

American Law And Legal Systems Paperback

Learning Legal Rules The Mind and Method of the Legal Academic Law and Legal Science German and English An Introduction to Law and Legal Reasoning The Law Examination Journal and Law Student's Magazine Library of Congress Subject Headings A Practical Dictionary of the English and German Languages: German and English The French Law of Marriage and the Conflict of Laws that Arises Therefrom Neues vollständiges Taschenwörterbuch der englischen und deutschen Sprache Asian Legal Revivals Korean Law The Lawyer and Credit Man The Law Quarterly Review Natal Ordinances, Laws, and Proclamations A List of Periodicals, Newspapers, Transactions and Other Serial Publications Currently Received in the Principal Libraries of Boston and Vicinity Law of Obligations & Legal Remedies The Compiled Laws of the State of Michigan, 1897 Rule of Law and Legal Complexity in the People's Republic of China An Introduction to the Philosophy of Law James A. Holland J. M. Smits J. W. Harris Felix Flügel Steven J. Burton Herbert Newman Mozley Library of Congress Felix Flügel Edmond Kelly Weber Yves Dezalay Natal (South Africa) Boston Public Library Geoffrey Samuel Michigan Ignazio Castellucci Roscoe Pound

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bringing together the theory structure and practice of legal reasoning in an accessible style this book explains how to uncover and exploit the mysteries of legal materials it draws the student into the techniques of legal analysis and argument and the operation of precedent and statutory interpretation

Jan Smits has long been one of the most interesting and original authors on European private law theory. Now he offers his views on legal scholarship and they are as original as they are thought provoking. His plea for a legal scholarship that maintains its identity vis-à-vis neighboring disciplines without collapsing into doctrinairism is bound to yield lively discussions and hopefully will help re-establish a proper place for legal scholarship in Europe and beyond.

Ralf Michaels, Duke University

"The mind and method of the legal academic is a valuable contribution to the discussion on legal methodology and legal theory which offers an acute insight in contemporary academic discussions. Smits provides us with fresh ideas as to the non-importance of social sciences for law, comparative law and what makes an academic discipline. He does so in a clear style and barely hundred pages text. It therefore can be highly recommended to all students of jurisprudence."

Ewoud Hondius, University of Utrecht, The Netherlands

"A wonderful little book which explains to newcomers and old hands alike what legal academics are doing, how they are doing it, how they ought to be doing it, what kind of research environment they would need and how all this should affect their teaching. Smits brings comparative and interdisciplinary approaches home to the core of scholarly legal work."

Gerhard Dannemann, Centre for British Studies, Berlin, Germany

"This book is a wide-ranging and bold exploration of the nature of legal scholarship. Lucid and learned, Smits draws upon a variety of sources to recommend a multi-faceted approach to the normative dimension of law as such. It provides a theoretical base for comparative law but also for any inquiry into what law or legal principle is appropriate for a given problem or situation. All those engaged in critically examining the law will benefit from its insights."

Anthony Ogus, University of Manchester, UK and University of Rotterdam, The Netherlands

"Academic debate over law and legal scholarship has placed legal research and legal education under pressure. Jan Smits' book is intellectual self-defence of legal scholarship tailored for the needs of tomorrow. The mind and method of the legal academic is fluid, creative and original. Makes wonderful reading for those who are concerned about the future of legal research and legal education in a globalized world."

Jaakko Husa, University of Lapland, Finland

In a context of changing times and current debate, this highly topical book discusses the aims, methods and organization of legal scholarship. Jan Smits assesses the recent turn away from doctrinal research towards a more empirical and theoretical way of legal investigation and offers a fresh perspective on what it is that legal academics should deal with and how they should do it. The book also considers the consequences which follow for the organization of the legal discipline by universities and uses this context to discuss the key questions of the internationalization of law schools, quality assessments, legal education and the research culture. Being the first book to address the aim and goals of legal scholarship in an international context, this insightful study will appeal to academics, graduate students, researchers and policymakers in higher education.

a dependable practical source that covers analogical and deductive reasoning as

well as the roles of legal conventions purposes and policies in legal reasoning discusses cases of varying difficulty to diversify the learning process presents law and legal reasoning primarily through discussions of cases and examples that avoid the abstraction characteristic of most competing books emphasizes the law as used in practice by lawyers and judges provides an explicit and systematic introduction to law and legal reasoning offers a source suitable for use as supplementary reading in any first year course in legal research and writing courses in paralegal courses and in other settings this great new edition has been carefully updated to include a new chapter hardest cases that highlights cases notorious in the press updates throughout that guarantee the most current legal information

more than a decade ago before globalization became a buzzword yves dezalay and bryant g garth established themselves as leading analysts of how that process has shaped the legal profession drawing upon the insights of pierre bourdieu asian legal revivals explores the increasing importance of the positions of the law and lawyers in south and southeast asia dezalay and garth argue that the current situation in many asian countries can only be fully understood by looking to their differing colonial experiences and in considering how those experiences have laid the foundation for those societies legal profession today deftly tracing the transformation of the relationship between law and state into different colonial settings the authors show how nationalist legal elites in countries such as india indonesia malaysia the philippines singapore and south korea came to wield political power as agents in the move toward national independence including fieldwork from over 350 interviews asian legal revivals illuminates the more recent past and present of these legally changing nations and explains the profession s recent revival of influence as spurred on by american geopolitical and legal interests

this book examines the notion of a law of obligations as a conceptual category in itself and in doing this it presents the foundational material in a context that draws on some comparative and theoretical ideas while at the same time emphasising the special characteristics of the common law the book is specifically designed to act as an introduction to the legal research skills of reasoning and method it also looks at the foundations of civil liability in a way that emphasises the interrelationship of source materials problem solving and conceptual analysis and justification

roscoe pound ranks as one of the most prominent legal scholars in the development of american jurisprudence in an introduction to the philosophy of law he shows how philosophy has been a powerful instrument throughout the history of law he examines what philosophy has done for some of the chief problems of the science of law and how it is possible to look at those problems philosophically without treating them in terms of a particular time period the function of legal philosophy writes pound is to rationally formulate a general theory of law which

conforms to the interests the general security first and foremost of society according to pound philosophies of law historically have rationally adjusted legal developments to the circumstantial needs of society pound concerned himself primarily with the practical effects of american legal developments within the context of social interests and general security he encouraged american jurists to abandon efforts to conform obsolete models of legal philosophy to new realities the significance of pound s scholarship particularly an introduction to the philosophy of law is the legal relativism inherent therein and its ongoing impact not merely on american jurisprudence but on the imperative that american public policy be tested in the juridical crucible of relativism marshall derosa writes in his new introduction that in the light of twentieth century judicial politics roscoe pound s philosophy of law has prevailed to a significant extent this book s relevance to appreciating the development of the american legal system in all its complexities including liability law contract law and property law is in itself notable but in terms of understanding the twentieth century development of the american rule of law an introduction to the philosophy of law is indispensable it will make an invaluable addition to the personal libraries of legal theorists philosophers political scientists and historians of american law

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