
Contents

<i>Author's Preface</i>	vii
1 Excursion	1
Equitable Reading	4
The Constancy of Remedial Equity	8
The 'Science' Fiction of Law	10
The Cultural Story of other Countries and other Worlds	14
Law, Humanities and the Humane	16
The Character of Equity	26
Multiple Meanings of Equity	36
Education	42
2 In Chancery	47
Equity Captured in Chancery	48
The Earl of Oxford's Case	67
In Fashion: Equity and the Problem of Precedent	76
The New Life of Equity	79
3 Chancery Script	83
The Future of Chancery Language in English Law	84
Bending without Breaking	88
Chancery Language	89
Maxims	92
Chancery Doctrine	104
Equitable Remedies	113
Equitable Property	116
Trust	117
The Historical Development of the Trust	120
The Metaphysical Appeal of the Trust	124
Constructive Trust	126
Public Example and Private Equity	128
Mortgage	130
Conclusion	131

Contents

4 Figuring Equity	135
General Law as Abstract Fiction	137
The Reductive Nature of Legal Abstraction	139
The Merit of Metaphor	141
Metaphor as Equitable Doctrine – the Example of Resulting Trust	149
Metaphors of Equity	151
Architectural Metaphors: Level Ground, Right Angles and the Leaden Rule	153
The River of Justice	157
The Scales	163
The Personification of Equity	166
5 The Equity of Esther Summerson	169
Esther and Summerson	172
The Fractured Canon and the Equity of the <i>Book of Common Prayer</i>	178
The Stereotype of Female Equity	179
Motive Moderation	183
Domestic Goddess	191
The Close of Esther's Narrative	194
6 Shakespeare's Equity	195
Shakespeare's Legal Language	200
Shakespeare and the 'Equity' Word	206
Falstaff and Equity – a Reinterpretation	207
Equity Stirring	211
To Catch and Keep the Conscience of the King	213
<i>The Merchant of Venice</i>	214
<i>Measure for Measure</i>	218
Shakespeare's Impartiality	222
7 Pretence of Equity	227
Outlaw Equity	231
House and Homecoming	237
Pretence of Equity	240
The Future	244
The Limit	246
<i>Index</i>	263