 38, 41, 46, 90, 99, 148, 180, 225, 244
 ball *see* cricket
 Balzac, Honoré de 210
 bank 244
 banking 138
 barber 47
 Bartolus de Saxoferrato 23, 28, 29, 30, 31, 46, 57, 99, 148, 212, 213
 bathroom 247
 battery 105
 Baudelaire, Charles 210
 bear 278–279
 pit 35
Begriffsjurisprudenz 70, 74
 behaviour 310
 abusive 300, 308
 equine 179
 malicious 308
 obsessive 276
 social 174
 unreasonable 164, 218, 276
 Bel Geddes, Barbara 203
 Bellamo, Manlio 32, 212
 benefit 251, 252
 public 272
 Bengoetxea, Joxerramon 89
 Bennion, Francis 98
 Bergel, Jean-Louis 85, 92, 119, 170, 174, 182, 184–185, 244
 Bergman, Ingmar 202
 Berthelot, Jean-Michel 11, 177, 187, 188, 273–276, 277, 332
 bicycle 258
 Bill of exchange 142
 Bingham, Lord Justice and Lord 157, 182, 305, 306, 311
 bird 131
 Birks, Peter 123–126, 131, 134, 135, 244, 249, 251, 252, 332
 Blackburn, Justice and Lord 93, 142
 blackmail 318

- Blackstone, William (Sir) 122, 185, 213
- Blanché, Robert 3, 4, 5, 160–161
- boat 40–41
see also ship
- Bologna 13, 16, 17, 20, 22, 23
- bona fides* 41
see also good faith; possession
- book
 chain novel *see* Dworkin, Ronald; novel
 continental law *see* civil law (tradition); *Digest*; *Institutes*
 law 138, 140, 141
see also *Corpus Iuris Civilis*; *Digest*; *Institutes*; text; textbook
 practitioner 77, 121
 systematising 59–65, 70–73
see also literature; textbook
- Borges, Jorge Luis 264
- Bouriau, Christophe 229, 232
- Bowen, Lord Justice 114, 128, 215
- Bracton 15
- Brennan, Justice 266
- Brexit *see* fantasy
- British Foundry Association 320
- brocardum* 15, 26
- Brown, Lord 305
- Brown-Wilkinson, Vice-Chancellor and Lord 111
- Brundage, James 43
- Buckley, Justice 199
- Bugnet, Joseph 68
- Bulgarus 14
- Bürgerliches Gesetzbuch* *see* code (German)
- bus 227
- Bus Stop* 227
- businessman
 reasonable 247
- Busino, Giovanni 145
- but for test 155, 156, 158
- Buxton, Lord Justice 300
- Cairns, Lord Justice 246–247
- canary 131
- cancer 156–159, 173
- Cane, Peter 289–290, 299, 317–318, 330
- Canning, Joseph 233
- canon law 17, 24, 233
- car 253, 269, 315
 park 315–317
- Carbasse, Jean-Marie 29–30
- carelessness 34, 146, 155
see also *culpa*; fault; negligence
- Carroll, Noël 223–225, 228
- case 18
 equity 140
 hard 83, 186, 248
 paradigm 54, 55
 Scottish 142
 social implications of 279–280
 tort 141
 wagon 147–148
see also precedent
- Castro, Paulus de 233
- casuistry 3, 9, 18, 41, 54, 55, 59, 60, 83, 173, 225, 270–272, 329
- casus* 15, 18, 54, 57
- categorisation 140, 149, 160, 244, 252–253
see also category; classification; taxonomy
- category 135, 167, 191, 192, 212
 alternative 212
 cumulative 134
 disorderly 131
 fitting together 134
 legal 9, 53, 124
 wrongs 135
- catena definitionum* 67
- causa* 16, 27, 36, 43, 46, 48, 50
- causa causans* 154
- causa sine que non* 154, 156
- causality *see* causation
- causation 34, 46, 47, 144, 151–159, 167, 183, 189, 223, 233, 244, 250, 256
 chain of 144, 153
 factual 173
 presumption of 157, 173
 proof of 144, 155–158, 162–163

- see also* cause; schemes of intelligibility
 causative event *see* event
 cause 167, 278
 action (of) *see* action
 effect (and) 176
 proximate 155
 Celsus, Iuventius 39
certa causa 16
 chain 153, 154
 legal 126
 see also vinculum iuris
 novel *see* novel
 Champeil-Desplats, Véronique 12, 63, 86
 chance
 loss of 155–159, 163, 192–193
 Chancery *see* court
 see also equity
 chaos 267, 278
 charity 272
 charterparty 139
 chattel *see* goods; property
 cheese-maker 30
 Christianity 115
 cigarette 161–162, 165, 245
 cinema *see* film
cinema vérité 214
 circumstances
 case (of the) 43, 50, 54
 change of 237
 exceptional 250
 civil law (tradition) 5, 8–9, 12–74, 79, 86, 97, 122, 124, 141, 166, 169, 181–182, 198, 201, 237, 244, 280, 288, 295–296, 307–309, 310, 322, 326
 see also law; Roman law
 civil lawyers 12–74
 civil servant 151
civitas 29
 sibi princeps est 23
 claim 289
 see also actio; action
 class
 buyers (as) 304
 cases (of) 157
 claimant (of) 235, 300
 consumers (as a) 304
 contract (of) 139
 describer of 136
 film writers (of) 198
 interests 322
 objects (of) 178
 persons (of) 108, 290, 304
 reasoning (of) 197–198
 see also category
 classification 43, 124, 126–127, 135, 251–253
 bent 131
 coherent 118
 living things (of) 125
 plan 118
 see also category; taxonomy
 clause *see* contract
 client 169, 170
 clothes 216, 243
 club 91
 Cockburn, Chief Justice 142
 Cocks, Raymond 79
 code 182, 202, 221–222, 293, 322, 325
 French (civil) 67, 68, 70, 74, 119, 239, 295, 307
 French (commercial) 142, 195
 French (procedural) 89, 149
 German 72, 74
 German (commercial) 142
 Italian (commercial) 142
 Netherlands 142
 Prussian 142
Code civil see code
Code Napoléan see code
Codex 33
 codification 67–73, 119, 271
 coherence 40, 59, 60, 63, 70–73, 87, 107, 115, 118, 119, 181, 184, 185, 225, 228, 261, 262, 287, 327, 329, 331
 coin 253
 flip of 269
 Coke, Edward 77
 Coleridge, Lord 114
collatio 59
 see also Cujas, Jacques
 comet 262

- Commentaries on the Laws of England* 185
 see also Blackstone, William
- commentary 198
- Commentators see Post-Glossators
- commerce 281
- Commissioners, Her Majesty's 78–79, 80, 148
- common
 law see common law (tradition)
 sense 81, 83, 154, 221
- common law (tradition) 8, 74–84, 86, 92–95, 185–186, 260, 323
- communis opinio doctorum* 31
- company see *persona*; personality
 employees 188
 one man 321
persona ficta 233
- comparison
 macro 201
 micro 202
 reasoning types (between) 168–228
- compensation 135, 316, 317
- complexity 133, 154, 167, 199, 214, 215, 279
 causation (of) see causation
- computer 67, 134, 190, 272
- concept 53, 70–73, 74, 160, 167, 192, 231, 234, 256
 empirical 106, 135
 descriptive 106, 235, 277
 fact (and) 160, 234
 legal 86, 87, 155, 190, 192, 233–235, 292
 mediating 291
 normative 132, 234, 299, 327
 see also duty; right
 quasi-normative 327
 Roman 75
 see also Roman law
 system of 70–73
- conceptualism 13, 63, 81, 328
- condictio* 16, 49
- conduct
 duty of care (and) 241–242
 human 153, 154–155, 270
 see also behaviour
- consensus 49, 184, 262, 329
- consent 9, 65, 74, 75, 125, 139, 239
- consequentialist see function and functionalism
- consilia* 24, 25
- conspiracy 290
- constitutio* 36
- construction see interpretation;
 meaning
- consumer 108, 139, 304, 317
- Consumers' Association 303
- continental law see civil law; law
- contra* 20, 21
rationem 47
 see also *pro*
- contract 16, 36, 38, 39, 44, 46, 48, 49, 52, 53, 55, 64, 65, 76, 83, 87, 91, 101, 104, 111, 113, 118, 122, 128, 129, 135, 137, 138, 139, 140, 146, 147, 151, 163–164, 165, 174, 180, 191, 192, 194, 215, 216, 217, 225, 226, 231, 236–237, 239, 244, 247, 249, 251, 253–255, 290, 293, 300, 303, 308, 310, 313–314, 330
 agreement see agreement; *conventio*
 consent (and) 139
 consumer 303
 exemption clause 151
 formation 9
 frustration 137, 138, 236–237
 good faith 49
 implied 138, 250, 251
 interpretation of see interpretation
 legislation (as) 65
 see also *loi*
 mandate 52, 250
 mistake (and) 9, 16, 239
 oppressive 309, 315–317
 penalty see penalty
 privity of 313–315
 specific performance (and) see specific performance
 term see term
 theory 46, 122
 see also obligation
- contractor
 independent 194, 217

- intention of 247
- reasonable 237
- unreasonable 104, 310
- contradiction 15, 17, 20, 56, 59, 72, 185, 276
- contribution 138, 158
- conventio* 46, 49, 146, 180
- Convention see Human Rights
- conversion 79
 - see also *trover*
- Corman, Roger 214, 215
- corporation 29, 37, 54, 229, 233, 271, 283
 - see also liability; person; *persona*; personality; *universitas*
- Corpus Iuris Civilis* 13, 22, 28, 68, 75
 - see also *Digest*; *Institutes*; Roman law
- correlative see Hohfeld, Wesley Newcomb
- correspondence 125, 136, 171, 177, 184, 262
- corrupt 220–221
- country 261
 - public bodies (and) 244
 - unknown 256
- Cour de cassation* 92, 143, 240, 307
- court 146
 - appellate 179, 282
 - common law 76, 91, 120
 - constitutional 103
 - European Court see European Court of Human Rights
 - politics and 198, 318
 - reasoning of 259
 - superior 143
- covenant 78
- Cownie, Fiona 79
- cricket 164, 207–208, 273–277, 332
 - ball 167, 274, 275, 276
 - role of 275
 - significance of 275
- crime
 - reconstruction of 176
 - see also law (criminal)
- critic
 - film 198, 200, 210–211
 - literary 218
- Critical Legal Studies 211
- Cronenberg, David 216
- cross-examination 166
- Crowded Sky (The)* 227
- Cujas, Jacques 58, 59, 60
- culpa* 34, 35, 36, 38, 41, 43, 45, 46, 47, 49, 50, 172, 177, 178, 180
 - see also carelessness; fault; negligence
- Cumming-Bruce, Lord Justice 207, 274, 276
- custom 25
- Da mihi jus, dabo tibi factum* 192
- Da mihi factum, dabo tibi ius* 143, 147, 148–149, 192
- damage 38, 46, 48, 49, 53, 65, 87, 146, 164, 167, 174, 175, 192, 235, 278, 290, 302
 - economic see loss
 - meaning of 144
 - mental distress 191
 - property (to) 147, 283
 - psychological 234
 - remoteness of 109
 - risk of 35
 - wrongfully caused 34, 35, 36, 38, 39, 48
 - see also loss
- damages 127, 128, 129, 139, 192, 252, 274, 307–308, 312–313, 316
 - see also damage
- damnum* 49
- Deane, Justice 280
- debt 76, 78, 122, 127, 128, 139, 227, 249, 250, 251, 252, 313–314, 315–317, 326
- deceit 220
- decision
 - correct 127
 - facts and see facts
 - false 127
 - rules and see precedent
 - see also judgment
- Decius, Phillipus 32, 46, 89, 99, 225, 244

