
ESSAYS FOR PETER BIRKS

Structure and Justification in Private Law

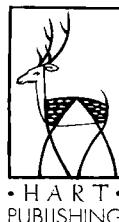
Edited by

CHARLES RICKETT & ROSS GRANTHAM

Structure and Justification in Private Law

Essays for Peter Birks

Edited by
Charles Rickett and Ross Grantham



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Preface

Peter Birks's tragically early death led immediately to the question of a Festschrift in his honour. Such was this fine scholar's influence and impact that it was obvious that no method existed of binding a volume large enough to hold the essays of all who would wish to contribute, or ought to be asked to contribute. Accordingly, Andrew Burrows and Alan Rodger took upon themselves the task of organising a volume with contributions largely from scholars working in England. That volume appeared as *Mapping the Law: Essays in Honour of Peter Birks*, published by Oxford University Press in 2006. Andrew Burrows contacted me and suggested that I might like to undertake the preparation of a volume of essays by those outside England, Scotland and Germany who might wish to honour Peter. I jumped at this invitation. Peter was my first law teacher when I went up to Brasenose College, Oxford in 1972. In many ways, he was responsible for my choosing a career in academic life, and he became my friend as well as my mentor. I decided to ask my colleague and co-author in most of my own work in the law of restitution, Ross Grantham, to join me as co-editor. He too was a student of Peter's, having studied for the BCL, and jumped at the chance to honour him.

This book is that promised volume. It appears later than the English volume, perhaps reflective of the far-flung habitations of its authors, but it is, I am sure you will agree, as worthy a tribute to a great lawyer, scholar and mentor. Richard Hart's readiness to come on board and to undertake the volume's publication is much appreciated by all the contributors, and especially by Ross and me, and is a mark of the deep respect Richard also had for Peter.

I thank Julie Collins of the administrative staff at the TC Beirne School of Law for her assistance in compiling the tables of cases and statutes; and Joy Maina, a PhD student at the School, who assisted with reference checking. I also thank Andrew Burrows, Alan Rodger and Oxford University Press for permission to reproduce in this volume the list of Peter's publications that appeared in *Mapping the Law*, and to the compiler of that list, Eric Descheemaeker, for providing us with several small corrections, which have been duly incorporated.

Last, but by no means least, I thank sincerely all the contributors for their hard work, goodwill and commitment to the project. Whether or not you were personally taught by Peter in a formal way, he would have been

delighted by the display of these qualities! *Principi iure peritissimo, magistro, amico! Fuer einen grossen Geist, Mentor, und Freund.*

Charles Rickett
Queen's Birthday, Queensland
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