

FOREWORD BY LORD HOPE OF CRAIGHEAD

So much of the study of law involves reading. There are so many sources of law that need to be seen and understood, and so many comments on those sources that need to be seen and understood as well if one is to appreciate what our law is about and what it does for us. But it is important not just to read those sources but to think about them, and to communicate ideas by writing about them too.

That, after all, was the way that Roman Dutch law, to which we owe so much, was developed by the jurists all those years ago. The structure that it developed and the principles on which it was founded were the product of thoughts and ideas that were discussed and written about right across Europe as the years went on. Justinian's thoughts and ideas were just the beginning. So much more is owed to those who came afterwards. Their writings inspired the students who went abroad from our country to study in places like Utrecht and Leiden. They brought back to us not only books that the jurists had written but also their way of thinking which led to the creation of our own system of private law. Communication by dialogue and the exchange of ideas is what keeps any system of law alive and relevant to the demands of our time.

I congratulate all those who have contributed to this edition. They bring before us fresh thoughts and fresh ideas which deserve to be read, discussed and thought about as we follow the tradition which was brought back to this country by their predecessors. I hope very much that they will encourage others to contribute to future editions in the same way. They are setting a fine example for them to follow.

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