- declaration 296
 deduction 3, 31, 46, 61, 63, 64, 67,
 69, 71, 74, 77, 80, 81, 84, 90,
 93, 101, 116, 118, 132, 181–184,
 185, 238, 240, 241, 242, 243,
 258, 259, 260, 261, 262, 265,
 266, 270, 280, 322, 327, 330
Deep End 227
 defamation 102, 105, 129–130, 131,
 243
 defence 148, 293
 self- 105
 definition 44, 140
 clear 62, 64
 elephant (of an) 246
 interest *see* interest
 Del Mar, Maks 10, 87, 330
 Delacour, Jean 242
 delict 39, 44, 52, 53, 76, 118, 122,
 138, 147, 174, 249, 313
 Denning, Lord Justice and Lord 106,
 109, 112, 113, 164, 207, 246,
 268–269, 274, 276, 277, 313,
 326
 denominator (common) 264
 depersonalisation 208
 deposit 64
 deprave 220–221
 dermatatis 155, 156
 Descheemaeker, Eric 129
detentio 175
 detainee 78
 Develay, Michel 145
 Devlin, Justice 268
 De Zulueta, Francis 20
 diachronic 2, 4–6, 7, 9, 13, 115
 see also approach; framework; view
 diagnosis 171–174, 193
 dialectic 15, 17, 20, 21, 22, 25, 26,
 27, 29, 30, 31, 46, 50, 51, 56,
 58, 61, 96, 144, 147, 183,
 184–185, 212–213, 247, 306
 see also schemes of intelligibility
dialectica 15, 271
 dialogue 214
Digest of Justinian 17, 20, 26, 28, 33,
 34, 36, 37, 41, 42, 46, 49, 50,
 51, 59, 60, 61, 62, 70, 88, 117,
 118, 119, 224, 250, 294
 see also Corpus Iuris Civilis;
 Roman law
 digestion 215
dignitas 41
 dignity 41, 294–295, 312
 Dilthey, Wilhelm 275
 dimension 265
 loss of 133
 moral 204
 multi-133, 134, 200
 one- 200
 third 306
 three-133, 213, 293
 two- 133, 212, 213
 Diplock, Lord Justice and Lord 112,
 179, 241–242, 324
 disability
 Hohfeldian 102
 disadvantage 291
 discipline 279, 331
 argumentative 85
 hermeneutical 85
 law 9
 professional 8
 discovery 324
 disease 176
disputatio 96
 fori 34
dissensiones dominorum 20
distinctio 15, 18, 20, 21, 27, 29, 56,
 57, 59, 83, 190, 212, 271
 distinction 14, 18, 21, 27, 29, 39, 53,
 54, 56, 61
 sub- 18
divisio 18, 21, 27, 29, 39, 43, 48, 49,
 56, 57, 83, 212, 271
 division 59, 61
 Dixon, Owen (Sir) 266
 doctor 168, 305
 doctrine
 legal 6, 121
 parochial (too) 6
 dogmatics (legal) 69
dogmatique 69
 juridique 288
dolus 36, 38

- Domat, Jean 5, 61, 64–65, 118, 182, 288
- dominium* 38, 42, 49, 100, 147, 175, 300, 301
- see also* ownership; *proprietas*
- Dominus mundi* 28
- Doneau, Hugues 60, 61, 66, 88, 99–100, 118, 182, 286, 287, 295, 322
- Donellus, Hugo *see* Doneau, Hugues
- Double Indemnity* 227
- dowry 36
- draftsman
- Parliamentary 98
- Drake, Joseph 183
- driver 84
- unreasonable 243
- droit subjectif* 100, 182
- see also ius*; right
- dream factory 200
- drug-peddler 210
- Durgnat, Raymond 199, 200, 201, 207, 210–211, 213–214, 216, 218, 226, 227, 228, 229
- duty 87, 109, 126, 234
- breach of 157, 158
- care (of) 130, 131–132, 193, 235, 241–242, 302, 305, 306, 322
- contractual 129
- do (to) 126
- Hohfeldian 102
- non-delegable 113, 217
- positive 101
- Dworkin, Ronald 4, 5, 7, 12, 63, 82–83, 84, 85, 86, 91, 96–97, 99, 103, 110, 115, 223, 224, 225, 227, 232, 248, 287, 289, 331
- Dyson, Lord 111, 257
- Dzialo, Christopher 218
- école dogmatique* 64
- economics 81, 170, 187, 281–282, 292, 314, 331
- law (and) 81, 110, 141, 187, 281
- economist 41
- education
- advancement of 272
- authority (local) 217
- hermeneutical 223–224
- legal 3, 37, 79–80, 211
- see also* university
- Parliamentary Report (1846) on 80
- electricity 93–94, 242, 264
- elegantia*
- juris* 199
- jurisprudencia* 199
- element 4, 7, 11, 20, 38, 54, 137, 146, 164, 173, 186, 192, 193, 239, 243, 265, 270, 306, 328
- abstract 175, 261
- causal 177, 190
- cause of action (of) 111
- dishonesty 293
- factual 147, 165, 321
- fundamental 37
- Hedley Byrne* (of) 130
- institutional 174, 222, 231, 255, 321
- see also* person (thing and action)
- legal 119, 292
- property (of) 40
- public benefit 272
- public policy 309
- reasoning 264
- right (of) 71
- Roman law (of) 62
- structural 275
- see also* factor
- elephant 246
- Ellul, Jacques 49
- emendatio* 59
- see also* Cujas, Jacques
- emergency 112
- emotional state 242
- emperor
- Christian 17
- Holy Roman 16, 28
- Roman 28
- employment 138
- reference 131
- Enlightenment 265
- enquiry *see* inquiry
- entitlement
- debt 313
- legal 290, 299

- procedural 306
 right 326
 see also right
 entity
 state 150
 town as 55
 environment 158, 275, 291, 304, 320
 epistemologist 3, 201, 273, 284, 328
 see also Blanché, Vaihinger
 epistemology 1, 3, 6, 8, 9, 10–11, 13,
 17, 21, 28, 53, 54, 63, 70, 72,
 88, 95, 125, 135, 136, 181, 184,
 186, 201, 202, 210, 222, 223,
 225, 228, 231–233, 234, 260,
 261, 262, 264, 271, 273, 284,
 289, 292, 327, 328, 329, 330,
 331, 332
 attitude (as) 8, 10
 legal 5, 331
 see also as if; knowledge; method;
 methodology; obstacle;
 paradigm; schemes of
 intelligibility; theory
 episyllogism *see* syllogism
 equality 151
 equity 27, 193
 see also injunction; specific
 performance
 error *see* mistake
 ethics 270–271
 see also morality
 European Convention of Human
 Rights 305, 323–324
 European Court of Human Rights
 305, 324
 event
 causative 124–125, 134, 244, 249,
 250
 horse riding 166, 179
 evidence 166, 179, 257
 epidemiological 111, 257
 social science 243
ex facto ius oritur 18, 24, 62, 74, 131,
 147, 192, 225
ex iure factum oritur 135, 160
ex iure utilitas oritur 312
ex obligatio ius oritur 62
exceptio 46
 doli 16
 donationis 16
 exegesis 18
 expectation 101, 168–169
 audience 247
 client 193
 legitimate 149, 182, 303, 310
 patient 168–169, 193
 expert 144, 199
 explanation 3, 177, 189, 190–196, 278
 see also understanding
 expressionism 226
 fact 49, 83, 84, 115, 116, 121, 135,
 143–167, 168, 174, 201, 213,
 250, 291, 325–326, 327–328,
 331
 actual 136, 160–163, 166–167
 baffling 116
 bare 145
 behavioural 278
 biological 278
 brute 243
 categorisation of 50, 111, 129, 149,
 160, 192
 complexity of 136
 construction of 84, 190, 294
 creating 154, 190
 detail (level of) 149, 150
 épuration of 161
 explaining 170
 formalised 321
 hypothetical 140
 image 194
 interpretation of 83, 163
 interrogation of 178
 see also realism
 known 161
 law (and) 76, 120, 143, 166–167,
 294, 306, 321, 331
 legal 237
 manipulating 170, 190–196, 243
 material 92–94, 144, 238, 240–241
 mathematical 278
 medical 278
 neutral 145, 243, 277
 normative force of 182

- normativity (and) 277, 328
- observation (level of) 157, 237
- perception of 166, 179
- pre-qualification of 243
- primary 179
- probability 257
- proof of 155–158
- purified 243
- question of 154, 291
- reasoning (about) 269
- reconstruction of 195
- relevant 84
- representation of 145, 173
- risk (and) 159
- schematic 160
- selection of 161
- sensitive 132
- situation 45–46, 112
- social 234, 260, 285, 298, 302
- sociological 298
- statistics (and) 162–163
- theorising 166–167
- unknown 161
- variation of 225
- viewing context 165
- virtual 136, 160–163, 166–167, 190, 192, 255
- factor 18, 85, 98, 106, 117, 132, 153, 165, 167, 179, 193, 199, 209, 239–240, 262, 265, 270, 280, 282
 - causal 189, 250
 - common 9, 266
 - educational 280
 - empirical 138
 - epistemological 17
 - interest 305
 - political 280
 - probability 163
 - psychological 173
 - religious 280
 - risk 150
 - social 280, 289
- faculty
 - absence (of) 79
 - law 211, 323
 - medical 175
- fairness 159
 - see also* justice; law
- fairy tale 233
- falsification 171, 181, 192, 256
 - see also* Popper, Karl
- family 108, 163, 244, 276, 295, 305, 308
- fantasy 201
 - see also* Brexit
- fault 53, 54, 65, 74, 75, 87, 146, 150, 166, 167, 172, 174, 175, 176, 192, 235, 278
 - see also* carelessness; *culpa*; negligence
- feedback 219
- female
 - bullying of 207–208
 - film star *see* Novak, Kim
- feminist legal studies 207
 - see also* jurisprudence; theory
- feudal law 24
- feudalism 24, 27
- fiction 157–158, 166, 206, 228, 229–257, 330
 - legal 51–52, 229–257
 - theory 10, 11, 116, 229–257
- Fielding, Henry 210
- film
 - analyst 198
 - critic *see* critic
 - horror 215
 - see also* Corman, Roger; Cronenberg, David; Hitchcock, Alfred; Leone, Sergio; Von Sternberg, Josef
 - noir* 216
 - stars *see* Novak, Kim; Stewart, James
 - studies 197–228, 329, 330
 - theorist *see* Aumont, Jacques; Carroll, Noël; Durgnat, Raymond; Marie, Michel; Staiger, Janet; Wood, Robin
- fire 30, 35, 36, 161–162, 165, 178, 235, 245
- fit 96
 - see also* Dworkin, Ronald
- Fitzgerald, Patrick 102
- flat-world 212

