

# Hart The Concept Of Law

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The Definition of Law  
The Concept of Ideals in Legal Theory  
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A General Jurisprudence of Law and Society  
An Institutional Theory of Law  
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The concept of law  
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*Simmonds Ronald Kahn*

the concept of law is one of the most influential texts in english language jurisprudence 50 years after its first publication its relevance has not diminished and in this third edition leslie green adds an introduction that places the book in a contemporary context highlighting key questions about hart s arguments and outlining the main debates it has prompted in the field the complete text of the second edition is replicated here including hart s postscript with fully updated notes to include modern references and further reading

more than 50 years after it was first published the concept of law remains the most important work of legal philosophy in the english speaking world in this volume written for both students and specialists 13 leading scholars look afresh at hart s great book unique in format the volume proceeds sequentially through all the main ideas in the concept of law each contributor addresses a single chapter of hart s book critically discussing its arguments in light of subsequent developments in the field four concluding essays assess the continued relevance for jurisprudence of the persistent questions identified by hart at the beginning of the concept of law the collection also includes hart s answers to eight questions written in 1988 and never before published in english contributors include timothy endicott richard hs tur pavlos eleftheriadis john gardner grant lamond nicos stavropoulos leslie green john tasioulas jeremy waldron john finnis frederick schauer pierluigi chiassoni and nicola lacey

this volume contains the opinions of the great jurist hermann kantorowicz on various fundamental questions of law and the bounds of legal science

talk about law often includes reference to ideals of justice equality or freedom but what do we refer to when we speak about ideals in the context of law this book explores the concept of ideals by combining an investigation of different theories of ideals with a discussion of the role of ideals in law a comparison of the theories of gustav radbruch and philip selznick leads up to a pragmatist theory of legal ideals which provides an interesting new position in the debate about values in law between legal positivists and natural law thinkers attention for law s central ideals enables us to understand

law's autonomous character while at the same time tracing its connection to societal values essential reading for anyone interested in the role of values or ideals in law

law is generally understood to be a mirror of society that functions to maintain social order focusing on this general understanding this text conducts a survey of western legal and social theories about law and its relationship within society

understanding the nature of law explores methodological questions about how best to explain law among these questions one is central is there something about law which determines how it should be theorized this novel book explains the importance of

debates surrounding the concept of law are not new for a wide variety of reasons and in a wide variety of ways the meaning of law has long been an important part of western thought both within legal scholarship and beyond the contributors to concepts of law are international experts from the fields of comparative law legal philosophy and the social sciences combining theoretical analyses with case studies they explore various legal concepts and contexts from diverse national and disciplinary perspectives legal and normative pluralism is a theme throughout some chapters discuss the development of state law and legal systems others wrestle with law's rhetoric and the potential utility of alternative vocabularies e.g. governance and governmentality others reveal the rich polyjurality of the present from the local to the global the result is a rich picture of both present scholarship on laws and norms and the state of contemporary legal complexity each crossing traditional boundaries

the concept of law lies at the heart of our social and political life shaping the character of our community and underlying issues from racism and abortion to human rights and international war but what actually is law a set of naturally occurring moral principles or simply rules agreed by a particular society what is a right and what rights should people actually have is law really colour blind and gender blind can the law truly tell us whether gay marriages are immoral what's wrong with racism or whether we should go to war revealing the intriguing and challenging nature of legal philosophy with clarity and enthusiasm raymond wacks explores the notion of law and its role in our lives referring to key thinkers from aristotle to

rawls bentham dworkin h l a hart and derrida he looks at the central questions behind legal theory that have fascinated lawyers and philosophers and anyone who ever wondered about law's relation to justice morality and democracy 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

the book has extensive notes on the theoretical work of other jurists including references to austin's imperative theory kelson's theory of basic norm and fuller's natural law theory

the book focuses on the relationship between law and politics as perceived by the legal community and more specifically the transformation of politics into law after exploring the relationship between law and politics as considered by the major modern schools of legal theory the focus moves to the regions of interaction in which law and politics meet termed the policy of law the policy of law is characterized in this work as the stage of the law making process at which values entrenched in political decisions are transformed into legal concepts in order to fit the existing legal system the space labeled as policy of law is today mainly but not exclusively the domain of legal actors consequently the identification of a branch of the legal discipline specifically devoted to the investigation of the transformations of values into law is given the policy of law analysis finally whether and to what extent the policy of law analysis can be encompassed within the traditional legal discipline and more particularly as a part of jurisprudence is explored zamboni ranges broadly and knowledgeably over vast areas of legal theory but it is no mere taxonomising his argument is valuable and original it is clear learned and never boring zenon bankowski university of edinburgh

during the last decades legal theory has focused almost completely on norms rules and arguments as the constitutive elements of law concepts were mostly neglected the contributions to this volume try to remedy this neglect by elucidating the role concepts play in law from different perspectives a main aim of this volume is to initiate a debate about concepts in law ke fr ndberg gives an overview of the many different uses of concepts in law and shows amongst others that concepts in the law should not be confused with the role of concepts in descriptions of the law dietmar von der pfadt

criticizes the restriction to norms as parts of the law in contemporary legal theory by questioning what concepts are and what their function is both in general and in legal conceptual schemes. Giovanni Sartor assumes the inferential analysis of meaning proposed by Alf Ross in his ground breaking paper *What is a Concept?* and addresses the question how possession of a concept including the rules defining it is possible without endorsing these rules. Jaap Hage argues that 1. legal status words such as 'owner' have a meaning because they denote things or relations in institutional reality. 2. the meaning of these words consists in this denotation relation. 3. knowledge of this meaning presupposes knowledge of the rules governing these words. Torben Spaak contributes to this volume with an exemplary analysis of one of the most central concepts of the law, namely that of a legal power. Lorenz Käler discusses the role of concepts in determining the scope of application of legal rules and raises from this perspective the question to what extent legal concept formation can be arbitrary. Ralf Poscher argues that as soon as a concept is used in stating the law, the precise scope of application of this concept has become a legal matter. This means that the use of moral concepts in the law does not automatically lead to a moral import into the law. Dennis Patterson holds that Hart's concept of law can be understood as a so called practice theory and provides an overview of such a theory.

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. It 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. It represents a wide variety of perspectives on current legal theory.

Nigel Simmonds provides an original critique of legal positivism, arguing that the institutions of law and the structures of legal thought can only be understood by reference to a moral ideal, an ideal of freedom or independence from the power of others.

Combining theoretical sophistication with a fundamental comprehension of the political institutions of the USA, this study aims to demystify the workings of the United States Supreme Court and its place in democracy.

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