

Jurisprudence note.

Jurisprudence is the philosophy of law; it asks questions about why the law exists, how law affects the society and how the society affects the law. It is based on theories, culture, ethics, power, and history. Another important question is what is the purpose of the law.

Key theories in jurisprudence:

1- Natural law

Natural law is based on timeless moral principles and justice, it is inherent in nature and human ethics in decision-making and reasoning to know what is right and what is wrong. It is used to support the argument of human rights and to question the legitimacy of some legal systems. And it is found that since the Greek and Roman empires. It is not created by human authorities. It is the contract of the positive law in the creation.

The Golden rule is the idea of treat every body as the way you want to be treated.

Natural law argues that human don't need written law because they already know what is right and what is wrong and all people can act accordingly.

One con about natural law is that it could lead to legal uncertainty.

2- Positivism legal law:

Positivism argues that law is valid because of its existence and the source of it and the enforcement, regardless of the morality, just and the unjust. Positivism also argues that law exists and content is determined by social facts such as actions of legal makers, judges, and other legal workers. A key aspect of positivism is the separation thesis, which argues that law is valid whether it is moral or immoral, or even unjust, and there is no connection between law and morality.

-Inclusive positivism or soft, believes that morality should be part of the law if the legal rules or system allows it.

-Exclusive positivism, or hard, believes that morality should not be part of the law, and the law should be what is written or passed by legal procedures.

Positivism is help in human understanding of the just behavior and the ability to predict outcomes of certain behaviour.

One con of positivism is that legal text could be confusing sometimes to understand and human might be lost in the legal texts.

3- Critical legal theories:

Critical legal theories are legal thoughts that challenge the traditional view of the law; they argue that law is not natural or objective, but it is the reflection of power dynamics and social biases. It also supports the

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Lecture Notes On Jurisprudence Lecture Notes Series:

Jurisprudence Lecture Notes Peter Curzon,1998-12-01 First published in 1999 Routledge is an imprint of Taylor Francis an informa company *Samuel Pufendorf and the Emergence of Economics as a Social Science* Jürgen G. Backhaus,Günther Chaloupek,Hans A. Frambach,2020-11-21 This book discusses Samuel Pufendorf and his contributions to the development of the European Enlightenment and the emergence of economics as a social science Born in 1632 in Saxony Pufendorf wrote widely on natural law ethics jurisprudence and political economy and was one of the most important figures in early modern political thought Although his work fits within the intellectual framework of natural jurisprudence there is an argument to be made that his ideas promoted the development of economics as a distinct discipline within the social sciences Written by participants in the 34th Heilbronn Symposium in Economics and the Social Sciences the contributions to this volume give an overview of Pufendorf s influence on other authors of the Enlightenment such as Locke Montesquieu and Rousseau as well as addressing the theoretical implications of his extensive writings Further chapters place a special focus on Pufendorf s discussion of economic matters such as property rights theory price theory taxation and preferences and decision making The book concludes with analyzing Pufendorf s influence on Adam Smith his anticipations of elements of modern economic theory and his impact on the history of economic thought Providing a fresh look at one of the foundational scholars of social science this volume will be of interest to researchers and students of the history of economic thought political economy economic history and political philosophy [A Critical Bibliography of Adam Smith](#) Hiroshi Mizuta,2016-07-01 This critical bibliography of Adam Smith takes as its starting point the Kress Library of Business and Economics 1939 catalogue of its Vanderblue Collection of Smithiana Since the bicentenary of *The Wealth of Nations* in 1976 the rate of international publication markedly accelerated significantly extending the scope of this bibliography beyond 1939 Its scope has been further enlarged via the inclusion of essays on the diffusion process while the inclusion of all works in the chronological main bibliography gives an overview of the scope of this process The notes appended to the entries provide a running commentary to the gathering pace of publication and the entries are organised chronologically with systematic annotation throughout **Current Catalog** National Library of Medicine (U.S.),1969 Includes subject section name section and 1968 1970 technical reports [National Library of Medicine Current Catalog](#) National Library of Medicine (U.S.),1969 First multi year cumulation covers six years 1965 70 *Adam Smith* Ryan Hanley,2016-01-12 The essential guide to the life thought and legacy of Adam Smith Adam Smith 1723 90 is perhaps best known as one of the first champions of the free market and is widely regarded as the founding father of capitalism From his ideas about the promise and pitfalls of globalization to his steadfast belief in the preservation of human dignity his work is as relevant today as it was in the eighteenth century Here Ryan Hanley brings together some of the world s finest scholars from across a variety of disciplines to offer new perspectives on Smith s life thought and enduring legacy Contributors provide succinct and accessible

discussions of Smith's landmark works and the historical context in which he wrote them the core concepts of Smith's social vision and the lasting impact of Smith's ideas in both academia and the broader world They reveal other sides of Smith beyond the familiar portrayal of him as the author of the invisible hand emphasizing his deep interests in such fields as rhetoric ethics and jurisprudence Smith emerges not just as a champion of free markets but also as a thinker whose unique perspective encompasses broader commitments to virtue justice equality and freedom An essential introduction to Adam Smith's life and work this incisive and thought provoking book features contributions from leading figures such as Nicholas Phillipson Amartya Sen and John C Bogle It demonstrates how Smith's timeless insights speak to contemporary concerns such as growth in the developing world and the future of free trade and how his influence extends to fields ranging from literature and philosophy to religion and law

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