- Flightplan* 227
 flock 40
 flood 246–247, 283
Forbidden Planet 210
force majeure 237
 foreseeability 35, 45, 109, 180, 236, 237
 formalism 3, 74, 79–81, 121, 182, 188, 328, 331
 rights (and) *see* model (rights)
 formalist 280, 328
 forms of action 46–47, 75, 76, 78, 79, 79, 80, 112, 122, 128, 150
 abolition of 141
 formula 214
forteresse de mots 28
 Fortescue, Justice, 77
 Foucault, Michel 264
 framework 1, 10–11, 329
 diachronic *see* approach
 epistemological 10
 synchronic *see* approach
 see also approach; theory
 Frank, Jerome 208–209, 280
 fraud *see* deceit; *dolus*
 freedom
 expression (of) 105, 319, 324
 Hohfeld 102
 information (of) 320
 press (of) 103, 104
 speech (of) 104
 freeman 39
 Freud, Sigmund 188, 208
 fruit 40
Führer 281
 Fuller, Lon 230
 function and functionalism 6, 74, 79, 82, 97, 109, 141, 163, 188, 226, 228, 242, 278, 326, 331
 judicial 186–188
 social 85
 see also method; schemes of intelligibility
 gain 278
 see also benefit
 Gaius 34, 37, 47, 48, 55, 124, 156, 200, 231, 327
 game
 computer 190
 cricket *see* cricket
Geisteswissenschaften 275
 gender 280
 see also female
 generality
 level of 83
 generation
 future 108, 320
genre 224
 see also film
 genus and species 15, 21, 29, 37, 43, 75–76, 118, 146, 180, 264
 geometry 61, 62
 moral 270
 see also *mos*
 gift 16, 254
 ginger-beer 238, 241, 245
 Gloss (the) 15, 22
Glossae ordinariae 15
 glosses 15, 24, 25, 58, 59
 Glossators 14–21, 22, 25, 26, 30, 68, 72, 85, 120
 goal
 economic 109, 110
 empirical 187
 social 109
 see also economics; function; purpose
 God 17, 28
 see also act
 Goff, Robert and Lord 6, 80, 130, 262–263
 Gold, Steven 257
 good faith 40, 49, 308, 317
 goods 65, 146, 313
 intangible 313
 interference with 131
 Gordley, James 8, 9, 12, 13, 19, 30, 31, 33, 41, 43–44, 53, 55, 58, 60, 61, 70, 73, 74, 75, 77, 79, 81, 84, 86
 Gospel 31
 Gothofredus, Jacobus 90

- Granger, Gilles-Gaston 136, 160, 173, 175, 177, 261–262
- Gray, Kevin 287, 301
- Gray, Susan 287, 301
- Greene, Lord 164
- grille de lecture* 202
- group 108
- fragmented 108, 292
 - interest 297–298
- Grundrechtskollision* 103
- guesswork 110
- guilt 207
- Hale, Lady and Baroness 108, 159, 162, 193, 194, 195, 227, 318
- Hallett, Lord Justice 198
- Halsbury, Lord 138
- Hammer Films 215
- Hammond, Justice 102
- harassment 113
- Hardy, Thomas 210
- harm 291, 312, 313
- intangible 313
 - see also* damage; loss
- Hart, Herbert 91
- Hedley, Steve 287
- Heineccius, Joham Gottlieb 61, 64, 287, 288–289
- Helmore, Tom 203
- Henrici de Cocceji 65
- Hepworth, Cecil 201
- Hercules 248
- see also* Dworkin, Ronald
- hermeneutics 6, 25, 26, 27, 56, 63–64, 67, 68, 69, 74, 82, 85, 96, 161, 163, 182, 184, 187, 188–189, 214, 215, 216, 223, 240, 248
- see also* interpretation; schemes of intelligibility
- heuristics 218
- highway 268, 302, 311
- Hillsborough 296
- hire 36, 39, 48, 64, 146
- historian 4, 59
- see also* Baker, John (Sir); Gordley, James; Lobban, Michael;
 - Maclean, Ian; Van Caenegem, Raoul
- historiography 170
- history 9, 12–86, 170
- legal 132, 281, 331
 - legal thought (of), 12–86
 - see also* humanists
- History of Violence* 216
- Hitchcock, Alfred 202–207, 209, 213
- Hobbes, Thomas 29
- Hobhouse, Lord 154–155, 283, 318
- Hoffmann, Lord Justice and Lord 104, 157, 247, 283
- Hohfeld, Wesley Newcomb 101–102, 103, 287
- holism 74, 164, 190
- individualism (versus) 190
 - see also* individualism; paradigm
- Holmes, Oliver Wendell 188
- Holy Roman Empire 16
- Hope, Lord 91, 192–193
- hospital 139, 151–152, 217–218, 235
- householder 106, 150, 252, 300
- Hugo 14
- see also* Glossators
- human *see* person
- human rights
- European Convention 103
 - Universal Declaration 108
 - see also* rights (human)
- humanism 59, 70, 323
- humanists 23, 57–60, 70, 72, 75, 76, 79, 88, 90
- humanities 11, 168, 222, 223, 282, 284
- hunches 208
- see also* Frank, Jerome
- hypothesis 177, 181, 183
- idea 66
- economic 103
 - philosophical 66, 103
 - political 66, 103
 - social 66, 103
- idealism 97
- normative 278
- idealist 280

- ideology 167, 201, 234, 327
 Ihering *see* Jhering, Rudolf von
 illegality 293
 illness 36, 125, 160, 173, 176, 177,
 181, 183, 189, 279
 illusion 60, 182, 205, 243
 image 94, 133, 144, 145, 153, 154,
 194, 202, 211–213, 214, 217,
 228, 242, 246, 247, 248, 255,
 256, 265, 269, 271, 329
 immunity
 Hohfeldian 102
imperium 42, 49, 300, 301
in causa ius esse positum 19, 43, 50,
 172, 177
in personam see action; right
in rem see action; right
 index 140, 256
 individualism 73–74, 164
 holism (versus) 190
 methodological 182
 selfish 308
see also holism
 inducing breach of contract 131
 induction 3, 19, 31, 36, 43, 53, 54,
 93, 116, 179–181, 238, 241, 242,
 243, 264, 265, 266, 280, 322,
 330
 inference 62, 138, 164, 181, 199,
 238–241, 243, 256, 257, 287,
 information 123, 130, 144, 162, 178,
 212, 219, 261, 264, 265, 319
 confidential 319
 environmental 320
 freedom of 320, 324
 government 319
 loss of 133, 212
 medical 181
 inheritance 146
 injunction 106, 113, 127, 128, 274,
 290, 300, 311
injuria 34, 46
 injury
 consequential 79
 direct 109
 fatal 302
 indirect 109
 personal 139, 162, 193, 227, 279
 insolvency 159
Institutes 138, 174, 252
 Gaius 55, 60, 145, 249, 293
 Justinian 17, 33, 42, 60, 90,
 117–118, 185, 249, 293
 system *see* person (things and
 actions); system
 institution 37, 87, 167, 174, 331
institutiones see Institutes
 instrumentalism *see* function
 insult 48, 147
 insurance 141, 155, 159, 188,
 246–247, 283
 integrity 82–83
 bodily 66, 312
see also Dworkin, Ronald
intellectus 26, 86, 160, 192, 265
 intention 26, 98, 146, 189, 215, 247
 kill (to) 189
 interdisciplinarity 6, 59, 81
interesse see interest
Interessenjurisprudenz 73
 interest 36, 38, 73–74, 82, 87, 100,
 104, 105, 108, 113, 115, 129,
 130, 131, 132, 136, 146, 167,
 174, 187, 231, 234, 235, 260,
 277, 278, 281, 285–328,
 330–331
 agriculture 298
 animal's 297
 balancing of 322
 best 109, 235, 293, 295, 296, 305
 bodily 291
 businesses' 298, 318
 child's 109, 297, 305
 class 322
 client's 196, 243
 commercial 301, 304, 308, 311,
 317, 318, 319, 320, 321, 328
 common 308
 community 187, 292
 company's 308, 321
 competing 234
 competition 290
 confidentiality 323
 conflicting 106, 187, 305, 312, 319
 concept (as formal) 321, 325
 consumer 292, 304, 321

- contractual 289
- damages (and) 312–313
- definition of 286, 289–291, 328
- diffuse 297
- economic 132, 320, 328
- employees' 298
- employers' 298
- environmental 320
- equitable 290
- expectation 310, 328
- facts (and) 325–326
- financial 291
- health 319
- individual 104
- industry 298
- invaded 139
- justice (of) 317, 318, 324
- land (in) 290
- legitimate 101, 108, 295, 302, 303, 306, 307–308, 309, 310–311, 312, 314, 315–316, 326
- local government 298
- local inhabitants' 298
- mental health 291
- parent's 297, 300
- patrimonial 295
- possessory 299
- private 276, 293, 304, 318, 328
- property 289, 291, 298–299, 310, 320
- public 96, 104, 106, 108, 109, 192, 244, 276, 289–290, 290–291, 293, 301, 302, 305, 317, 318, 319, 320, 324, 328
- reliance 328
- reputation 131
- restitution 328
- sectional 108, 317–320
- self- 73, 107
- shareholder's 308, 321
- simple 296
- social 73–74, 81, 100, 182, 187, 192, 234, 289
- subversive influence of 321
- sufficient 303
- teachers' 298
- theory 11
- see also* Ost, François
- interpolation 58, 59
- interpretatio* 43, 49, 59, 67, 88, 95, 97, 115
- declarativa* 26
- facti* 48, 49
- restrictiva* 26
- interpretation 26–27, 38, 49, 57, 68, 95–98, 182, 192, 215, 221, 222–227, 258, 278
- ad literam* 26
- ad sensum* 26
- author (and) 189
- canons of 98, 99
- contracts (of) *see* contract
- Dworkin and *see* Dworkin, Ronald
- extensive 26
- fiction (and) 246–248
- hermeneutics (and) *see* hermeneutics
- law as 98
- see also* Dworkin, Ronald
- legal 183–184
- liberal 26, 69
- literal 26, 67, 68
- literary 218–220
- method of 14, 99, 222
- presumptions 98
- realism and *see* realism
- restrictive 26
- rules (of) 67
- statutory 51, 97, 98, 97, 98, 106, 222, 332
- strict 69
- symptom 183
- see also* approach; hermeneutics; legislation; meaning; word
- interpretativist 198
- see also* Dworkin, Ronald
- intervention
- necessitous 52
- introspection
- childish 209
- see also* Frank, Jerome
- intuition 221, 267, 269
- invitation to treat 254
- invitee 150
- Ipcress File (The)* 227

- Irnerius 14, 15
 isomorph 190, 264
ius 27, 29, 38, 39, 41, 48, 49, 53, 65,
 67, 76, 88, 99, 100, 111, 115,
 146, 147, 287, 290
actionis 38
 ambiguity of 100
antiquum 28
civile 39
commune 15, 20, 24–25, 28, 31
gentium 39, 40, 49
Glosae 67
in causa 19, 172, 177
in re aliena 55, 147
naturale 4, 27, 28, 39, 40, 49, 63,
 115
nostrum 66, 67, 99
obligationis 38, 99
personarum 294
possessionis 38
proprium 21, 24–25, 27, 63
publicum 42
sum cuique tribuendi 41
 Ivainer, Théodore 161, 162
 Jacobus 14
 Jacobus de Ravanis 22
 Jamin, Christophe 69
 Jauss, Hans Robert 218
Jaws 247
 Jestaz, Philippe 69
 Jhering, Rudolf von 73, 107, 139,
 285, 293, 330
Johnny Guitar 216
 Jolowicz, Herbert Felix 50
 Jones, Gareth 6
 Jones, John Walter 13, 41, 70, 116,
 229, 230, 281
 Jonsen, Albert 54, 173, 176,
 270–271
see also Toulmin, Stephen
 journal
 film 210
 law 208
 judge 68, 96, 120, 122, 144, 148, 200,
 255–256, 259
 author (as) 97
see also Dworkin, Ronald
 civilian 186
 college of 40
 conflicts between 283
 French 161
 hunches (and) 208
see also Frank, Jerome; hunches
 intention of 190
 jurist (and) 122
 personality of 209
 politics (and) 198
 psychology of 210
 reader (as) 221
 role of 225
see also Dworkin, Ronald
 superhuman 248
see also Dworkin, Ronald;
 Hercules
 trial 179, 280
 judging
 refusal 68
 judgment
 empirical 259
 moral 259
 political 318
see also decision
 judicial review 293, 303, 310
 judiciary *see* judge
 Julian (Julianus), Salvius 47
jurisdictio 28
 jurisdiction 28
 jurisprudence
 English 5
 feminist *see* feminist legal studies;
 theory (feminist)
 French 69
 historical 4
see also Dworkin, Ronald; Hohfeld,
 Wesley Newcomb; theory
 jurist 255–256, 259
 Belgian *see* Ost, François; Van
 Caenegem, Raoul; Van Hoecke,
 Mark
 civilian *see* Baldus de Ubaldis;
 Bartolus de Saxoferrato;
 Bergel, Jean-Louis; Cujas,
 Jacques; Gordley, James;
 Heineccius, Joham Gottlieb;

