

## Philosophy Of Law A Very Short Introduction Raymond Wacks

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**Law: A Very Short Introduction** Oxford University Press

The Blackwell Guide to the Philosophy of Law and Legal Theory is a handy guide to the state of play in contemporary philosophy of law and legal theory. Comprises 23 essays critical essays on the central themes and issues of the philosophy of law today, written by an international assembly of distinguished philosophers and legal theorists Each essay incorporates essential background material on the history and logic of the topic, as well as advancing the arguments Represents a wide variety of perspectives on current legal theory

The Philosophy of Law in Historical Perspective Wadsworth Publishing Company

Two preeminent legal scholars explain what tort law is all about and why it matters, and describe their own view of tort's philosophical basis: civil recourse theory. Tort law is badly misunderstood. In the popular imagination, it is "Robin Hood" law. Law professors, meanwhile, mostly dismiss it as an archaic, inefficient way to compensate victims and incentivize safety precautions. In *Recognizing Wrongs*, John Goldberg and Benjamin Zipursky explain the distinctive and important role that tort law plays in our legal system: it defines injurious wrongs and provides victims with the power to respond to those wrongs civilly. Tort law rests on a basic and powerful ideal: a person who has been mistreated by another in a manner that the law forbids is entitled to an avenue of civil recourse against the wrongdoer. Through tort law, government fulfills its political obligation to provide this law of wrongs and redress. In *Recognizing Wrongs*, Goldberg and Zipursky systematically explain how their "civil recourse" conception makes sense of tort doctrine and captures the ways in which the law of torts contributes to the maintenance of a just polity. *Recognizing Wrongs* aims to unseat both the leading philosophical theory of tort law—corrective justice theory—and the approaches favored by the law-and-economics movement. It also sheds new light on central figures of American jurisprudence, including former Supreme Court Justices Oliver Wendell Holmes, Jr., and Benjamin Cardozo. In the process, it addresses hotly contested contemporary issues in the law of damages, defamation, malpractice, mass torts, and products liability.

**Force and Freedom** OUP Oxford

Oxford Studies in Philosophy of Law is a forum for some of the best new philosophical work on law, by both senior and junior scholars from around the world. The essays range widely over issues in general jurisprudence (the nature of law, adjudication, and legal reasoning), the philosophical foundations of specific areas of law (from criminal law to evidence to international law), the history of legal philosophy, and related philosophical topics that illuminate the problems of legal theory. OSPL will be essential reading for philosophers, academic lawyers, political scientists, and historians of law who wish to keep up with the latest developments in this flourishing field.

**The New Philosophy of Criminal Law** Houghton Mifflin Harcourt P

This analytical anthology introduces students with little background in either to both law and philosophy using prominent classic political philosophers, legal theorists, and abundant landmark court cases. Legal issues are placed in their historical and philosophical contexts. The book considers critical issues such as civil disobedience, war crimes, and the death penalty. It teaches the basics of international, constitutional, and criminal law and shows how philosophy of law helps makes sense of and unifies the seeming "scraps and fragments" of law. The chapters focus on different areas of law and on different philosophers and philosophies. A classical political philosopher anchors each area of law covered. The anthology includes writings from prominent political philosophers (Plato, Aristotle, Hobbes, Locke, Kant, Mill, Nietzsche, and Rawls), from classical legal theorists (Aquinas, Grotius, Austin, Fuller, Hart, and Dworkin), and from judicial opinions (Justices Blackmun, Brennan, Marshall, Rehnquist, and Scalia).

