

# Analyzing Law New Essays In Legal Theory

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this classic collection of essays first published in 1979 represents joseph raz s landmark contribution to the philosophy of law the new edition includes two previously uncollected essays and a new introduction from the author it will be essential reading for all academics and students working in legal philosophy

as i explain in the introduction this is the third in a series of collections of my previously

published essays in legal theory all of the essays here but three have been revised for this volume i now wish to record my gratitude and indebtedness to various persons i am most indebted and grateful to my wife dorothy kopp summers to whom i dedicate this book i also wish to record my gratitude for his interest and patience to hendrik jan van leusen of kluwer academic publishers he strongly encouraged me to put this collection together and without his efforts it certainly would not have appeared in this timely fashion i also wish to thank his successor sabine wesseldijk for assistance in the course of my academic career i have benefitted greatly from the many comell law school students serving as my research assistants i have also been privileged to have the fine aid of many comell law school secretaries and administrative assistants foremost here is mrs pamela finnigan who has so ably seen this collection put together from start to finish

eugenio bulygin is a distinguished representative of legal science and legal philosophy as they are known on the european continent no accident given the role of the civil law tradition in his home country argentina over the past half century bulygin has engaged virtually all major legal philosophers in the english speaking countries including h l a hart ronald dworkin and joseph raz bulygin s essays several written together with his eminent colleague and close friend carlos e alchourrón reflect the genre familiar from alf ross s on law and justice hans kelsen s pure theory of law and georg henrik von wright s norm and action bulygin s wide ranging interests include most of the topics found under the rubric of analytical jurisprudence interpretation and judicial reasoning validity and efficacy of law legal positivism and the problem of normativity completeness and consistency of the legal system the nature of legal norms and the role of deontic logic in the law the reader will take delight in the often agreeably unorthodox character of bulygin s views and in his hard hitting arguments in defence of them he challenges the received opinion on gaps in the law on legal efficacy on permissive norms and on the criteria for legal validity bulygin s essays have been wellnigh inaccessible in the past appearing in specialized journals often in spanish or german they are now available for the first time in an english language collection

this work provides students at all levels with a practical and proven method of analysing and answering essay and exam questions so that they can maximise their potential the book provides a framework for analysing legal problems and teaches students how to identify relevant legal authorities distinguish and harmonise conflicting legal precedents and evaluate the applicability of the law to the facts of the question in hand it can be used by

students at any stage of their legal education and will teach skills that will continue to be of use in the workplace a practical guide the text includes cases and worked examples enabling students to adopt good essay writing techniques

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feinberg is one of the leading philosophers of law of the last forty years this volume collects recent articles both published and unpublished on what he terms basic questions about the law particularly in regard to the relationship to morality accessibly and elegantly written this volume s audience will reflect the diverse nature of feinberg s own interests scholars in philosophy of law legal theory and ethical and moral theory

in his choice of texts the editor has been faced with the difficult task of selecting from among the author s more than 600 publications those of the greatest philosophical interest it is chiefly the topics of value relativism and the logic of norms that have been kept in view the selection has also been guided by the endeavour to reprint so far as possible texts which have not hitherto appeared in english at times however this aim has had to be discarded in order to include works of key importance and also the latest expressions of kelsen s view in addition to the two topics already mentioned the editor has considered kelsen s discussions of the causal principle to be so far worthy of philosophical attention that some writings on causality and account ability have been included in this collection of philosophical studies ota weinberger hans kelsen died on april 19th 1973 only his work now lives for the inspiration of future generations of jurists and philosophers graz 25th april 1973 ot a weinberger translator s note i am obliged to the editor for his careful scrutiny of the translation which has led to a number of corrections and improvements in the text

this important collection of essays includes professor hart s first defense of legal positivism his discussion of the distinctive teaching of american and scandinavian jurisprudence an examination of theories of basic human rights and the notion of social solidarity and essays

on jhering kelsen holmes and lon fuller

in this volume professor lyons outlines his fundamental views about the nature of law and its relation to morality and justice

this collection of socio legal studies written by leading theorists and researchers from around the world offers original perceptive and critical contributions to ideas and theories that have been expounded by roger cotterrell over a long and distinguished career engaging with many classic issues and theories of the sociology of law the contributions are likely to become classics themselves as they tackle some of the most significant challenges that modern law faces they do not shy away from what one of the contributors describes as the complexity and multiplicity of our contemporary legal world the book is organized in three parts socio legal themes methodological and jurisprudential themes globalization cultural and comparative law themes starting with a chapter that re engages with the need to interpret legal ideas sociologically and ending with one that explores the global significance of modern fascination with the idea of the rule of law this selection offers important additions to the oeuvre of roger cotterrell a list of whose academic writings is included in the book

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