- Jhering, Rudolf von; Mathieu, Marie-Laure; Ost, François; Van Caenegem, Raoul; Van Hoecke, Mark
- common law *see* Baker, John (Sir); Birks, Peter; Dworkin, Ronald; Gordley, James; Lobban, Michael; Llewellyn, Karl; Waddams, Stephen
- Enlightenment 96
- foreign 142
- French 120, 209–210, 211
see also Bergel, Jean-Louis; Cujas, Jacques; Champeil-Desplats, Véronique
- German *see* Heineccius, Joham Gottlieb; Jhering, Rudolf von; Pandectists
- Italian 12
see also Baldus de Ubaldis; Bartolus de Saxoferrato; Glossators; Post-Glossators
- judge (and) 122
- medieval 12–32, 33, 46, 50, 55, 57, 58, 59, 60, 69, 84, 88, 96, 113, 180, 260, 271
see also Baldus de Ubaldis; Bartolus de Saxoferrato; Glossators; Post-Glossators
- modern 115
- professional 43
- psychology of 222
- role of 262–263
- Roman 33–56, 59, 60, 62, 69, 115–116, 122, 143, 225, 271
see also Roman law; Ulpian, Domitius
see also civil law (tradition); judge; lawyer
- jury 75, 76, 120, 143, 144, 148, 153, 221, 266, 280
- jus see ius*
- justice 28, 41, 91, 135, 158, 193, 291
administration of 290, 305
anthropomorphic conception of 236, 237
corrective 293
miscarriage of 266
practical 194
- Justinian 13, 17, 18, 20, 33, 66, 249
justitia 28, 29
- Kahn-Freund, Otto (Sir) 281
- Keith, Lord 129–130, 131
- Kelley, Donald 9, 10, 27, 28, 68
- Kerr, Lord 111
- Knife in the Water* 227
- knowledge
legal 43, 53, 192, 292, 331–332
medical 181
non-symbolic 94, 145, 228, 265, 267
ordinary 165
representation 132–134, 211–218, 251–255
see also fiction; Vaihinger, Hans
rule-based 89–95
see also regula; rule
scholarly 165
social science *see* science (social)
symbolic 133, 265
theory of 232
see also epistemology; fiction
- Kuhn, Thomas 4, 5, 6
- land 146, 216, 307–308, 312
non-natural user 283
owner 308
- landscape 215, 216
see also map
- Lane, Geoffrey, Lord Justice 273–274, 277
- language
ambiguity of 63, 94, 95, 100, 280
deeming (of) 188
descriptive 154
fiction and 246
film writers (of) 224
Greek 21
jurist (of the) 86
law (of the) 86, 174, 183
legal 8, 9, 10, 23, 102, 115, 122, 200, 202, 211
logic (of) 270

- natural 67
- negotiation (of) 324
- ordinary use of 154, 155
- popular 114
- symbolic 242
- theory of 58
- two-dimensional 212
- Lasser, Mitchel 9, 240, 329–330
- law
 - actions (of) 77, 303, 310, 313
 - see also* action
 - administrative 151
 - black-letter 121
 - canon *see* canon law
 - categories of 39
 - charity 272
 - civil 320
 - see also* civil law (tradition)
 - classification of *see* classification; category
 - coherent whole 59
 - commercial 142, 320
 - common *see* common law (tradition)
 - company 233
 - conception of *see* theory
 - constitutional 42, 319, 320
 - continental *see* civil law (tradition)
 - contract *see* contract
 - criminal 105
 - definition of *see* Dworkin, Ronald; jurisprudence; theory
 - discipline of 42–43
 - economics (and) 187, 281–282
 - see also* economics
 - fact (and) *see* fact
 - faculty *see* faculty; university
 - family 141, 297, 308
 - feudal *see* feudal law
 - foreign 142
 - French 97, 110, 139, 150–151, 186, 239–241, 294, 295, 302
 - see also* jurist
 - German 142, 183
 - see also* jurist
 - hermeneutics (as) *see* Dworkin, Ronald
 - insurance 155, 321
 - international 79
 - interpretation (as) *see* Dworkin, Ronald; interpretation
 - isolation of 42–43
 - Italian *see* jurist
 - justice (and) 41
 - labour 140, 298
 - land *see* land; property
 - law-maker (and) 331–332
 - liability *see* liability
 - literature (and) *see* literature
 - map of *see* map
 - meaning of 91
 - merchant 142
 - natural 28, 63, 77, 78, 119, 186, 225, 232
 - obligations (of) 39, 139, 248–251, 287, 295, 298
 - persons (of) 39, 294
 - practice of 8
 - private 20, 42, 103, 124, 133, 140, 212, 213, 244, 248–251, 300, 301, 303, 308, 310, 313, 321
 - private international 23
 - procedural 75, 301–302, 321
 - see also* procedure
 - professional subject 211
 - property (of) *see* property
 - public 20, 23, 42, 140, 212, 244, 300, 301, 303, 310, 319
 - purpose (as) 183
 - purpose of 107
 - quasi criminal 313
 - quasi-public 301
 - restitution (of) *see* restitution
 - role 42
 - Roman *see* Roman law
 - rule (as) *see* model
 - rule of 278
 - school *see* university
 - science (as) 67
 - science of *see* science
 - see also* *scientia iuris*
 - sociology and *see* science (social); sociology
 - source of 210, 311–312
 - stability of 279

- substantive 75, 321
- system (as) *see* system
- taxonomy and *see* taxonomy
- teaching of *see* university
- theory of *see* theory
- things (of) 39
 - see also* goods; property; thing
 - see also* *ius*
- tort *see* tort
- trusts (of) *see* trust
- unclear 195
- Law of Restitution* (Goff and Jones) 6
- Laws, Lord Justice 217
- Lawton, Lord Justice 246
- lawyer
 - academic 208, 209, 262–263
 - see also* jurist
 - administrative 303
 - American 74
 - see also* Dworkin, Ronald; Frank, Jerome; Llewellyn, Karl
 - comparative 110, 292
 - civil 14–86, 314
 - common law 74–84, 84, 145, 256
 - French 72
 - German 70–73
 - medieval 14–32
 - natural 23, 70, 72
 - professional 85
 - see also* jurist; university
- layout 213
- lease 43
- lectura* 15
- legal
 - culture *see* culture
 - epistemology *see* epistemology
 - fiction *see* fiction
 - formalism *see* formalism
 - method *see* method
 - norm *see* norm
 - object *see* res
 - person *see* person; persona;
 - personality
 - personality *see* personality
 - philosophy *see* philosophy
 - see also* Dworkin, Ronald
 - positivism *see* positivism
 - procedure *see* procedure
 - rule *see* rule
 - theorist *see* theory
 - see also* Dworkin, Ronald
 - theory *see* theory
 - legislation 49, 51, 219, 221, 222
 - interpretation of 51, 97
 - see also* statute
 - style of 219–221
 - see also* interpretation; statute; words
 - legislator 27, 200, 255
 - intention of 27
 - will of 67, 69
 - will of the people (and) 69
 - legitimation 327
 - Leibniz, Wilhelm 61, 62, 182
 - Leone, Sergio 215, 216
 - Levi, Edward 259
 - lex* 29
 - regia* 42
 - Lex Aquilia* 34, 45, 46, 50
 - liability 290
 - accident (for) 139
 - see also* damages; harm; injury; loss
 - culpa* 177
 - forced 251
 - ex delicto* 122
 - see also* delict; tort
 - fault 9
 - no-fault 9
 - school (of) *see* school
 - strict 9, 131, 150, 166, 177
 - libel *see* defamation
 - libellus* 148
 - liberty 310, 312
 - Libri legales* 13
 - Lindley Lord Justice 123, 138
 - literature
 - film *see* Carroll, Noël; Durnat, Raymond; Staiger, Janet; Wood, Robin
 - legal 117–142, 208–210, 211
 - litigation 124
 - Llewellyn, Karl 84, 115, 160, 161
 - loan 16, 36, 39, 64, 146
 - Lobban, Michael 77–78, 121, 185, 186

- locus standi* 303
- logic 9, 17, 19, 21, 22, 25, 27, 31, 40, 43, 47, 52, 63, 67, 70–73, 90, 92, 94, 101, 118, 132, 133, 134, 138, 157, 182, 184, 191, 193, 194, 237, 242, 243, 257, 259, 261, 266, 279, 314
- German law 70–73
- Greek *see* Aristotle
- Roman law 47–49
- sylogistic *see* syllogism
- see also* deduction; syllogism
- logica nova* 17, 19, 85
- loi* 65
- du 5 juillet 1985* 139
- log 77, 79
- loss 65, 136, 278, 283
- chance (of a) 155–159, 192–193
- economic 81, 192, 234
- Lucas de Penna 26
- lucerna iuris* 14
- MacCormick, Neil 83, 91, 187, 267, 269
- Maclean, Ian 6, 29, 32, 57, 58
- Macmillan, Lord 126
- Maitland, Frederick 113
- malice 129, 130, 172, 310
- malicious falsehood 130
- malum delictum* 147
- man
- ordinary 246
- reasonable 236
- underground (on the) 195, 220, 221
- mandate 52
- manipulation *see* fact
- Mann, Thomas 210
- manuel* 119, 121
- map 116, 123, 127, 131–132, 133, 213, 252, 327
- territory (and) 251–255
- Marcellus, Ulpius 39
- Marie, Michel 201
- marketing 290–291
- marriage 302
- Martinus 14
- Marxism 262, 281
- Masquelet, Alain 168–170, 175–176, 178–179, 180, 181, 189, 193, 195
- mathematics 4, 7, 62, 72–73, 115, 132, 133, 169, 182, 183, 261
- Mathieu, Marie-Laure 202, 211–213, 251–252, 255, 264
- Maugham, Viscount 137
- maxim (legal) 224
- see also* *regula iuris*
- Maxwell, N 257
- McHugh, Justice 94–95
- meaning *see* hermeneutics; interpretation, Staiger, Janet
- mechanic 168
- medical
- check-up 152
- condition 172, 177
- diagnosis 54
- evidence 157
- fact 278, 279
- knowledge 175, 176, 181, 192
- opinion 296
- reasoning 168–196
- see also* reasoning
- record 323
- scheme 279
- science 173, 180–181
- test 177
- textbook 169
- medicine 169, 181, 196
- learning of 175
- practice of 176
- practitioner of 195
- teaching of 175
- mens* 26, 27
- contractoris* 247
- legislatoris* 27, 96, 97, 106, 219, 247
- rea* 189–190
- mental distress *see* damage
- mentalité* 183
- mentality 250
- legal 9
- stovepipe 123, 124
- mesothelioma *see* cancer
- message 215, 216

