

Jurisprudence And Legal Theory By V D Mahajan Pdf

Introduction to Critical Legal Theory Legal Reasoning and Legal Theory Legal Theory and the Social Sciences Legal Theory The Methodology of Legal Theory The Concept of Ideals in Legal Theory Closure Or Critique Research Handbook on Critical Legal Theory Legal Theory Legal Theory and the Legal Academy Introduction to Legal Theory The Blackwell Guide to the Philosophy of Law and Legal Theory Nutshell: Legal Theory Interpretation and Legal Theory Legal Theories Legal Theory and the Legal Academy A Dictionary of Legal Theory Knowing What the Law Is The Methodology of Legal Theory The Problematics of Moral and Legal Theory Ian Ward Neil MacCormick Maksymilian Del Mar W. Friedmann Michael Giudice Sanne Taekema Alan William Norrie Emilius Christodoulidis Wolfgang Friedmann Maksymilian Del Mar John D. Finch Martin P. Golding Jonathan Crowe Andrei Marmor Maret Leiboff Maksymilian Del Mar Brian Bix Alexander Somek Michael Giudice Richard A. Posner

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introduction to critical legal theory provides an accessible introduction to the study of law and legal theory it covers all the seminal movements in classical modern and postmodern legal thought engaging the reader with the ideas of jurists as diverse as aristotle hobbes and kant marx foucault and dworkin at the same time it impresses the interdisciplinary nature of critical legal thought introducing the reader to the philosophy the economics and the politics of law this new edition focuses even more intently upon the narrative aspect of critical legal thinking and the re emergence of a distinctive legal humanism as well as the various related challenges posed by our new world order introduction to critical theory is a comprehensive text for both students and teachers of legal theory jurisprudence and related subjects

what makes an argument in a law case good or bad can legal decisions be justified by purely rational argument or are they ultimately determined by more subjective influences these questions are central to the study of jurisprudence and are thoroughly and critically examined in legal reasoning and legal theory now with a new and up to date foreword its clarity of explanation and argument make this classic legal text readily accessible to lawyers philosophers and any general reader interested in legal processes human reasoning or practical logic

ever since h l a hart s self description of the concept of law as an exercise in descriptive sociology contemporary legal theorists have been debating the relationship between legal theory and

sociology and between legal theory and social science more generally there have been some who have insisted on a clear divide between legal theory and the social sciences citing fundamental methodological differences others have attempted to bridge gaps revealing common challenges and similar objects of inquiry collecting the work of authors such as martin krygier david nelken brian tamanaha lewis kornhauser gunther teubner and nicola lacey this volume the second in a three volume series provides an overview of the major developments in the last thirty years the volume is divided into three sections each discussing an aspect of the relationship of legal theory and the social sciences 1 methodological disputes and collaboration 2 common problems especially as they concern different modes of explanation of social behaviour and 3 common objects including most prominently the study of language in its social context and normative pluralism

the last decade has witnessed a particularly intensive debate over methodological issues in legal theory the publication of julie dickson s evaluation and legal theory 2001 was significant as were collective returns to h l a hart s postscript to the concept of law while influential articles have been written in disparate journals no single collection of the most important papers exists this volume the first in a three volume series aims not only to fill that gap but also propose a systematic agenda for future work the editors have selected articles written by leading legal theorists including among others leslie green brian leiter joseph raz ronald dworkin and william twining and organized under four broad categories 1 problems and purposes of legal theory 2 the role of epistemology and semantics in theorising about the nature of law 3 the relation between morality and legal theory and 4 the scope of phenomena a general jurisprudence ought to address

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

can law be understood as a closed self sustaining system of rules can it claim a measure of autonomy from broader social political and economic forces or is it always reducible to such forces is any claim to autonomy false perhaps designed to legitimise the existing social order is law based upon moral foundations or are ethical considerations deeply disruptive of it questions of legal and moral closure and of the critique of law s foundations and possibilities lie at the heart of crucial claims about the nature and value of law in modern western societies closure or critique addresses them from a variety of modern and postmodern positions central to current legal thought with a ground breaking collection of essays from leading academics bringing together a variety of diverse perspectives and encouraging a dialogue between approaches to law that are frequently seen as simply at odds with each other closure or critique will be of interest both to the advanced reader seeking new work at the cutting edge and to the first time student requiring an overview of legal theory today book jacket title summary field provided by blackwell north america inc all rights reserved

critical theory characteristically linked with the politics of theoretical engagement covers the manifold of the connections between theory and praxis this thought provoking research handbook

captures the broad range of those connections as far as legal thought is concerned and retains an emphasis both on the politics of theory and on the notion of theoretical engagement the first part examines the question of definition and tracks the origins and development of critical legal theory along its european and north american trajectories the second part looks at the thematic connections between the development of legal theory and other currents of critical thought such as feminism marxism critical race theory varieties of post modernism as well as the various turns ethical aesthetic political of critical legal theory the third and final part explores particular fields of law addressing the question how the field has been shaped by critical legal theory or what critical approaches reveal about the field with the clear focus on opportunities for social transformation

the third in a series of three volumes on contemporary legal theory this volume deals with four topics 1 the role of legal theory in the legal curriculum 2 the teaching of legal theory 3 the relationship of legal theory to legal scholarship and 4 the relationship of legal theory to comparative law the focus of the first two topics is on the common law world where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since john austin s 1828 lecture the uses and the study of jurisprudence these first two parts offer a selection of the most important papers including surveys as well as pedagogical viewpoints and particular course descriptions from analytical critical feminist law and literature and global perspectives the last three decades have seen just as many changes for legal scholarship and comparative law these changes such as the rise of empirical legal scholarship have often attracted the attention of legal theorists within comparative law the last thirty years have witnessed intense methodological reflection within the discipline the results of these reflections are themselves properly recognised as legal theoretical contributions the volume collects the key papers including those by neil maccormick mark van hoecke andrew halpin william ewald and geoffrey samuel

