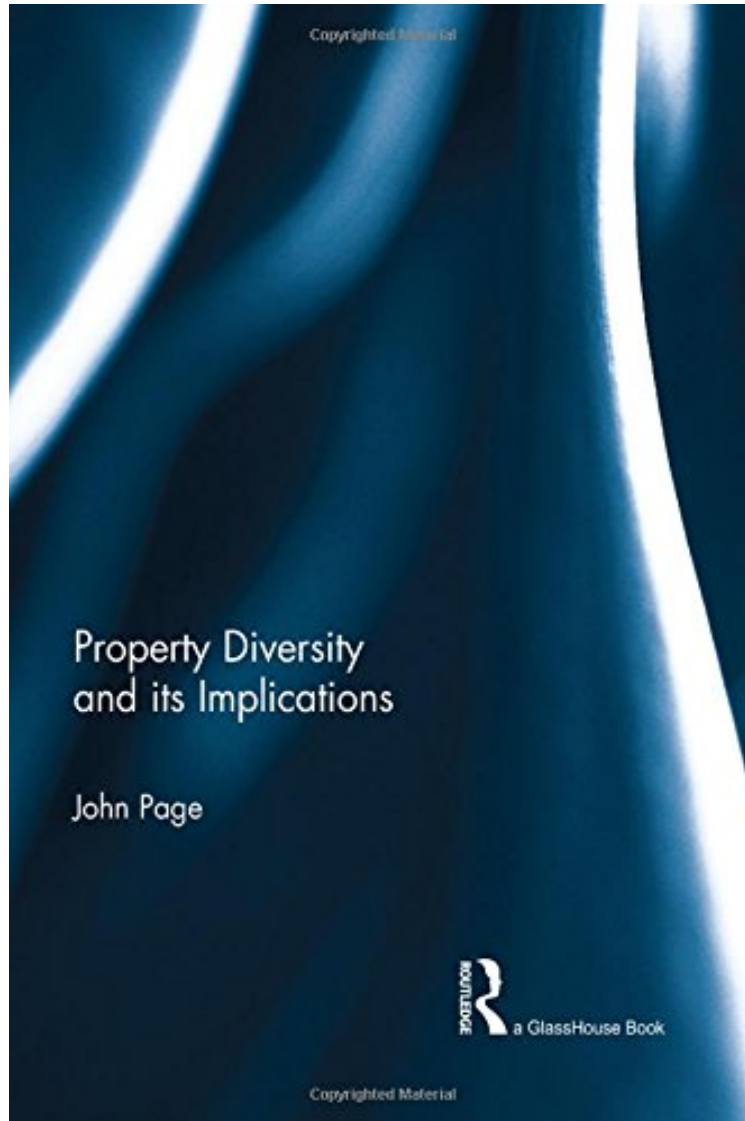


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Property Diversity and its Implications

John Page

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John Page : Property Diversity and its Implications before purchasing it in order to gage whether or not it would be worth my time, and all praised Property Diversity and its Implications:

0 of 0 people found the following review helpful. Some jurisprudential considerations arising from the implications of property diversity.By Dr. Dayle SmithProperty Diversity and its ImplicationsEvery so often, even a fairly battle-hardened reviewer comes across a highly sophisticated and yet subtle book dealing with one of the many faceted segments of law that need to be read and understood in terms that the reviewer comprehends. But this legal text by Dr. John Page, an associate professor of law at the Southern Cross University in New South Wales, Australia, presents

what might ordinarily and simplistically be called Property Law in a manner and form that is both stylistically and intellectually very different from that commonly confronting either students or practitioners of law. And yet the concepts revealed by the author do need to be understood if property law is both as diverse and diffuse as the author believes it to be. Indeed, the core premise of the book itself is that property law is significantly more diverse than correct or currently held opinions about property may espouse. Dr. Page has divided his book into two parts. The first concerns the various private, public and common estates found in the United Kingdom, the USA, New Zealand and Australia. Part One is further classified into separate subdivisions: Private property and the dominant right to exclude, with a further eight subsections including an introduction and conclusion; the second subsection is concerned with exploring an working toward and appropriate understanding of public property, with sixteen subsections and a separate introduction and conclusion. The third segment of Part one is entitled the obviousness and obliviousness of common property with nine subdivisions and the authors customary introduction and conclusion. Part Two examines the implications of property diversity, looks in detail at the core elements of property diversity, then turns to looking at the topic in theory, place and picture. Dr. Page then casts his glances and thoughts to what he calls obligation and property monism, (a doctrine that only one ultimate principle exists) then obligation and property diversity and community and some of the implications of property diversity. Dr. Page concludes by arguing that, in philosophical terms, it is inappropriate to consider property diversity in land as a series of small discrete conceptions that make it quite difficult to spot and appreciate the various connections when all that is seen are disparate pieces. In contrast to this view property diversity shifts landed patterns from a compartmentalized artifice to holistic interconnectedness . . . where generating obligation alongside right somehow seems less awkward. A more scholarly reviewer than this writer noted that Dr. Page has put out a strong call for a diversity-based view of land ownership, for a big-tent conception that makes room for property's great richness. It is a strong claim, and scholars who listen to (Dr.) Page will benefit by doing so. I commend the book for anyone seeking to master some of the subtleties inherent in any advanced argument over property, whether for post-graduate studies or as a springboard for a higher degree from which to further examine some of the sub-soil exposed by this book as a basis for further analyses of some of the implications of property diversity.

Property is more diverse than is usually assumed. Developing the concept of property diversity, this book explores the varied role of property in placed human landscapes. In acknowledging the property diversity about us, the book highlights the paucity of our settled contemporary assumptions of property as defined by private ownership. Challenging this universalizing model, the book analyses how this self-limiting view produces critical blind spots in modern property discourse. In response, it offers a re-conceptualization of property that matches the grounded reality of our rich and diverse relationships with land. Integrating the plurality of real property types (private, public and common) with inclusive understandings of both interest and ownership, it thus identifies and substantiates an overarching theory of property diversity. Drawing on studies from numerous jurisdictions, including the USA, New Zealand, Australia, and the UK, its analysis of property as something more and indeed other than a place-less abstraction provides an invaluable contribution to the contemporary law and theory of property.

About the Author John Page is a Senior Lecturer in Property Law at Southern Cross University, Australia.