- metaphor 3, 115, 144, 153, 154, 167, 202, 212, 227, 255
- metaphysics 63
- method 17, 43, 70
 actional *see* scheme of intelligibility
 analysis (of) 14
 analytical 241
 casuistic *see* casuistry
 causal *see* scheme of intelligibility
 common law *see* Lobban, Michael; Waddams, Stephen
 complacent 69
 deductive 241
 see also deduction
 dialectical *see* dialectic; scheme of intelligibility
 dogmatic 63
 empirical 279
 exegetes 68
 functional 6
 see also functionalism; scheme of intelligibility
 Glossators (of) 16
 grammatical 59
 hermeneutical *see* hermeneutics; scheme of intelligibility
 historical 57–60
 humanists (of) *see* humanists
 inductive 241
 see also induction
 innovative 61
 interpretation *see* interpretation
 legal 18, 57, 63, 86, 87, 228, 331
 mathematical 67
 see also *mos*
 Post-Glossators (of) 24–27
 Roman 48, 52–56
 scholastic *see* scholastic
 scientific 71
 social science 189
 structural *see* scheme of intelligibility, structuralism
 text (and) 72
 universalisation *see* universalisation
 unscientific 80
 validation of *see* Popper, Karl
 see also methodology; reasoning; schemes of intelligibility; system
- methodology 6, 8, 24–27, 49, 201
 duty of care (and) 241–242
 individualism (of) *see* individualism
see also method; paradigm; schemes of intelligibility
- Miers, David 259
- Millet, Lord Justice 295, 297
- Milton, John 210
- mind 173, 183, 207, 214, 231
 analogy (and) 178, 265
 guilty *see* *mens rea*
 judge (of the) 78, 186
 legal 206
 see also attitude; Dworkin, Ronald; Post-Glossators
- legislator (of) 27
- ordinary person (of) 247
- psychological state of 207, 208
- reality and 255
- right-holder (of the) 100
- state of 215, 216
- misinformation 154
- misrepresentation 164, 220, 253
- misstatement 220
 negligent 129–131
- mistake 16
 contractual 9, 16, 237, 239
 fact 48
 law 48
 mistranslations 59
 reference 131
 self-defence 105
 textual 59
 window-cleaner 251–252
- model 114, 136, 145, 168, 173, 175, 177, 182, 214, 218, 237, 254, 256, 261–262, 265, 272, 278, 279
 abstract 101, 261–262, 272
 analogy (and) 265
 anti- 211
 epistemological 233
 see also epistemology; schemes of intelligibility
 feudal *see* feudalism

- French 211
functional *see* function
Gaian *see* Gaius, *Institutes*; person (things and actions)
institutional 55, 174, 298
see also *Institutes*; person (things and actions); system
interest 100, 105–109, 131, 132, 281, 328
see also interest
interpretation 95–99
see also interpretation
Hohfeldian *see* Hohfeld, Wesley Newcomb
legal 114–116
literary 218
mathematical 174, 262, 279
natural 260
policy 109–111, 129, 186, 281
see also policy
political 24
prototype 133
rationalist 122
reality and *see* Granger, Gilles-Gaston
reasoning 131, 132
remedies 111–114, 128, 141, 146
see also remedy
rights 99–105, 111, 124, 182, 287
see also rights
rule 89–95, 103, 117, 127, 128, 131, 144, 182, 225, 228, 259–260, 267, 269, 272, 277, 283
schematic 173
scientific 261
structural 175
three-dimensional 293
modi arguendi in iure 17, 271
Modleski, Tania 206
modulus 173
money 146, 314
see also damages; debt; value
monism 63
morality 55, 270, 289
mos
Gallicus 58, 60
geometricus 61, 62, 67, 70, 74, 84, 118, 169, 185, 287, 288
Italicus 23, 57, 58, 60, 67
mathematicus 61
motive 189, 310
practical 107
see also behaviour
mountaineer 152
see also causation
mule 50, 171–172, 175
driver 35, 172, 175, 176, 178
murder 189, 244, 312
Murray, Justice 98
music 214, 300
myth 247, 267, 288
Napoléon 68
narrative 163–166, 196, 197, 214, 228
National Health Service 217
Naturrecht 183
necklace 203, 204
negligence 34, 79, 105, 110, 112, 114, 128, 129–131, 138, 151, 157, 159, 172, 178, 193, 194, 217, 234, 238, 268, 274
see also carelessness; culpa; fault; duty; tort
negotiability 142
neighbour 127, 150, 251, 307
nemo jurista nisi Bartolista 23
Neratius, Priscus 48
network
causal 189, 192
facts (of) 192
Neuberger, Lord 315–317
Nicholls, Lord 113, 184, 304
Niglia, Leone 222
Nolan, Donal 223
nomen
intellectuale 233, 238
iuris 233, 238
nomina 65
nominalism 65–67
non-coherence *see* coherence
non haec in foedera veni 236
non licet allegare 18
norm 62, 72, 73, 91

- see also* rule
- notion
 - quasi-descriptive 174
 - see also* concept
- Nova Methodus* 61
- Novak, Kim 203–207, 214
- novel
 - chain 82–83, 97, 225, 227, 232, 248
 - literary *see* Durgnat, Raymon; Staiger, Janet
- novus actus interveniens* 153, 154
- nuisance 106, 108, 122, 260, 318
 - private 112, 149, 274
 - public 112, 268–269
- nurse 217–218
- object
 - external 244
 - inert 172
 - legal 291
- obligatio* 38, 49
 - mandati* 38
 - quasi ex contractu* 138
- obligation 16, 38, 53, 55, 91, 124, 147, 167, 174, 212, 295, 314, 326
 - primary 315–316
 - secondary 315
- obligations (law of) *see* law
- obscenity 220–221
- observation
 - level of 2, 157, 163, 237
- obstacle
 - epistemological 4, 5
 - justice (to) 306
 - understanding (to) 68
- occupier 150, 283
- offer and acceptance 254
- Oliver, Lord 101
- omnia in corpore iuris inveniuntur* 18
- Once Upon a Time in the West* 216
- ontology 11, 244, 259, 260
- opinion
 - aesthetic 200, 226
 - difference of 137, 141, 217
 - dissenting 188
 - expert 199
 - medical 296
 - moral 280
 - practical 24
 - professional 24
 - see also* *consilia*
 - public 85
- orality 166
- order 17
 - Digest* (of the) 62
 - intelligible 223, 224
 - natural 61
 - systematic 71
 - see also* system
- ordinary
 - Englishman 246
 - householder 156
 - housewife 246
 - juror 221
 - knowledge 165, 230
 - land (use of) 275
 - language (use of) 154–155
 - man 164
 - meaning 91
 - person 165, 194, 221, 247
 - reader 221
 - reasoning 1, 55, 230, 258, 263, 267, 270, 271, 272
 - remedies 293
 - right 103
- orientation
 - deductive 31
 - see also* deduction
 - empirical 106, 293
 - epistemological 232, 332
 - see also* epistemology
 - fictional 236
 - see also* fiction
 - functional 109, 182, 255
 - see also* function
 - humanism 57–60
 - individualistic 42
 - see also* individualism
 - interest 293, 327
 - see also* interest
 - paradigm 2, 3, 6, 17, 190, 332
 - see also* paradigm
 - psychological 209
 - structural 173

- see also* structuralism
 systems 139
see also system
 teaching 331
see also model; schemes of
 intelligibility; theory
 Ormrod, Lord Justice 325
 Ost, François 288, 289, 295–296,
 308–309, 310, 321–322, 325,
 326
 owl 250
 owner
 action by 100
 animal 150, 177
 building 151, 164, 302
 café 245
 car 234, 315, 316
 car-park 317
 entitlement of 326
 mule 175
 goods (of) 142, 299
 interest of 52
 land 101, 106, 150, 273, 307, 308,
 316
 limbs (one's own) 296
 property 52
 right of 101
 ship 112, 137, 152, 269
 slave 40, 50, 54, 55, 172, 312
 ownership 9, 16, 38, 40, 42, 53, 74,
 87, 139, 146, 167, 174, 175, 192,
 231, 234, 253, 300, 307, 319
 body (of) 296
 transfer of 16
 see also dominium

 pact *see pactum*
pactum
 nudum 46, 50–51
 vestitum 46, 51
 painting 133, 203, 204, 216, 256
 Pandectists 70–73, 84, 182, 288
 Pandects *see* Digest of Justinian
 Papinian (Papinianus), Aemilius 47
 paradigm 2, 60, 273, 279, 329
 authority 2, 17, 56, 95, 97, 114,
 198, 199, 210, 211, 219, 222,
 225, 228, 263, 279, 280, 281,
 284, 329, 330, 332
 case 54, 55
 enquiry (inquiry) 263, 279, 285,
 329, 332
 individualistic *see* individualism
 holistic *see* holism
 literary 211
 orientation 2, 6, 190
 rule-based *see* model (rule)
 park
 car- *see* car
 no vehicles in 94, 95
 Parliament 159, 309
particularisme 185
 partner 144, 302
 partnership 36, 37, 39, 64, 146
 party 36, 80, 165, 191, 216, 217, 220,
 236, 243, 252, 280, 314, 315,
 324
 commercial 139
 contractual 215, 237, 308, 309, 313
 guilty 189
 innocent 309, 315–316
 third 144, 152, 313, 314–315
 two 108
 see also person
pas d'intérêt, pas d'action 302
 passport 292
 patent 253
 patrimony 296, 313
 patient 168, 171
 unconscious 295, 296–297
 pattern recognition 172, 224
 Paulus (Paul), Iulius 44, 49
 Paulus de Castro 27
pecudes 34
peculium 54, 212, 250
 penalty 309, 315–317
 Perelman, Chaïm 9, 84–85, 184, 288
 performance 126
 contractual 101, 165, 236, 237, 316
 specific *see* specific performance
 person 37, 54, 146, 147, 175, 208,
 253,
 class of 108

- corporate 232, 255
- fictional 206, 271
 - see also persona (ficta)*
- human 296
- indigent 266
- intangible 55
- law of *see* law
- legal *see* company; corporation;
 - personality
- ordinary 194, 220, 221, 246, 247
- reasonable 236, 237, 247, 254
- thing and action 37, 39, 48, 49, 53,
 - 55, 60, 87, 118, 124, 145–146,
 - 167, 174, 200, 222, 231, 255,
 - 278, 293, 294, 317, 327
 - see also* Gaius; *Institutes*;
 - Justinian; scheme
- thing and obligation 139
- unborn 108
 - see also* subject (legal); *persona*
- persona* 37, 50, 175, 176, 192, 200,
 - 202, 203, 204, 206, 214, 228,
 - 231, 233, 271, 286, 291, 292,
 - 293, 294, 295, 296, 297, 301,
 - 303, 306, 312, 318, 320, 322,
 - 327
- alieni iuris* 39
- diffuse 320
- ficta* 233, 271
- repraesentata* 271
- res et actiones* 48, 49, 200, 231,
 - 321, 327, 328
 - see also* persons
- sui iuris* 39
- personality
 - cinema and 202–207
 - corporate 271
 - legal 292, 297
 - right *see* law (of persons)
- perspective
 - code 222
 - different 1
 - female 280
 - historical 8, 96, 135
 - institutional 293
 - original 119
 - paradigm 329
 - reasoning 103
 - synchronic 87
- Petrus de Bellapertica 22
- Pfersmann, Otto 143
- Phillips, Lord 156, 215, 323–324
- philology 58
- philosopher 2, 8, 21, 41, 53, 143, 246
 - Belgian 84
 - see also* Perelman, Chaim
 - French 229
 - see also* Bouriaud, Christophe
 - German 229
 - see also* Vaihinger, Hans
 - Greek 20
 - legal 7, 82
 - medieval 20, 31, 65
- philosophy 20, 41–42, 87, 214, 224
 - economic 42
 - epistemology (and) 8
 - fiction (and) 229
 - film writers (and) 224
 - Greek 185
 - see also* Aristotle
 - hermeneutics *see* hermeneutics
 - judges (and) 78
 - justice (of) 107
 - legal 103
 - materialistic 42
 - mathematics 8
 - political 41, 103, 186
 - real 42
 - realist 160
 - social 41
 - see also* epistemology;
 - jurisprudence; theory
- phronesis* 28
- physics 73
- physicist 41
- picture 277, 329
 - film 200
 - see also* image; painting; portrait
- pigeon 249, 250
- plan
 - cartographical 134
 - institutional 37, 118, 294
 - see also* *Institutes*; person (thing and action); system
 - legal *see* map