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

1 what is legal theory 2 critical reasoning 3 classical natural law theories 4 legal positivism 5 contemporary natural law theories 6 liberalism and law 7 critical legal theories 8 fundamental legal conceptions 9 the role of the judge 10 ethical theories 11 theories of justice

this is a revised and extensively rewritten edition of one of the most influential monographs on legal philosophy published in recent years writing in the introduction to the first edition the author characterized anglophone philosophers as being divided and often wavering between two main philosophical objectives the moral evaluation of law and legal institutions and an account of its actual nature questions of methodology have therefore tended to be sidelined but were bound to surface sooner or later as they have in the later work of ronald dworkin the main purpose of this book is to provide a critical assessment of dworkin s methodological turn away from analytical jurisprudence towards a theory of interpretation and the issues it gives rise to the author argues that the importance of dworkin s interpretative turn is not that it provides a substitute for semantic theories of law a dubious concept but that it provides a new conception of jurisprudence aiming to present itself as a comprehensive rival to the conventionalism manifest in legal positivism

furthermore once the interpretative turn is regarded as an overall challenge to conventionalism it is easier to see why it does not confine itself to a critique of method law as interpretation calls into question the main tenets of its positivist rival in substance as well as method the book re examines conventionalism in the light of this interpretative challenge

so what does legal theory have to do with life the universe and everything including the everyday practices of the law legal theories contexts and practices shows how the seemingly remote world of legal theory philosophy and jurisprudence is actually used in the day to day experience of law in all its forms the book considers how basic legal concepts such as tort and contract law are grounded in social and political theory and how the different legal outcomes will result from the use of theories of varying types and dimensions this new book reinforces maret leiboff and mark thomas reputation as innovators and popularises of legal theory as an active practice of law drawing on the historical legal and social conditions in which various legal theories emerged this book examines how they influenced and continue to influence the practices of law diagrams illustrations tables charts and now photographs are used to explain and uncover the ideas behind legal theory and its uses in practice and an historical and contextual timeline tracks the contexts and practices of the theories across generations in doing so legal theories contexts and practices provides a new and original exploration of legal theory and its relationship with society and practice leiboff and thomas tell legal theory as a story through a dispute in 17th century england between a king and a judge their explorations of legal theory encompass real decided case law and monty python harry potter and stories and ideas drawn from popular culture psychology and contemporary life this book makes for an entertaining lively and engaging read despite its serious purpose legal theories contexts and practices is highly suitable for anyone engaging in legal theory legal philosophy and jurisprudence it is invaluable reading for scholars and practitioners alike

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modern legal theory contains a wide range of approaches and topics from economic analysis of law to feminist legal theory to traditional analytical legal philosophy to a range of theories about justice this healthy variety of jurisprudential work has created a problem students and theorists working in one tradition may have difficulty understanding the concepts and terminology of a different tradition this book works to make terminology and ways of thinking accessible this dictionary covers topics from the autonomy of law to the will theory of rights from autopoiesis to

wealth maximization and from john austin to ludwig wittgenstein the most important concepts and ideas are presented in a simple dictionary format there are also many longer entries where the initial definition gives an accessible explanation but the entry goes on to give more detailed information about the history of an idea and the debates currently surrounding it

this book provides a selective and somewhat cheeky account of prominent positions in legal theory such as american legal realism modern legal positivism sociological systems theory institutionalism and critical legal studies it presents a relational approach to law and a new perspective on legal sources the book explores topics of legal theory in a playful manner it is written and composed in a way that refutes the widespread prejudice that legal theory is a dreary subject with a cast of characters that occasionally interact in order to illustrate the claims of the book legal experts claim to know what the law is legal theory or jurisprudence explores whether such claims are warranted the discipline first emerged at the turn of the 20th century when the self confidence of both legal scholarship and judicial craftsmanship became severely shattered but the crisis continues to this day

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ambitious legal thinkers have become mesmerized by moral philosophy believing that great figures in the philosophical tradition hold the keys to understanding and improving law and justice and even to resolving the most contentious issues of constitutional law they are wrong contends richard posner in this book posner characterizes the current preoccupation with moral and constitutional theory as the latest form of legal mystification an evasion of the real need of american law which is for a greater understanding of the social economic and political facts out of which great legal controversies arise in pursuit of that understanding posner advocates a rebuilding of the law on the pragmatic basis of open minded and systematic empirical inquiry and the rejection of cant and nostalgia the true professionalism foreseen by oliver wendell holmes a century ago a bracing book that pulls no punches and leaves no pieties unpunctured or sacred cows unkicked the problematics of moral and legal theory offers a sweeping tour of the current scene in legal studies and a hopeful prospect for its future

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