[2009] C.L.J.

Part 2

THE CAMBRIDGE LAW JOURNAL

July 2009

Controlling Fiduciary Power R.C. NOLAN

Proprietary Restitution after Impaired Consent Transfers: A Generalised Power Model

BIRKE HÄCKER

Bi-Polar Sovereignty Restated

C.J.S. KNIGHT

Bias and the Informed Observer: A Call for a Return to Gough ABIMBOLA A. OLOWOFOYEKU

From Maine to Maitland via America

DAVID M. RABBAN

Taking Local Government Seriously: Democracy, Autonomy and the Constitution STEPHEN BAILEY AND MARK ELLIOTT

For full contents see back cover

CAMBRIDGE UNIVERSITY PRESS

 $FOR \ THE \ FACULTY \ OF \ LAW, \ UNIVERSITY \ OF \ CAMBRIDGE$ https://doi.org/10.1017/S0008197309000750 Published online by Cambridge University Press

THE CAMBRIDGE LAW JOURNAL

EDITORIAL COMMITTEE

Professor D. J. Ibbetson, M.A., Ph.D., F.B.A., Editor R. J. Moules, B.A., LL.M., Secretary and Treasurer Professor Sir John H. Baker, O.C., LL.D., F.B.A. Professor M. A. Clarke, M.A., LL.B., Ph.D. Professor C. F. Forsyth, Ph.D. Professor C. D. Gray, M.A., Ph.D., Note Editor Professor Sir Bob Hepple, Q.C., LL.D., F.B.A. Professor J. A. Jolowicz, O.C., M.A., Note Editor Professor J. R. Spencer, Q.C., M.A., LL.B., Note Editor Professor G. J. Virgo, M.A., B.C.L., Note Editor Professor Sir David Williams, O.C., M.A., LL.B. A. W. E. Bainham., LL.M., Ph.D., Note Editor A. du Bois-Pedain, M.Jur., Dr. iur., Note Editor M. C. Elliott, M.A., Ph.D., Note Editor D. M. Fox, Ph.D., Note Editor C. A. Hopkins, O.B.E., M.A., LL.B. N. G. Jones, M.A., LL.M., Ph.D. L. Merrett, M.A., Note Editor R.J. C. Munday, M.A., Ph.D. J. A. O'Sullivan, M.A., Note Editor M. J. Prichard, M.A., LL.B. P. J. Rogerson, M.A., Ph.D. J. Rowbottom, B.A., LL.B., Book Review Editor C. C. Turpin, M.A., LL.B.

SUBSCRIPTIONS 2009

One volume of *The Cambridge Law Journal* (ISSN 0008-1973) is published each year. Each volume is in three parts, published in March, July and November. The subscription price (excluding VAT) of Volume 68, which includes print and electronic access is \pounds 76.00 net (US\$142.00 in the USA, Canada and Mexico), and is payable in advance. The electronic-only price available to institutional subscribers is \pounds 68.00 (US\$126.00 in the USA, Canada and Mexico). Reduced rate subscriptions are available to individuals. Details may be obtained from the publishers. Single parts cost \pounds 37.00 net (US\$50.00 in the USA, Canada and Mexico) plus postage. EU subscribers (outside the UK) who are not registered for VAT should add VAT at their country's rate. VAT registered subscription agent or to Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, UK, or in the USA, Canada and Mexico to Cambridge University Press, Journals Fulfillment Department, 100 Brook Hill Drive, West Nyack, New York 10994-2133, USA. Japanese prices for institutions are available from Kinokuniya Company Ltd., P.O. Box 55, Chitose, Tokyo 156, Japan. Prices include delivery by air when appropriate.

© The Cambridge Law Journal and Contributors, 2009

BACK VOLUMES

All back volumes are kept in print hardbound and may be purchased at the prices shown below. A discount of 10% is given on a single order for 25 or more volumes.

Vols. 1–11 (1921–1953) one volume of 3 parts every 3 years	£71.00, \$132.00 per volume.
Vols. 12–30 (1954–1972) one volume of 2 parts every year	£71.00, \$132.00 per volume.
Vols. 31 (1972) Jubilee Issue including Index 1921-1970	£71.00, \$132.00 per volume.
Vols. 32–43 (1973–1984) one volume of 2 parts every year	£71.00, \$132.00 per volume.
Vols. 44–66 (1985–2008) one volume of 3 parts every year	£71.00, \$132.00 per volume.

The cumulative index 1921–1991 is also available separately at ± 37.00 (\$50.00 in the USA, Canada and Mexico).

ADVERTISING Details of advertising in the *Journal* may be obtained from Cambridge University Press.