Mixed Jurisdictions Compared
Vernon Palmer and Elspeth Reid

Published in print: 2009 Published Online: March 2012

Returning to a theme featured in some of the earlier volumes in the Edinburgh Studies in Law series, this volume offers an in-depth study of ‘mixed jurisdictions’ — legal systems that combine elements of the Anglo-American Common Law and the European Civil Law traditions. This book compares key areas of private law in Scotland and Louisiana. In thirteen chapters, written by scholars on both sides of the Atlantic, it explores not only legal rules but also the reasons for the rules, discussing legal history, social and cultural factors, and the law in practice, in order to account for patterns of similarity and difference. Contributions are drawn from the Law Schools of Tulane University, Louisiana State University, Loyola University New Orleans, the American University Washington DC, and the Universities of Aberdeen, Strathclyde, and Edinburgh.

A Mixed Legal System in Transition
Elspeth Reid and David Carey Miller

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This book considers the work of Professor Sir Thomas Smith QC (1915–1988) and, through that work, the development of Scots law as a mixed legal system. Smith was a leading figure in the revival of Scots law that began in the 1950s. Well-known internationally as a comparatist, he was the pioneer of the idea of a grouping of mixed legal systems. Yet in Scotland he was a controversial figure, whose advocacy of the civil law tradition was challenged and whose legacy is disputed. This volume is the first sustained attempt to assess Smith's career, and his writing, methodology, ideology and influence. The contributors approach their
subject from different angles and in different ways. Two contributors are from other mixed legal systems (South Africa and Louisiana).

Rights of Personality in Scots Law
Niall Whitty and Reinhard Zimmermann (eds)

This book considers topical issues relating to rights of privacy and other rights of personality in Scots private law in its unique historical and comparative context as Europe’s only “mixed” (Roman/English) system of private law. Themes include the creation of a system of private law rights of personality (e.g., bodily integrity, personal security, physical liberty, reputation, privacy, and dignity); the introduction of rights of privacy; the impact of the European Convention on Human Rights; the debate on rights of publicity (e.g., rights to the commercial exploitation of celebrity images); and the operation of personality rights in important specific areas of law such as intellectual property and medical law.

Scots Law Tales
John Grant and Elaine E. Sutherland (eds)

This book reveals the stories behind some of the most important and memorable cases in Scottish legal history. The cases it covers range from the miscarriage of justice against Oscar Slater to the Lockerbie trial; from a decomposing snail in a bottle of ginger beer to allegations of high jinks by a prominent politician; from an unplanned pregnancy to the switching off of a life support machine; from McCaig's folly in Oban to the lettering 'EIIR' on pillar boxes, and from St Ninian's Treasure in Shetland to allegations of ritual child abuse in Orkney. It brings these leading cases from the Scottish courts to life by capturing the personalities involved, describing the events leading up to each case, detailing what the courts decided and why, and explaining the role that each case played in the development of Scottish law.