

# The Oxford Handbook Of Jurisprudence And Philosophy Of Law

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*Kant Joel Feinberg Jules L. Coleman Raymond Wacks Morris Raphael Cohen*

a treatise of legal philosophy and general jurisprudence is the first ever multivolume treatment of the issues in legal philosophy and general jurisprudence from both a theoretical and a historical perspective the work is aimed at jurists as well as legal and practical philosophers edited by the renowned theorist enrico pattaro and his team this book is a classical reference work that would be of great interest to legal and practical philosophers as well as to jurists and legal scholar at all levels the work is divided in two parts the theoretical part published in 2005 consisting of five volumes covers the main topics of the contemporary debate the historical part consisting of six volumes volumes 6 8 published in 2007 volumes 9 and 10 published in 2009 volume 11 published in 2011 and volume 12 forthcoming in 2016 accounts for the development of legal thought from ancient greek times through the twentieth century volume 12 legal philosophy in the twentieth century the civil law world volume 12 of a treatise of legal philosophy and general jurisprudence titled legal philosophy in the twentieth century the civil law world functions as a complement to gerald postema s volume 11 titled legal philosophy in the twentieth century the common law world and it offers the first comprehensive account of the complex development that legal philosophy has undergone in continental europe and latin america since 1900 in this volume leading international scholars from the different language areas making up the civil law world give an account of the way legal philosophy has evolved in these areas in the 20th century the outcome being an overall mosaic of civil law legal philosophy in this arc of time further specialists in the field describe the development that legal philosophy has undergone in the 20th century by focusing on three of its main subjects namely legal positivism natural law theory and the theory of legal reasoning and discussing the different conceptions that have been put forward under these labels the layout of the volume is meant to frame historical analysis with a view to the contemporary theoretical debate thus completing the treatise in keeping with its overall methodological aim namely that of combining history and theory as a necessary means by which to provide a comprehensive account of jurisprudential thinking

selected bychoice magazine as an outstanding academic title

in this revised edition two distinguished philosophers have extended and

strengthened the most authoritative text available on the philosophy of law and jurisprudence while retaining their comprehensive coverage of classical and modern theory. Murphy and Coleman have added new discussions of the critical legal studies movement and feminist jurisprudence and they have strengthened their treatment of natural law theory, criminalization and the law of torts. The chapter on law and economics remains the best short introduction to that difficult, controversial and influential topic. Students will appreciate the careful organization and clear presentation of complicated issues as well as the emphasis on the relevance of both law and legal theory to contemporary society.

In an introduction to the philosophy of law, Roscoe Pound offers a profound exploration of legal theory, examining the intricate relationship between law and society. His literary style combines clarity and rigor, allowing readers to navigate complex philosophical ideas easily set against the backdrop of early 20th-century legal realism. Pound critiques existing legal doctrines and emphasizes the importance of understanding law as a living institution that reflects societal values and needs. Through thoughtful analysis, he introduces foundational concepts such as social engineering and the interplay between law and moral philosophy. Roscoe Pound, a prominent American jurist and legal scholar, served as the dean of Harvard Law School and was instrumental in shaping modern legal thought. His diverse background in sociology and law informed his belief that legal systems must evolve to serve the dynamic needs of society. Inspired by the challenges of his time, Pound sought to bridge the gap between legal theory and practical application, leading to his pivotal contributions to legal philosophy. This seminal work is essential reading for scholars, practitioners, and students of law. By delving into Pound's insights, readers will gain a deeper understanding of the philosophical underpinnings of legal systems and their role in promoting justice and social order.

A clear and concise representation of the state of jurisprudential debate, this edition mentions a number of important articles and publications. Among them, a reply by Dworkin to Hart's postscript to the concept of law, new thinking in relation to Rawls and Ehrlich are other notable inclusions.

Organized around specific questions, theses and arguments, *Philosophy of Law* introducing jurisprudence helps students get to grips with the fascinating yet often complex realm of legal philosophy. This comprehensive introduction

explores fundamental questions about legal systems legal reasoning and legal concepts covering a wide range of topics in jurisprudence including liability punishment causation discretion precedent constitutional disobedience the rule of law packed with boxed case studies chapter discussion questions guides to further reading a glossary of key terms and online resources for lecturers and students jeffrey brand guides the reader through ideas in an accessible way philosophy of law is ideal for use as a core textbook or as a companion to a set of primary sources

volume 11 the sixth of the historical volumes of a treatise of legal philosophy and general jurisprudence offers a fresh philosophically engaged critical interpretation of the main currents of jurisprudential thought in the english speaking world of the 20th century it tells the tale of two lectures and their legacies oliver wendell holmes jr s the path of law 1897 and h l a hart s holmes lecture positivism and the separation of law and morals 1958 holmes s radical challenge to late 19th century legal science gave birth to a rich variety of competing approaches to understanding law and legal reasoning from realism to economic jurisprudence to legal pragmatism from recovery of key elements of common law jurisprudence and rule of law doctrine in the work of llewellyn fuller and hayek to root and branch attacks on the ideology of law by the critical legal studies and feminist movements hart simultaneously building upon and transforming the undations of austinian analytic jurisprudence laid in the early 20th century introduced rigorous philosophical method to english speaking jurisprudence and offered a reinterpretation of legal positivism which set the agenda for analytic legal philosophy to the end of the century and beyond a wide ranging debate over the role of moral principles in legal reasoning sparked by dworkin s fundamental challenge to hart s theory generated competing interpretations of and fundamental challenges to core doctrines of hart s positivism including the nature and role of conventions at the foundations of law and the methodology of philosophical jurisprudence

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this leading anthology contains essays and cases written by some of the most influential figures in legal philosophy representing the major theoretical positions in the field its primary focus is to relate traditional themes of legal philosophy to the concerns of modern society in a way that invigorates the former and illuminates the latter this classic text is distinguished by its clarity and accessibility balance of topics balance of positions on controversial questions topical relevance imaginative use of cases and stories and the inclusion of only lightly edited or untouched legal classics this revision is distinguished by its inclusion of new material on law and economics international law distributive justice religion and freedom of expression feminist legal theory and critical race theory as well as a greater emphasis on concrete legal problems

the oxford handbook of jurisprudence and philosophy of law brings together specially commissioned essays by twenty seven of the foremost legal theorists currently writing to provide a state of the art overview of jurisprudential scholarship each author presents an account of the contending views and scholarly debates animating their field of enquiry as well as setting the agenda for further study this landmark publication will be essential reading for anyone working in legal theory and of interest to legal scholars generally philosophers and legal theorists looking for a way in to understand current jurisprudential thinking

the concept of law lies at the heart of our social and political life legal philosophy or jurisprudence explores the notion of law and its role in society illuminating its meaning and its relation to the universal questions of justice rights and morality in this very short introduction raymond wacks analyses the nature and purpose of the legal system and the practice by courts lawyers and judges wacks reveals the intriguing and challenging nature of legal philosophy

with clarity and enthusiasm providing an enlightening guide to the central questions of legal theory in this revised edition wacks makes a number of updates including new material on legal realism changes to the approach to the analysis of law and legal theory and updates to historical and anthropological jurisprudence 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

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