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Reappraisals in the Law of Property (Law, Property and Society)

John V. Orth

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Some of the most basic doctrines of property law are very old, many dating to the medieval era. How can legal rules that were born so long ago remain viable today? In Reappraisals in the Law of Property, author John V. Orth considers various topics in order to discover the forces that have been made and are continuing to remake these areas of the law. Orth proposes three forces in particular that have shaped the development of property law over time: the inertial force of tradition, the reforming power of judicial and legislative activism, and the constant challenge of academic criticism. Together, these themes form the foundation of a critical and challenging work, one that re-evaluates property law and demonstrates both its enduring consistency and the unique and often drastic ways in which it has evolved in the modern era.

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