Philosophy of Law John Wiley & Sons

This anthology of classical and contemporary philosophical and legal essays and legal cases focuses on legal philosophy as its own subject--rather than as an outgrowth of social or political philosophy or applied ethics. The essays focus on how law is organized and the particular philosophical issues that law raises-- and gives readers the opportunity to think through actual debates--many of them still live in the courts. Provides short introductions and thought-provoking questions for each selection. The Practice of Law. The Rule of Law. The Moral Force of Law. Elements of Legal Reasoning. Natural Law and Legal Positivism: Classical Perspectives. Formalism and Legal Realism. The Contemporary Debate: Hart v. Dworkin. Law and Economics. Critical Legal Theory and Feminist Jurisprudence. Punishment: Theory and Practice. Problems of Criminal Liability. The Rights of Defendants. Compensating for Private Harms: The Law of Torts. Private Ownership: The Law of Property. Private Agreements: the Law of Contract. Constitutional Government and the Problem of Interpretation. Freedom of Religion, Speech and Privacy. Equality and the Constitution. For anyone interested in the law.

Readings in the Philosophy of Law, second edition John Wiley & Sons

Law underlies our society - it protects our rights, imposes duties on each of us,

and establishes a framework for the conduct of almost every social, political, and economic activity. The punishment of crime, compensation of the injured, and the enforcement of contracts are merely some of the tasks of a modern legal system. It also strives to achieve justice, promote freedom, and protect our security. The result is a system that, while it touches all of our daily lives, is properly understood by only a few, with its impenetrable jargon, obsolete procedures, and interminable stream of Byzantine statutes and judgments of the courts. This clear, jargon-free Very Short Introduction aims to redress that balance, as it introduces the essentials of law and legal systems in a lively, accessible, and stimulating manner. Explaining the main concepts, terms, and processes of the legal system, it focuses on the Western tradition (the common law and the civil law), but also includes discussions of other legal systems, such as customary law and Islamic law. And it looks to the future too, as globalization and rapid advances in technology place increasing strain on our current legal system. ABOUT THE SERIES: The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area. These pocket-sized books are the perfect way to get ahead in a new subject quickly. Our expert authors combine facts, analysis, perspective, new ideas, and enthusiasm to make interesting and challenging topics highly readable.

A Libertarian Walks Into a Bear Routledge

The Routledge Companion to the Philosophy of Law provides a comprehensive, non-technical philosophical treatment of the fundamental questions about the nature of law. Its coverage includes law's relation to morality and the moral obligations to obey the law, the main philosophical debates about particular legal areas such as criminal responsibility, property, contracts, family law, law and justice in the international domain, legal paternalism and the rule of law. The entirely new content has been written specifically for newcomers to the field, making the volume particularly useful for undergraduate and graduate courses in philosophy of law and related areas. All 39 chapters, written by the world's leading researchers and edited by an internationally distinguished scholar, bring a focused, philosophical perspective to their subjects. The Routledge Companion to the Philosophy of Law promises to be a valuable and much consulted student resource for many years.

The Routledge Companion to Philosophy of Law Springer

This volume examines power-sharing agreements, their legitimacy and their compatibility with human rights law. Providing a clear, accessible introduction to the political science and human rights law on the issue, the book is an invaluable guide to all those engaged with transitional justice, peace agreements, and human rights.

The Confluence of Philosophy and Law in Applied Ethics Harvard University Press  
PHILOSOPHY OF LAW examines such topics as the concept of law, the dispute between natural law theorists and legal positivists, the relations between law and morality, criminal responsibility and legal punishment, rights of the individual against the state, justice and equality, and legal evidence as compared with scientific evidence. Readings, selected from both philosophy and law journals, include classic texts, contemporary theoretical developments and well-known current court cases. Modern French Legal Philosophy Wiley-Blackwell

The book explores a variety of problems connected to philosophy and philosophy of law. It discusses the problem of monism-pluralism in philosophy and philosophy of law, criticizes philosophy of post-positivism and postmodernism, and investigates dialectics as a universal global methodological basis of scientific cognition and philosophy of law. The volume also pays particular attention to contemporary legal education, offering potential solutions to problems in this field. The book is the result of a range of sociological studies conducted both in Russia and abroad concerning the legal process and legal consciousness.