- rational 118
 tree-like 30
 taxonomical 137
 see also taxonomy
 two-dimensional 137
 two-part 30, 203
- Plato 98
- plea 77, 78, 121
- pleading 148, 185
- pledge 36
- pleural plaques 235
- Poe, Edgar Allen 214
- poetry 226
- police 110, 140
- policy 2, 43, 78, 79, 81, 82, 83, 88, 93, 96, 99, 129, 132, 140, 163, 186–187, 242, 281, 289, 306
 decision *see* model (policy)
 model 109–111
 see also model
 principle and 83
 public 130, 135, 186, 309
- politia* 109
- politics 14, 24, 82, 96, 198, 331
- pollution 108, 112, 127, 268
- polysyllogism *see* syllogism
- Pomponius, Sextus 40, 49
- Pope Innocent IV 233
- pool (swimming) 165, 167, 191, 194, 217, 227
- Popper, Karl 171, 181
 see also falsification; test
- populus* 28, 29, 42, 320
- Portalis, Jean Étienne Marie 68
- portrait
 official 169, 240, 322, 329
 unofficial 169, 240, 329
 see also Lasser, Mitchel
- positivism 3, 5, 13, 63, 225, 232, 259
 legal 4, 13, 63, 71
 see also jurisprudence; theory
- Posner, Richard 81
- possessio* 29, 38, 49, 147, 175
- possession 9, 29, 38, 40, 43, 44, 48, 49, 74, 75, 87, 139, 146, 167, 174, 175, 192, 231, 253, 299
 bonæ fide (good faith) 40, 47
 house (of a) 44
 long 40
 malæ fide (bad faith) 47
- Post-Glossators (Commentators) 13, 21–32, 33, 46, 57, 58, 68, 72, 88, 89, 99, 118, 147, 191, 271, 331
 see also Baldus de Ubaldis;
 Bartolus de Saxoferrato
- potatoes 297
- potestas* 26, 29, 42, 147
- Pothier, Robert Joseph 142
- Potter, Justice 113
- pouvoir individuel* 100
- poverty
 relief of 272
- power 147, 301
 individual 100
 Hohfeldian 101, 102
 see also *dominium*; *imperium*;
 potestas
- practitioner 1, 121, 127, 170
 approach 185
 books 77, 117, 118, 119, 121
 classification (and) 127, 128
 client (and) 170
 medical 176, 195
 medicine (of) 195
 mentality 123
 legal 6, 25, 58, 60, 61, 68
 rationalisation of law (and) 126
 reasoning (legal) (and) 330
 teaching (and) 139
- praecepta* 31
- Praetor's Edict 34, 48, 49, 51
- pragmatism 232
- precedent 4, 77, 78, 80, 82, 83, 90, 96, 98, 183, 186, 222, 263–264, 269, 270–271
 facts (and) 80
- prediction 110, 174, 262
- prejudice 280
- price 64, 65, 163, 164, 239, 245, 252, 309
 reasonable 251
- princeps* 28, 29
- principium* 19, 22, 24, 25, 26, 31, 46, 56, 89, 90

- principle 23, 24, 53, 61, 64, 69, 82, 89, 90, 91, 98, 111, 123, 140, 141, 180, 181, 183, 185, 186, 259, 263
- abstract 185
- abuse of rights *see* abuse
- axiomatic *see* axiom; axiomatic
- duty of care *see* duty
- Dworkin (and) *see* Dworkin
- equality 151
- equitable 309
- functionalism *see* functionalism; scheme of intelligibility
- fundamental 89, 98
- Hedley Byrne* 130
- incoherent 259
- legal 7
- medical 181
- moral 267
- policy and 83
- rule (rather than a) 91, 99
- unattractive 259
- underlying
- unifying 266
- universal 181
see also syllogism
- privacy 294–295, 312, 319, 323
- private law *see* law
- privatisation 244, 301
- privilege
- Hohfeldian 101, 102
see also Hohfeld, Wesley Newcomb
- qualified 129
see also defamation
- pro* 20, 21
- utilitate communi* 47
see also *contra*
- profit 48, 135, 304, 313
- disbursement 135
- employer's 159
- private 301
- wrongful 134, 135, 304
- probability
- balance of 111, 156, 163, 165, 166, 193, 245, 257
- objective 223
- epistemological 223
- procedure 30, 66
- Chancery 76
- common law 120
- formal 32
- French 89, 149, 302
- legal 66, 75, 245, 321, 325, 326
- process
- abstraction 160
- analogical 270
see also analogy
- analytical 241
- argumentation 193
- checking 72
- classification 127
- communicative 219
- complex 133, 232
- decision-making 239, 242
- deductive 239
see also deduction
- dialectical 96
see also dialectics
- evaluation 155
- formal 281
- harsh interrogation 191
- hermeneutical 27, 82
see also hermeneutics
- historical 214, 273
- inductive 241
see also induction
- inferential 93
- intellectual 11, 278
- interpretative 72, 94, 192
- judging 209
- judicial 98, 208, 232
- justification 84
- legal 106, 186, 332
- literary 82
- logical 239
see also logic
- mechanical 242
- mental 264, 191
- methodological 127
see also method
- political 82
see also politics
- oral 166
- rational 170

- reasoning 1, 28, 32, 63, 77, 92,
112, 136, 191, 193, 211, 232,
242, 267, 295, 312, 327, 330
see also reasoning
social 214
syllogistic 240
see also syllogism
written 166
- production
event 250
film 211
literature 232, 248
textbook 117
- profession 8
legal 120, 122
- professor
law 117, 119, 120
see also teacher
- promise 16, 138, 165, 236, 237, 249,
253, 314
- proof
burden of 111, 138, 161–162, 193
causation (of) *see* causation
geometrical 62
probability (balance of) *see*
probability
standard of 111
- prop 200, 215
- property 39, 87, 124, 135, 136, 137,
147, 174, 212, 244, 253, 294,
295, 298–299, 313, 314, 320,
326
incorporeal 271
intangible *see* thing
intellectual 231
personal 76
physical 40
real 290, 299, 308
see also *dominium*; goods; land;
owner; ownership; *proprietas*;
thing
- proposition 7, 50, 62, 71, 82, 83, 95,
148, 164, 188, 241, 265
legal 61, 143, 277
knowledge 265
linguistic 265
mathematical 72
normative 35, 137, 221, 260, 332
- proprietas* 20
see also *dominium*; ownership
- prototype 242
- proximity 235
- pruner 35, 44–45, 179–180, 235
- psychology 170, 209, 211, 222, 331
social 280
- Puchta, Georg 70, 71, 183
- public
authority 324
general 210, 319
interest *see* interest
law *see* law
private (versus) 20
- puff (mere) 253
- purchaser
car (of a) 234
bona fide 234
land (of) 164
petrol (of) 253
- purpose
economic 109
law (of) 107
political 109
social 109
- quaestio* 15, 17, 20, 21, 32, 51, 144
de facto 17
disputata 20, 21, 32
- qualification* 149, 192
- quality
rules 91
satisfactory 144
- quantum meruit* 141, 250, 251
- quasi 55, 249–251
ex filio natus 52
categories 249
contract 39, 52, 55, 138, 140,
249–251
delict 39, 52, 138, 249
normative 300
see also as if; fiction
- question
asking the right one 126, 253
college (nature of) 40
epistemological *see* epistemology

- fact (of) 76, 143, 144, 148, 154, 159, 176, 291
- form or function 188
- Kelly (the) 10
- law (of) 30, 76, 143, 148, 154, 176, 303
- medieval method 15, 51
 - see also quaestio*
- paradigm 279–284
- property (nature of) 40
- slavery 40
- quid enim si* 45
- quo vadis* 86
- quod nostrum est* 286
- quod principi placuit* 23

- racism 209
- Radcliffe, Lord 236–237
- railway 301
- rape 312
- rapport* 186, 240
- ratio* 25, 26, 27, 29, 47, 67
 - aequitatis* 27
 - decidendi*
 - est anima legis* 22
 - iuris* 115
 - legis* 27, 96, 97
 - naturalis* 27
 - recta* 63
 - scripta* 22, 25
- rationalist(s) 13, 60–65, 92, 97
- rationalisation
 - law (of) 140
 - re- 140, 141
- rationality 117, 118, 184, 198
 - see also coherence; science*
- Rattigan, Terence 247
- Rau, Charles 64
- Raymond, Chief Justice, 77
- reader
 - activated theory *see* theory
 - judge as 221
 - ordinary 221
 - passive 219
 - role of 218–225
 - response of 218
 - strong 219
 - target (as) 221
 - see also* author
- reading
 - close 216
 - experience 219
 - facts (of) 97
 - film (of a) 202, 222
 - legislation 222
 - realism 3, 81, 188, 232, 278, 280, 331, 332
 - American 74, 83, 84, 110, 121
 - cinema 201, 213, 226
 - realist 188, 228
 - American 160, 208, 211
 - sociological 281
 - see also* realism
 - reality 205, 206, 214, 215, 223, 234, 254, 255–257, 265
 - complexity of 250
 - empirical 175, 243
 - invisible 214, 215, 216, 218
 - knowledge of *see* epistemology; schemes of intelligibility
 - representation of 202
 - social 25, 44, 49, 74, 85, 124, 147, 170, 174, 231, 234, 256, 294, 306, 327
 - vision of 223
- reason 66, 67
 - natural 27, 70
 - practical 39, 296
- reasonable 277
 - behaviour 144, 275
 - business person 247
 - care 130, 322
 - see also* duty; negligence
 - contractual clause 282
 - force 105
 - parent 218
 - person 236–237, 247, 275, 276
 - pool 165, 167
 - price 251
 - reasonableness 101, 144, 153, 164, 165, 167, 220, 310, 322
 - landowner (of) 101, 164–165, 310
 - see also* reasonable
 - reasoning 31, 32, 37, 39, 198, 318, 325

- abstract 119
- analogical *see* analogy
- authority (and) 39
- axiomatic 3, 70–74, 270
see also axiom; axiomatic;
 Heineccius, Joham Gottlieb;
 mathematics
- binary 212–213
- books (and) 140
- bottom-up 9, 28, 322
- codification and 67–70
- conceptual 70–73
- casuistic *see* casuistry
- causal *see* cause; method; schemes
 of intelligibility
- circular 311
- civil law *see* civil law (tradition)
- complexity of 1–2, 83, 232
- conceptual 64
- deductive *see* deduction
- definition 1
- demystified 258–284
- dialectical *see* dialectics; method;
 schemes of intelligibility
- empirical 258, 260, 263, 272
- external to law 78
- facts (and) *see* fact
- film 198
- formalist 188
see also formalism
- functional *see* function; method;
 schemes of intelligibility
- hermeneutic *see* hermeneutics;
 method; schemes of
 intelligibility
- history (of legal) 2, 12–86
- Hohfeldian *see* Hohfeld
- inductive 36
- inferential *see* inference; logic
- internal to law 78
- interpretative *see* interpretation
- judicial 111
- legal 1, 3, 7, 13, 18, 24, 41, 57, 74,
 83, 85, 87, 96–97, 107, 109,
 115, 117, 118, 122, 126, 129,
 133, 134, 140, 141, 170, 174,
 186, 190, 195, 208, 210, 212,
 216, 222, 230, 231, 232,
 233–235, 238–241, 243, 248,
 255–257, 258–284, 287, 292,
 301, 307, 311, 326, 327,–328,
 330, 331
see also analogy; deduction,
 induction; realism; schemes
 of intelligibility; syllogism
- logical *see* logic
- medical 54, 168–196
- medieval 185
see also Baldus de Ubaldis;
 Bartolus de Saxoferrato;
 Glossators; Post-Glossators
- method 24
see also method
- moral 258, 263
- ordinary 1, 258, 267, 272
- outside law 78
- particularisme* 85
- policy *see* policy
- practical 39
- remedies (and) 111–114
- right 63
- Roman legal *see* Roman law
- scheme *see* schemes of
 intelligibility
- scholastic 271
- scientific 3, 28, 170, 265, 270
- social scientific 3
- sources of 186
- structural *see* method; schemes of
 intelligibility; structuralism;
 structure
- subtle 47–48
- syllogistic *see* syllogism
see also deduction; logic
- technique 13
- top-down 9, 28, 240
- reception
 theory *see* audience; theory
- reductionism 264, 265
- referee 76
- reference
 Parliamentary material (to),
 written 128–129, 130, 131
- regula iuris* 18, 26, 31, 45, 53, 56, 67,
 76, 80, 88, 89, 90, 94, 99, 115,
 119, 180, 224, 271

