

W.G. Hart Legal Workshop Series

**Property Problems
From Genes to Pension Funds**

Editor

J.W. Harris



Contents

<i>Preface</i>	v
<i>Contributors</i>	ix

1 Introduction: Property Problems <i>by J.W. Harris</i>	1
--	---

PART I: THE FRONTIERS OF PROPERTY

2 Patenting Human Genes: Legality, Morality, and Human Rights <i>by Deryck Beyleveld and Roger Brownsword</i>	9
3 Human Dignity and Property Rights in Human Body Parts <i>by Stephen R. Munzer</i>	25
4 The Legal Status of the Pre-Embryo: Some Comparative Considerations Prompted by Davis v. Davis <i>by Antonello Miranda</i>	39
5 Theft of Information and the Concept of Property in the Information Age <i>by Deborah Fisch Nigri</i>	48
6 Compulsory Expropriation and Company Law <i>by Gerard McCormack</i>	61
7 Property: Assets or Power? Objects or Relations as Substrata of Property Rights <i>by Wolfgang Mincke</i>	78
8 Pensions as Property and Pensions as Contract <i>by Richard Nobles</i>	89

PART II: CHALLENGES TO ORTHODOXIES

9 Long-Term Leases as an Alternative to Ownership <i>by Joshua Weisman</i>	105
10 Security Interests as Property: Relocating Security Interests within the Property Framework <i>by Alison Clarke</i>	118
11 Property and Unjust Enrichment <i>by W. J. Swadling</i>	130
12 Things as Thing and Things as Wealth <i>by Bernard Rudden</i>	146
13 Hohfeldian Use-rights in Property <i>by J.E. Penner</i>	164
14 What is Non-Private Property? <i>by J.W. Harris</i>	175

PART III: RELOCATING PROPERTY’S ROLE

15 Theories of Property and Economic Development
by Joshua Getzler 193

16 Telling Stories: Rights and Wrongs of the Equity of Redemption
by David Sugarman and Ronnie Warrington 207

17 Pragmatism and Property *by Alan Ryan* 225

**18 Socio-Legal Concept of Property Rights in Town Development:
a Critical Approach to Comparative Studies on Urban
Planning Laws in Eastern and Western Countries**
by Michiatsu Kaino 242

19 Hegel and the Social Dynamics of Property Law
by M.G. Salter 257

20 Hegel on Private Property and Public Access
by William N.R. Lucy 274

Important published works of contributors 291

Index 297