

Philosophy Of Law A Very Short Introduction Raymond Wacks

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The Blackwell Guide to the Philosophy of Law and Legal Theory
Oxford University Press, USA

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.

Information, Freedom and Property OUP Oxford

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.

Contingency, Irony, and Solidarity Princeton University Press

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.

Pure Theory of Law Houghton Mifflin Harcourt P

Oxford Studies in the Philosophy of Law is an annual forum for new philosophical work on law. The essays range widely over general jurisprudence (the nature of law, adjudication, and legal reasoning), philosophical foundations of specific areas of law (from criminal to international law), and other philosophical topics relating to legal theory.

Derrida and Legal Philosophy Bloomsbury Publishing

The articles in this new edition of *A Companion to Philosophy of Law and Legal Theory* have been updated throughout, and the addition of ten new articles ensures that the volume continues to offer the most up-to-date coverage of current thinking in legal philosophy. Represents the definitive handbook of philosophy of law and contemporary legal theory, invaluable to anyone with an interest in legal philosophy. Now features ten entirely new articles, covering the areas of risk, regulatory theory, methodology, overcriminalization, intention, coercion, unjust enrichment, the rule of law, law and society, and Kantian legal philosophy. Essays are written by an international team of leading scholars.

Law 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 Philosophy of Law in Historical Perspective Routledge

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.

[A Companion to Philosophy of Law and Legal Theory](#) OUP Oxford

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.

Philosophy of Law University of Chicago Press

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.

[Law: A Very Short Introduction](#) Cambridge University Press

This book addresses issues on the nexus of freedom of and property in information, while acknowledging that both hiding and exposing information may affect our privacy. It inquires into the physics, the technologies, the business models, the governmental strategies and last but not least the legal frameworks concerning access, organisation and control of information. It debates whether it is in the very nature of information to be either free or monopolized, or both. Analysing upcoming power structures, new types of colonization and attempts

to replace legal norms with techno-nudging, this book also presents the idea of an infra-ethics capable of pre-empting our pre-emption. It discusses the interrelations between open access, the hacker ethos, the personal data economy, and freedom of information, highlighting the ephemeral but pivotal role played by information in a data-driven society. This book is a must-read for those working on the contemporary dimensions of freedom of information, data protection, and intellectual property rights.

[The Routledge Companion to Philosophy of Law](#) McGraw-Hill Humanities, Social Sciences & World Languages

The author presents a two-tiered analysis that views postmodern legal thought as both a collective intellectual movement, and as the work of particular theorists, notably Friedrich Nietzsche, Michel Foucault, Jacques Derrida, Francois Lyotard, and Richard Rorty. He concludes that even though postmodern thought does not give rise to a normative theory of right that can be used as a framework for deciding cases, it can focus attention on genealogy and discourse, and can empower those who have been denied a voice in the legal system.

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Postmodern Philosophy and Law Cambridge University Press

Mr. Friedrich develops his own position within the framework of the history of Western legal philosophy from the Old Testament down to contemporary writers. In addition, he highlights some important problems of the present day, including certain aspects of legal realism. First published in 1958, this book has been revised and enlarged.

McCoubrey & White's Textbook on Jurisprudence OUP Oxford

This advanced introduction to central questions in legal philosophy attempts to breathe new life into stalled research.

Law and Philosophy Rowman & Littlefield

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.

The New Philosophy of Criminal Law Palgrave MacMillan

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.

Philosophy of Law as an Integral Part of Philosophy John Wiley & Sons

This textbook provides an introduction to and analysis of the major theories and controversies of jurisprudence. Starting with an overview of the nature of jurisprudence, then moving on to examine the theories and main protagonists in more detail, it is an ideal text for undergraduate students studying the subject for the first time.

Arguing about Law 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

Philosophy of Law The Lawbook Exchange, Ltd.

"Simultaneously published in the USA and Canada."

Philosophical Foundations of the Nature of Law Broadview Press

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.

The Oxford Handbook of Jurisprudence and Philosophy of Law

John Wiley & Sons

"This edited collection includes contributions from expert philosophers of law and considers the work of one of the most important legal philosophers of our time, Professor Gerald J Postema. The chapters dig deep into important camps of Postema's rich theoretical project including: - the value of the rule of law; - the ideal of integrity in adjudication; - his works on analogical reasoning; - the methodology of jurisprudence; - dialogues with Ronald Dworkin, Joseph Raz, Frederick Schauer and HLA Hart. It includes an original article by Professor Postema, in which he develops his conception of the rule of law and replies to some objections to previous works, and an interview in which he provides a fascinating and unique insight into his philosophy of law"--