- rei vindicatio* 100
 Reid, Lord 309, 324
 relation 264
 contractual *see* contract
 extension of 268
 see also analogy
 legal 102, 146, 271
 normative 101
 proximate 109
 subject-object 293
 reliance 130
 religion 55
 advancement of 272
 remedy 3, 31, 50, 77, 79, 106,
 111–114, 124, 126, 127, 128,
 141, 146, 291, 292, 293, 299,
 301, 303, 306, 310, 312, 313,
 318, 324, 325
 discovery (of) 324
 equitable 300
 in personam 147, 300
 in rem 147, 300
 off-the-peg 150
 personal *see* action
 proprietary *see* action
 see also actio; action; damages;
 debt; injunction; model;
 specific performance
 remoteness (of damage) 109
 Renaissance 12
 Renner, Karl 281
 report *see* Commissioners, Her
 Majesty's
 representation
 graphic 212
 law (of) 211–213
 mental 211–213
 theory *see* theory
 reputation 127, 129, 130, 146, 312
res 37, 43, 55, 86, 126, 147, 150, 151,
 160, 175, 176, 192, 203, 214,
 216, 228, 265, 269, 286, 291,
 293, 298, 300, 301, 321, 327
 corporalis 37
 incorporalis 38, 54, 55, 156, 231,
 233, 313, 314, 318
 see also thing
 rescuer 154
 research
 AI 272
 definitions (legal) 287
 empirical 110
 historical 59
 interdisciplinary 6
 medical 176
 method 6
 norm 72
 scientific 3, 125, 168, 282
 social science 110, 121, 332, 242
 Research Assessment Exercise 121
réseau causal 192
 resonance 218, 226, 228
 responsibility 153, 155, 172, 173
 civil *see* liability
 restaurant 145
 restitution (law of) 123, 140, 141,
 248–251
 rethinking 10
 revolution 13
 humanist 6
 nominalist 65
 scientific 4, 5, 6
 Reynolds Justice, 77
 rhetoric 42, 51, 100, 167, 213, 285
 Ricœur, Paul 83, 183, 184, 190, 192
 right 2, 50, 66–67, 74, 76, 82, 87, 88,
 91, 99–105, 109, 113, 114, 124,
 125, 129, 149, 182, 234,
 285–286, 290, 291, 292, 297,
 303, 306, 322, 323, 325,
 326–327, 330, 328
 abuse of 307–309, 310
 see also abuse of rights
 balancing (rights) 103
 bodily integrity 66
 children's 108
 conflicts between 103, 105
 consent (and) 125
 constitutional 103
 contractual 300, 308, 309, 310, 326
 definition 286–287, 323, 325
 Dworkin (and) *see* Dworkin,
 Ronald
 entitlement (as) 326
 environmental 320
 fundamental 103

- highway (to use) 311
honour (to) 66
human 67, 103, 108, 296, 305, 319, 328
 see also human rights
in personam 125, 126
in rem 125, 126
information (to) 324
interest theory 323
juristic 71
liberty (to) 66, 101, 102
life (to) 66, 296, 297
light (to) 308
mediating role of 321–323
metaphysical conception of 322–323
model *see* model
nature of 309
normative force of 100
obligation 295
ordinary 103
personality (and) 295–296
possession (to) 299
privacy (of) 101, 102
property 67, 295, 299, 300, 310, 326, 328
remedy (and) *see ubi ius ibi remedium; ubi remedium ibi ius*
reputation (to) 66
scientific 71
structural view
subjective 309, 310
take seriously 287
unreasonable exercise of 104
work (to) 101
risk 36, 150, 151, 155–159, 173, 283
 damage (of) 35
road 84
 accidents *see* accident
Rodger, Lord 159, 253
role
 academic lawyer's 262–263
 academic social scientist's 223
 actio (of) 46, 301
 actor's 205
 anima 207–209
 analogy (of) 91, 113, 238, 241
 contract's 137
 Cour de cassation 92
 court's 149
 deduction (of) 93
 economics (of) 81, 110
 facts (of) 113
 fictions *see* fiction
 image (of) 217
 induction (of) 181
 institutional system (of) 298
 interest *see* interest
 judge's 71, 73, 88, 117, 120, 127, 144, 225
 jurist's 67–68, 69
 jury's 144
 knowledge representation 113
 law (of) 29, 41
 mediating 321–323
 motive 310
 non-symbolic knowledge 267
 professor's (law) 119
 props (cinema) 215
 rationalisation (in law) (of) 127
 reader 222
 regulae 224
 Rylands v Fletcher 283
 taxonomy (of) 127
 viewer 222
 wealth maximising 81
Roman law 5, 9, 12–70, 58, 59, 60, 61, 65–66, 69, 75, 76, 79, 86, 88, 89, 96, 112, 113, 115, 117–118, 122, 123, 127, 145, 147–148, 171–172, 174, 175, 177, 178, 179, 180, 200, 225, 233, 244, 249, 250, 252, 292, 294, 296, 312–313, 314, 331
 medieval 12–32
 see also jurist (medieval)
Romans 10
rule 2, 53, 64, 67, 76, 80, 87, 88, 89–95, 99, 166, 169, 186, 190, 240, 259, 26–263, 267, 272, 277–279
 application of 67
 classification of *see* classification
 described 272
 economic loss *see* loss

- fact (and) 262
- general 15
- golden 95, 97, 98, 222, 332
- governed 272
- interpretation (of) *see* interpretation; meaning
- lack of 120
- law as 89
- legal 266, 269, 277–279, 280
- literal 95, 97, 98, 222, 332
- mischief 95, 97, 98, 222, 332
- model *see* model
- procedure 245, 298
- Rylands v Fletcher* 93–94, 141, 150, 191, 242, 264, 283
- settlement function 278
- see also* axiom; model (rule); principle
- Russell, Lord 254

- sale 36, 39, 43, 48, 64, 74, 146, 239
- Salome 201
- salvage 106
- Savigny, Friedrich Carl von 21, 70
- scaffolding (faulty) 36
- scenario 243
- scheme 261–262
 - classification 124, 126–127
 - diagrammatic 202
 - Gaian *see* classification, Gaius; *Institutes*; person (thing and action); system
 - institutional *see Institutes*
see also person (thing and action); system
 - intelligibility (of) *see* schemes of intelligibility
 - medical 279
 - taxonomical 264, 279
- schemes of intelligibility 1, 3, 74, 85, 86, 95, 97, 201, 202, 204, 225, 226, 228, 273–276, 277, 329
 - actional 3, 182, 275–276, 277, 292, 293
 - causal 3, 81, 110, 151, 177, 191, 204, 226, 274, 276
 - dialectical 3, 85, 96, 204, 212–213, 276, 277
 - functional 3, 74, 81, 97, 182, 186–188, 204, 226, 274–275, 277
 - hermeneutical 3, 82, 96, 188–189, 204, 223, 275, 277
 - structural 3, 82, 96, 223, 226, 275
 - see also* cause; dialectic; explanation; function; hermeneutics; structuralism; structure; understanding
- Schiemann, Justice 304
- scholar
 - film 224
 - legal 6
 - rigorous 16
 - taxonomy (and) 123
- scholastic 15, 16, 59, 83, 271
- school 194, 217, 300
- science 1, 71, 74, 87, 157
 - axiomatic 70
 - biology 136
 - concepts (legal) 70
 - epistemology (and) 170
 - see also* epistemology
 - ethics (as) 270
 - German legal *see* Pandectists
 - human 6, 201, 329
 - law (as) 255, 263
 - legal 26, 70, 135, 294
 - medical 173, 180–181
 - methods of 170, 201
see also Popper, Karl
 - natural 160, 180, 201, 224, 262
 - philosophy (and) 170
 - pseudo 267
 - social 1, 6, 81, 121, 170, 201, 223, 224, 234, 329, 273–277
- scientia*
 - demonstrativa* 56
 - iuris* 22, 26, 43, 63, 89, 115
- scientific 22
 - method *see* Popper, Karl
- scientist 3, 41, 53, 136, 145, 157, 160, 192, 243, 257, 262
 - legal 63, 71
 - see also* Pandectists

- social 2, 7, 8, 11, 95, 222, 234,
 273, 275, 280, 284
 Scott, Lord Justice 137
 Scott, Lord Justice and Lord (born
 1934) 105, 109, 158–159
 secrecy 318
 self-help 295
 Sellers, Lord Justice 166
 semiotics 202
 sense *see* common
sensum 96
 sexism 209
 shares and shareholders 321
 Shaw, Lord Justice 319
 Sherwin, Emily 258–284, 329, 330
 shield 290
 ship 112, 137, 142, 152, 153, 227,
 268–269
si 44, 45, 50
Sight and Sound 210
 sign 183, 214
signans 183
signatum 183
significatio 56, 95, 97
 similarity
 analogy (and) 178
 difference (and) 264, 265, 268
 Simon, Lord 92–94, 109, 144, 240,
 254, 255, 263–264
 Simon, Viscount 137
 Simonds, Lord 272
 simultaneous 144
 slander 79
 slave 39, 172, 175
 slavery 40
 Slynn, Lord 130–131
 smoke 30
Snakes on a Plane 227
societas Christiana 17, 25, 29
 socio-legal 141, 167, 292
 sociology 2, 170, 214, 226
 software 134
 solicitor 233
solutio 15, 20, 21, 29
 sovereignty
 popular 23
 sparrow 249, 250
 specific performance 300
 Stable, Justice 149
 stage 3, 241–242
 three– test 324
 Staiger, Janet 218–219, 222, 224
 standing
 legal 106, 108
stare decisis 78
 state
 city 25
 premises (of) 213
 statement
 untrue 130
 station
 petrol 163–164, 253–255
 tube 123
 statistics 139, 144
 status
 children 108
 legal 146
 regulae iuris 89, 90,
 scientific 73
 statute 113
 interpretation of 222, 332
 see also interpretation; legislation
 see also legislation
 Stein, Peter 5, 20
 stereotype 178
 Stewart, James 203–207, 214
 Steyn, Lord 91, 126, 252–253
 stipulation 39, 309, 315
 structuralism 74, 82, 96, 141, 181,
 182, 184, 190, 223, 226, 228,
 278
 conceptual 74, 141, 190, 228, 278
 film 204
 hermeneutics (and) 74
 institutional 151, 237
 see also schemes of intelligibility;
 structure
 structure 261, 264, 265, 327
 abstract 261–262
 code (of a) *see Institutes*; person
 (thing and action)
 coherent *see* coherence
 conceptual 70, 74, 77, 107, 109,
 133, 190, 234, 289
 social 275

