

The Basic Concepts of Legal Thought

Fletcher, George P.

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Basic Concepts Of Legal Thought

JL Elias



Basic Concepts Of Legal Thought:

Basic Concepts of Legal Thought George P. Fletcher, 1996 In this one of a kind text George P Fletcher a renowned legal theorist offers a provocative yet accessible overview of the basics of legal thought The first section of the book is designed to introduce the reader to fundamental concepts such as the rule of law and deciding cases under the law It continues with an analysis of the values of justice desert consent and equality as they figure into our judgment of legal cultures in terms of soundness and legitimacy The final chapters address the problems of morality and consistency in the law In each case the author not only introduces the basic ideas but considers important arguments in the contemporary literature and raises original claims of his own *Basic Concepts of Legal Thought* fills a void in the literature as there is no other volume that both eases law students into the mysteries of legal philosophy and provides an introduction to the legal mind for non lawyers

The Constitution of the Legal Relation Alexander Somek, 2016-01-22 This book defends the relational approach to law It begins by exploring how law is constituted in the context of either rational or reasonable conduct Having identified reasonableness as the unifying theme of natural law theories it argues that the form and authority of law originate in the practical resolution of a moral antinomy that these theories leave unaddressed The reasonableness of law lies in the structure and principles of relations in which rights are correlated with obligations and powers with liabilities Rather than descending upon us from above in the form of directives law emerges from our interactive efforts to cope with persistent moral disagreements Ultimately the relational approach views the legal rules governing our interactions as expressions of a common will The book concludes that unsurprisingly modern constitutionalism represents a thoroughly pragmatic and most defensible conception of the authority of law

The Ashgate Research Companion to Feminist Legal Theory Vanessa E. Munro, 2016-04-01 As a distinct scholarly contribution to law feminist legal theory is now well over three decades old Those three decades have seen consolidation and renewal of its central concerns as well as remarkable growth dynamism and change This Companion celebrates the strength of feminist legal thought which is manifested in this dynamic combination of stability and change as well as in the diversity of perspectives and methodologies and the extensive range of subject matters which are now included within its ambit Bringing together contributors from across a range of jurisdictions and legal traditions the book provides a concise but critical review of existing theory in relation to the core issues or concepts that have animated and continue to animate feminism It provides an authoritative and scholarly review of contemporary feminist legal thought and seeks to contribute to the ongoing development of some of its new approaches perspectives and subject matters The Companion is divided into three parts dealing with Theory Concepts and Issues The first part addresses theoretical questions which are of significance to law but which also connect to feminist theory at the broadest and most interdisciplinary level The second part also draws on general feminist theory but with a more specific focus on debates about equality and difference race culture religion and sexuality The Issues section considers in detail more specific areas of

substantive legal controversy The Methodology of Legal Theory Michael Giudice, Wil Waluchow, 2017-07-05 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 *AI Approaches to the Complexity of Legal Systems* Pompeu Casanovas, Ugo Pagallo, Giovanni Sartor, Gianmaria Ajani, 2010-10-19 Annotation This volume assembles 15 refereed and revised papers selected from two workshops organized at the XXIV World Congress of Philosophy of Law and Social Philosophy and at JURIX 09 The papers are organized in sections on language and complex systems in law ontologies and the representation of legal knowledge argumentation and logics **Reason and experience in contemporary legal thought** Torstein Einang Eckhoff, Torstein Eckhoff, Lawrence Meir Friedman, Jyrki Uusitalo, 1986 Papers from the proceedings of the 11th World Congress held in Helsinki 1983 **Common European Legal Thinking** Hermann-Josef Blanke, Pedro Cruz Villalón, Tonio Klein, Jacques Ziller, 2015-09-24 Common European Legal Thinking emanates from the existence of a shared European legal culture as especially reflected in the existence of a common European constitutional law It denotes a body of individual constitutional principles written and unwritten that represent the common heritage of the constitutions of the Member States Taking into account the two major European organisations the Council of Europe and especially the European Union the essays of this *Festschrift* discuss a range of constitutional principles including the rule of law democracy and the exercise of political power in a multilevel system which recognises fundamental rights as directly applicable and supreme law Other essays examine the value of pluralism the commitment of private organisations to uphold public values principles or rules and the objectives and methods of a transnational science of administrative law These articles highlight the fact that the *Ius Publicum Europaeum Commune* is politically in the making which can often be seen in the shape of general legal principles The publication recognises the role of Albrecht Weber as a forerunner of Common European Legal Thinking **Revolutions in Law and Legal Thought** Zenon Bankowski, 1991 **Fundamental Legal Conceptions as Applied in Judicial Reasoning and Other Legal Essays** Wesley Newcomb Hohfeld, 1920 Fundamental Legal Conceptions as Applied in Judicial Reasoning, and Other Legal Essays Wesley Newcomb Hohfeld, 1920 *Contemporary Bourgeois Legal Thought* Vladimir Aleksandrovich Tumanov, 1974 **Chinese Legal Translation and Language Planning in the New Era** Xiaobo Dong, Yafang

Zhang,2023-01-12 By making a comprehensive and interdisciplinary analysis on the translation history of both the ancient Chinese legal classics and the modern laws and regulations this book presents a full picture of development of Chinese legal translation Legal translation in China has undergone twists and turns in the past and always lacked a systematic and comprehensive theoretical framework Therefore guided by the language planning theory this book intends to build a theoretical framework for study and practices of legal translation in the New Era and provide a feasible path for general readers students of relevant majors and professionals interested in Chinese legal culture to get a refreshed understanding legal translation and legal culture promotion

Fundamental Legal Concepts of China and the West Hyung I. Kim,1981 This work focuses on the concepts of natural law equity or justice and right and responsibility in traditional Chinese law

Lectures on the Paradigms of Legal Thinking Csaba Varga,1999 Legal philosopher Varga introduces readers to reasoning in law by leading them through the possibilities boundaries and traps of assuming personal responsibility and impersonal pattern adoption that have arisen in the history of human thought and in the various legal cultures He seeks to reveal the actual processed hidden by the veil of patterns that are followed in thinking processed that people encounter both in conceptual logical quests for certainties and in the undertaking of fertilizing ambiguity The original Hungarian Eloadasok a jogi gondolkad e paradigmairól was published by Osiris Budapest in 1999 Distributed in the US by ISBS Annotation copyrighted by Book News Inc Portland OR

Critical Legal Thought Christian Joerges,David M. Trubek,1989 *Legal Thought in the United States of America Under Contemporary Pressures* International Academy of Comparative Law,1970

AN INTRODUCTION TO REFLECTIVE THINKING; BY COLUMBIA ASSOCIATES IN PHILOSOPHY LAURENCE BUERMAYER, WILLIAM FORBES COOLEY, JOHN J. COSS, HORACE L. FRIESS, JAMES GUTMANN, THOMAS MUNRO, HOUSTON PETERSON, JOHN H. RANDALL, JR., HERBERT W. SCHNEIDER,1923

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