Postmodern Philosophy and Law PublicAffairs

In *Philosophy of Law*, Andrei Marmor provides a comprehensive analysis of contemporary debates about the fundamental nature of law—an issue that has been at the heart of legal philosophy for centuries. What the law is seems to be a matter of fact, but this fact has normative significance: it tells people what they ought to do. Marmor argues that the myriad questions raised by the factual and normative features of law actually depend on the possibility of reduction—whether the legal domain can be explained in terms of something else, more foundational in nature. In addition to exploring the major issues in contemporary legal thought, *Philosophy of Law* provides a critical analysis of the people and ideas that have dominated the field in past centuries. It will be essential reading for anyone curious about the nature of law.

Derrida and Legal Philosophy John Wiley & Sons

A tiny American town's plans for radical self-government overlooked one hairy detail: no one told the bears. Once upon a time, a group of libertarians got together and hatched the Free Town Project, a plan to take over an American town and completely eliminate its government. In 2004, they set their sights on Grafton, NH, a barely populated settlement with one paved road. When they descended on Grafton, public funding for pretty much everything shrank: the fire department, the library, the schoolhouse. State and federal laws became meek suggestions, scarcely heard in the town's thick wilderness. The anything-goes atmosphere soon caught the attention of Grafton's neighbors: the bears. Freedom-loving citizens ignored hunting laws and regulations on food disposal. They built a tent city in an effort to get off the grid. The bears smelled food and opportunity. *A Libertarian Walks Into a Bear* is the sometimes funny, sometimes terrifying tale of what happens when a government disappears into the woods. Complete with gunplay, adventure, and backstabbing politicians, this is the ultimate story of a quintessential American experiment -- to live free or die, perhaps from a bear.

McCoubrey & White's Textbook on Jurisprudence Broadview Press  
Five legal theorists discuss a range of questions on the nature of the philosophy of criminal law.

Oxford University Press

The second edition of Readings in the Philosophy of Law is a concise anthology of key arguments in the philosophy of law, organized around the ideas of law and legal reasoning, limits on individual liberty, responsibility, and international law. Selections new to this edition update the anthology while continuing to present legal theory as a set of closely intertwined arguments. Critical Race Theory is addressed, as are challenges to legal theory posed by the emergence of the European Union. The readings provide superb coverage of both classic and contemporary views, and they are edited only lightly to allow readers to grapple with arguments in their original form. Culver's clear, accessible introductions discuss key terms, claims, issues, connections and points of conflict in each section. Culver takes particular care to place arguments in their historical and social context, with analogies and examples emphasizing the continuing relevance of historical and contemporary arguments.

Information, Freedom and Property Psychology Press

The concept of law lies at the heart of our social and political life. Legal philosophy, or jurisprudence, explores the notion of law and its role in society, illuminating its meaning and its relation to the universal questions of justice, rights, and morality. In this Very Short Introduction Raymond Wacks analyses the nature and purpose of the legal system, and the practice by courts, lawyers, and judges. Wacks reveals the intriguing and challenging nature of legal philosophy with clarity and enthusiasm, providing an enlightening guide to the central questions of legal theory. In this revised edition Wacks makes a number of updates including new material on legal realism, changes to the approach to the analysis of law and legal theory, and updates to historical and anthropological jurisprudence. ABOUT THE SERIES: The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area. These pocket-sized books are the perfect way to get ahead in a new subject quickly. Our expert authors combine facts, analysis, perspective, new ideas, and enthusiasm to make interesting and challenging topics highly readable.

What Makes Law Harvard University Press

John Finnis has been a central figure in the fundamental re-shaping of legal philosophy over the past half-century. This volume of his Collected Essays shows the full range and power of his contributions to the philosophy of law. The volume collects nearly thirty papers: on the foundations of law's authority; major theories and theorists of law; legal reasoning; revolutions, rights and law; and the logic of law-making. The essays collected include Finnis' recent appreciations and root-and-branch critiques of Hart's legal and political theories, his engagements with other central figures and works in the field, including Dworkin's Law's Empire; Raz on authority and coordination; Coleman, Leiter and Gardner on legal positivism and naturalism; Aquinas as founder of legal positivism; Weber on the fact-value distinction and legitimation; Unger on indeterminacy in law; Posner on intention and economics; Kelsen and courts on revolutions; game-theory and rational-choice theory; with misinterpreters of Hohfeld on rights logic; John Paul II on voting for unjust laws; analogy's role in legal reasoning; the distribution of constitutional authority in the Empire and its dissolution; the judicial opportunism of separation of powers doctrine in the Australian constitution; the architecture of Blackstone's Commentaries; restitution in civil wrongs; and many other aspects of law and legal theory. Several papers bring to bear his extensive work as a constitutional adviser and lawyer on persistent problems of constitutional theory. Previously unpublished papers include two on critical or post-modern legal theory, and an introduction reflecting on legal philosophy's development and future.