- see also* method; reasoning;
 schemes of intelligibility;
 theory
- style 218, 226, 227, 228
 abstract 70
 content (and) 226, 228
 film 226, 227, 228
 law books 61, 70
 visual 226
- subject
 discipline *see* discipline
 legal 291, 292, 293, 306, 322
see also person
- subsumption 71, 72, 73
- subtili ratione* 47–48
- Summa codicis* 15
- Sumption, Lord 217, 293
- Sundaresh Menon, Chief Justice 322
- supermarket 227
- Swimmer (The)* 227
- sword 290
- syllogism 17, 19, 21, 26, 31, 53, 56,
 63, 72, 85, 89, 92–95, 144, 181,
 182, 184, 239, 240, 241, 242,
 243–244, 260, 266, 270, 271,
 272, 276, 280, 321
 analytical 85
 complex 92–94, 240, 263
 dialectical 85
 episyllogism 95
 legal 92
 polysyllogism 94–95
see also deduction; logic
- symbol 272
- symmetry 249, 298
- symptom 171, 172, 177, 181, 183,
 186, 188, 189
- synchronic 2, 6–7, 9, 13, 115
see also view
- synthesis 14, 15, 119, 120
- system 53–54, 55, 59, 64, 65, 67, 70,
 71, 87, 115, 181, 184, 263, 331
 axiomatic 63, 70, 132
 brittle 272
 coherence and *see* coherence
 common law (and) 323
 deductive *see* deduction
- institutional 126, 139, 294, 302,
 306, 318, 326, 327, 328
see also Gaius; *Institutes*; person
 (thing and action)
- mechanical 267–268
- merging diachronic and synchronic
 115
- ordered 41
- reasoning 263
- rules (of) 272
- signs (of) 202
- social 275
- theory *see* systems theory
- Tamanaha, Brian 4
- taxi 156, 162, 163, 164
- taxonomy 18, 27, 48, 49, 54,
 134–140, 173, 176, 177, 213,
 264, 279, 285, 331
- disorganised 123
- legal 122–132, 213, 248–253, 326,
 329
- rights (of) 129
- science (natural) 125, 126
- zoological 279
see also category; classification;
 system
- teacher
 law 117, 121
see also professor; teaching;
 university
- teaching 69
 Bologna (in) 13
code civil 68
 French way 58
 medicine 175
 practice (and) 117–120
regulae 90
 university 15, 79, 139, 279
- technique
 classification *see* classification,
 taxonomy
 formal 20
 Greek 55
 high 266
 judicial 266
 reasoning *see* reasoning

- Roman law 42–47
see also method; process; reasoning
- Tench, D. 319
- tensions 331–332
see also knowledge
- term
 implied 236
 unfair 316–317
- territory 252–255
- tertium comparationis* 201, 202
- test
 but for 156, 158
 cases 41
 comparison 110
 correspondence 125, 262
 epistemological 136
 evidence 144
 factual 154
 falsification 171, 181
see also Popper, Karl
 form of action 80
 hypothesis 183, 260
 interest 315–316
 laboratory 54
 medical 177
 policy 187
 reasonableness 153
 scientific 272
 similarity and difference 265
 three-stage 324
- testator 246, 247
- text 19, 76, 189, 208, 219, 275
 activated theory *see* theory
 ancient 17
 authoritative 17, 19, 70
 context 219
 interpretation of *see* interpretation;
 meaning
 legal 18
 rationality of 96
 Roman 19
see also Roman law
 spirit of 96
 statutory *see* legislation; statute
 strong 219
 weak 219
 words of *see* word
- textbook 37, 61, 80, 118, 119, 121,
 138, 140, 141, 169–170, 174,
 177, 181, 222, 232, 331
- theatre 146, 200
- theft 36, 48, 312
- theology 2, 115, 214
- theorist 9, 28, 198, 284, 292
 film 198
see also Carroll, Noël; Durnat,
 Raymon; Dzialo,
 Christopher; Staiger, Janet;
 Wood, Robin
- institutional 174
- interpretative 223–224
- legal 292
see also Dworkin, Ronald;
 Hohfeld, Wesley Newcomb
- realist 88
- rights 287, 288
- social science 7, 11, 222
- theory 24, 87, 145, 160, 216,
 222–228, 232, 256, 280
- auteur* 224
- constitutional 289
- context-activated 219
- disunified 257
- economic 81
see also economics
- English legal 5
- epistemological 13
see also epistemology
- fact (and) 160, 166–167
- feminist 208
- fiction *see* attitude; fiction
- film 222, 223–225
- football (about) 167
- genre* 224
- German legal 67
- grand 228
- hermeneutical *see* hermeneutics
- ideological 199
- interpretation as *see* Dworkin,
 Ronald
- language (of) 58
- legal 3, 224, 248
see also Dworkin, Ronald;
 realism
- literary 222

- Marxist 262, 281
- moral 81, 289
- natural law 3, 77
- norm regularity (as) 224
- personification 202–207
- political 23, 29, 42
- practice (and) 60
- precedent 186
- psychological 199, 208, 280–281
- reader-activated 219
- realist 232
 - see also* realism; realist
- reception 218–222, 228, 329
- representation 213–216, 228, 329
- rights 287–289
- Roman law 41–42
- social 42
- structuralist *see* structuralism; structure
- text-activated 219
- tort *see* tort
- utilitarian 81
- thesis *see* approach; theory
- thief 234
- thing(s) 124, 146, 147, 175, 253, 278, 291, 293
 - corporeal 44
 - dangerous 150
 - in action *see* action (chose)
 - incorporeal *see* *res (incorporalis)*
 - intangible 54, 55, 156, 231, 253, 255, 294, 313
 - physical 40, 44, 314
 - see also* property; *res*
- Thireau, Jean-Louis 60
- This Island Earth* 210
- Thomas, Yan 51
- Thomasius, Christian 63
- time 164
- Timsit, Gérard 63
- Tomb of Ligeia* 214
- toolbox 25, 28
- tort 76, 77, 105, 113, 122, 128, 129, 130, 131, 134, 137, 139, 140, 141, 149, 159, 217, 223, 226, 244, 249, 290, 293, 305, 306, 307, 313, 330
 - assault *see* assault
 - battery *see* battery
 - conspiracy *see* conspiracy
 - deceit *see* deceit
 - defamation *see* defamation
 - economic 140
 - false imprisonment *see* false (imprisonment)
 - inducing breach of contract *see* inducing breach of contract
 - malicious falsehood *see* malicious falsehood
 - negligence *see* negligence
 - nuisance *see* nuisance
 - slander *see* slander
 - trespass *see* trespass
- Toulmin, Stephen 54, 173, 176, 270–271
 - see also* Jonsen, Albert
- Toulson, Lord Justice and Lord 161–162, 188, 233
- town 55
- trade 281
- tradition
 - civil law *see* civil law (tradition)
 - common law *see* common law (tradition)
 - critical 210
- traité* 119, 121
- transport 138
- travail d'exégèse* 68
- tree
 - forest and 65, 244
 - plan 30
 - pruner and 44–45, 179–180
- trespass 76, 77, 78, 79, 122, 134, 149
 - land (to) 112
- trial
 - fair 266
 - unfair 266
- tricycle 95
- trust 113, 126
 - constructive,
 - truth 7, 31, 62, 126, 127, 209, 231, 234, 270
 - scientific 164, 262
 - theory (and) 231
- tumour 193
- turpitude 293

- Twining, William 259
 type 54
- ubi ius ibi remedium* 100, 112
ubi remedium ibi ius 112, 113, 324
ubi societas ibi ius 65
ubinam gentium sumus 86
- Ullmann, Walter 16, 18, 20, 23, 24, 28
- Ulpian, Domitius 16, 30, 31, 34, 36, 39, 42, 46, 47, 48, 49, 54, 65, 180, 250
- Ultramontani* 22
- underground (man on) 194, 195, 220, 221
- underpants 238, 241
see also ginger beer
- understanding 3, 183, 189, 190–196, 278
- unity
 apparent 332
 collective 223
 harmony (of) 185
see also dialectics
 private law (of) 124
 scientific theory (and) 256–257
- universal
 emperor 28
 human rights (declaration) 108
 laws 181
 premise 26
 principle 181
 rule 185, 270
 singularity (versus) 5, 195, 237
- universe
 nature of 257
 normative 273, 278
- universitas* 29, 37, 54, 233
see also corporation
- university
 Cambridge 79
 French 22
 Italian *see* Glossators;
 Post-Glossators
 medieval 15
 Orléans 22
 Oxford 79
 Toulouse 22
- unjust
 damage 318
 enrichment 123, 125, 134–135, 135, 136, 141, 248–251
- unreality 207
- unreasonableness 191
- usus modernus pandectarum* 28, 288
- utilitas* 109, 110, 111, 115, 294
publica 302
- Vacarius 14
- Vaihinger, Hans 229–230, 232, 234, 243, 255, 256, 330
- validation 184
- validity
 analogical 266
 epistemological 63, 136, 184, 231, 262, 329
 penalty clause 316
 premise 95
 scientific 115
- value 252, 313
 monetary 295
- Van Caenegem, Raoul 68–69, 124
- Van Dyke, Anthony 199
- Van Hoecke, Mark 6, 67, 85, 92
- vehicle 94, 95, 96
 motor 138, 139, 234
- verbum* 51, 58, 96, 97, 115
see also words
- Vertigo* 202–207, 209, 213, 214, 222, 223, 228
- view
 dogmatic 231
 external 3
 internal 2
 psychological *see* psychology
 utilitarian 39
- viewpoint *see* view
- Villey, Michel 38, 60
- vinculum iuris* 151, 271
see also chain
- virus 125, 181
- vision *see* view
- Vivianus 16

- void
 - contract 239
 - formless 280
- volcano 136
- volenti non fit injuria* 154
- volonté* 69
- voluntas* 51
- Von Sternberg, Josef 214
- Voyage Surprise* 227

- Waddams, Stephen 83, 132, 133, 134–135, 136–137, 149, 160, 213, 281
- waggon 50, 147–148, 171–172, 175, 176, 179
- Wagner, Joanna 137
- water 30, 93–94, 242, 246–247, 264
 - boarding 191
 - company 301
 - seepage of 247
- Watson, Alan 53, 118
- wealth 312
- weapon 172
- weather 216
- Weber, Max 218
- Webster, John 210
- Weir, Tony 225, 227, 290, 312, 314
- welfare 110
- western 216
 - see also* Leone, Sergio
- Whewell, William 160–161
- Wieacker, Franz 62, 63, 71
- will
 - right (will theory) 100
 - succession 91
- window-cleaner 250–251, 252
- Windscheid, Bernard 70
- Wissenschaft* 67
- witness 144, 165, 179, 208–209, 280
- Wolff, Christian 61, 62
- Wood, Robin 205–207, 223

- words 96, 182, 215
 - interpretation of 215
 - meaning of 26, 49
 - significance of 27
 - see also* interpretation; *verba*
- Wordsworth, William 210
- world
 - Ancient 12
 - artificial 214
 - categories (of) 212
 - civil law 84, 288
 - common law 81, 95, 101, 120, 149, 182, 248, 298
 - constructed 223
 - empirical 147
 - external 255
 - fact (of) 278
 - fantasy 223
 - flat 212, 213
 - institutional 255
 - legal 55, 147, 192, 202, 291, 328, 331
 - medical fact 177
 - medieval 12
 - metaphysical 327
 - natural 125
 - norms (of) 327
 - real 136, 214, 261
 - social fact 167, 223, 291
 - three-dimensional 265
 - Western 41
- Wreck of the Mary Deare (The)* 227
- Wright, Lord 153–154
- writ 75, 76
- wrong 125, 128, 139, 147, 244–245
 - see also* tort
- wrongdoing 135

- Zachariae, Karl 64
- zoo 194, 217–218,