The Philosophy of Law and Legal Science OUP Oxford

The law serves a function that is not often taken seriously enough by ethicists, namely practicability. A consequence of practicability is that law requires elaborated and explicit methodologies that determine how to do things with norms. This consequence forms the core idea behind this book, which employs methods from legal theory to inform and examine debates on methodology in applied ethics, particularly bioethics. It is argued that almost all legal methods have counterparts in applied ethics, which indicates that much can be gained from comparative study of the two. The author first outlines methods as used in legal theory, focusing on deductive reasoning with statutes as well as analogical reasoning with precedent cases. He then examines three representative kinds of contemporary ethical theories, Beauchamp and Childress' s principlism, Jonsen and Toulmin' s casuistry, and two versions of consequentialism—Singer' s preference utilitarianism and Hooker' s rule-consequentialism—with regards to their methods. These examinations lead to the Morisprudence Model for methods in applied ethics.

[Arguing about Law](#) Routledge

In this 1989 book Rorty argues that thinkers such as Nietzsche, Freud, and Wittgenstein have enabled societies to see themselves as historical contingencies, rather than as expressions of underlying, ahistorical human nature or as realizations of suprahistorical goals. This ironic perspective on the human condition is valuable on a private level, although it cannot advance the social or political goals of liberalism. In fact Rorty believes that it is literature not philosophy that can do this, by promoting a genuine sense of human solidarity. A truly liberal culture, acutely aware of its own historical contingency, would fuse the private, individual freedom of the ironic, philosophical perspective with the public project of human solidarity as it is engendered through the insights and sensibilities of great writers. The book has a characteristically wide range of reference from philosophy through social theory to literary criticism. It confirms Rorty's status as a uniquely subtle theorist, whose writing will prove absorbing to academic and nonacademic readers alike.

[Essays in Jurisprudence and Philosophy](#) OUP Oxford

The Philosophy of Law is a broad-reaching text that guides readers through the basic analytical and normative issues in the field, highlighting key historical and contemporary thinkers and offering a unified treatment of the various issues in the philosophy of law. Enlivened with numerous, everyday examples to illustrate various concepts of law. Employs the idea of three central commonplaces about law - that law is a social matter, that law is authoritative, and that law is for the common good - to organize seemingly disparate topics and to bring rival views into contention with each other. The first volume in the Fundamentals of Philosophy series, in which leading philosophers explore the fundamental issues and core problems in the major sub-disciplines of philosophy.

Philosophical Foundations of the Nature of Law OUP Oxford

The concept of law lies at the heart of our social and political life. Legal philosophy, or jurisprudence, explores the notion of law and its role in society, illuminating its meaning and

its relation to the universal questions of justice, rights, and morality. In this Very Short Introduction Raymond Wacks analyses the nature and purpose of the legal system, and the practice by courts, lawyers, and judges. Wacks reveals the intriguing and challenging nature of legal philosophy with clarity and enthusiasm, providing an enlightening guide to the central questions of legal theory. In this revised edition Wacks makes a number of updates including new material on legal realism, changes to the approach to the analysis of law and legal theory, and updates to historical and anthropological jurisprudence. ABOUT THE SERIES: The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area. These pocket-sized books are the perfect way to get ahead in a new subject quickly. Our expert authors combine facts, analysis, perspective, new ideas, and enthusiasm to make interesting and challenging topics highly readable.