

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.

Great Debates in Employment Law Macmillan International Higher Education

Most contemporary legal philosophers tend to take force to be an accessory to the law. According to this prevalent view the law primarily consists of a series of demands made on us; force, conversely, comes into play only when these demands fail to be satisfied. This book claims that this model should be jettisoned in favour of a radically different one: according to the proposed view, force is not an accessory to the law but rather its attribute. The law is not simply a set of rules incidentally guaranteed by force, but it should be understood as essentially rules about force. The book explores in detail the nature of this claim and develops its corollaries. It then provides an overview of the contemporary jurisprudential debates relating to force and violence, and defends its claims against well-known counter-arguments by Hart, Raz and others. This book offers an innovative insight into the concept of Pure Theory. In contrast to what was claimed by Hans Kelsen, the most eminent contributor to this theory, the author argues that the core insight of the Pure Theory is not to be found in the concept of a basic norm, or in the supposed absence of a conceptual relation between law and morality, but rather in the fundamental and comprehensive reformulation of how to model the functioning of the law intended as an ordering of force and violence.

Edward Elgar Publishing

Legislative debates make democracy and representation work. Political actors engage in legislative debates to make their voice heard to voters. Parties use debates to shore up their brand. This book makes the most comprehensive study of legislative debates thus far, looking at the politics of legislative debates in 33 liberal democracies in Europe, North America and Latin America, Africa, Asia, and Oceania. The book begins with theoretical chapters focused on the key concepts in the study of legislative debates. Michael Laver, Slapin and Proksch, and Taylor examine the politics of legislative debates in parliamentary and presidential democracies. Subsequently, Goplerud makes a critical review of the methodological challenges in the study of legislative debates. Schwalbach and Rauh further discuss the difficulties in the comparative empirical study of debates. Country-chapters offer a wealth of original material organized around structured sections. Each chapter begins with a details discussion of the institutional design, focusing on the electoral system, legislative organization, and party parties, to which a section on the formal and informal rules of legislative debates ensues. Next, each country chapter focuses on analyzing the determinants of floor access, with a particular emphasis on the role of gender, seniority, legislative party positions, among others. In the concluding chapter, the editors explore comparative patterns and point out to multiple research avenues opened by this edited volume. The Oxford Politics of Institutions series is designed to provide in-depth coverage of research on a specific political institution. Each volume includes a mix of theoretical contributions, state-of-the-art research review chapters, comparative empirical chapters, country case study chapters, and chapters aimed at practitioners. Typically, the majority of chapters in each volume comprises of country studies written by country experts. Volumes in the series are aimed at political scientists, students in political science programmes, social scientists more generally, and policy practitioners. Series editors: Shane Martin, Anthony King Chair in Comparative Government and Head of the Department of Government, University of Essex; and Sona N. Golder, Professor of Politics, Department of Political Science, Pennsylvania State University.

Great Debates in Company Law Springer

This textbook is an ambitious and engaging introduction to the more advanced writings on equity and trusts, primarily designed to allow students to 'get under the skin' of the topic and begin to build their critical thinking and analysis skills. Each chapter is structured around key questions and debates that provoke deeper thought and, ultimately, a clearer understanding. The aim of the book is therefore not to present a complete overview of theoretical issues in equity and trusts, but rather to illustrate the current debates which are currently going on among those working in shaping the area. The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading.

Great Debates in Jurisprudence Macmillan International Higher Education

An engaging introduction to the more advanced writings on family law, designed to provide the additional insights necessary to excel in the study of the subject.

The UN Convention on the International Sale of Goods Macmillan International Higher Education

This textbook is an ambitious and engaging introduction to the more advanced writings on Jurisprudence, primarily designed to allow students to 'get under the skin' of the topic and begin to build their critical thinking and analysis skills. Each chapter is structured around key questions and debates that provoke deeper thought and, ultimately, a clearer understanding. The aim of the book is therefore not to present a complete overview of theoretical issues in Jurisprudence, but rather to illustrate the current debates which are currently going on among those working in shaping the

area. The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading. A perfect book for students taking a module in jurisprudence, or for those wanting to deepen their knowledge.

Legal Positivism in a Global and Transnational Age Springer Nature

The first textbook to consider gender perspectives in relation to the whole undergraduate law curriculum in England and Wales. Gender is of central importance in every area of law and every area of people's lives but is rarely mentioned in the formal LLB syllabus; this book is designed to fill some of those gaps. 18 chapters, written by experts in the field, cover all the core modules on the English LLB together with 11 of the most popular options. Aimed at students and lecturers on undergraduate and postgraduate Gender and Law modules, the book will also be useful for all LLB and LLM students studying English law, who may use it to accompany their studies from their first to their final year, and also for prospective law students, legal scholars from outside England and Wales, and scholars in other disciplines.

THE POLITICS OF LEGISLATIVE DEBATES

Bloomsbury Publishing

An engaging introduction to some of the more advanced concepts in Company Law and corporate governance, providing a cutting edge for students who are looking to gain additional insights with which to excel. Readers are introduced to the many debates surrounding each core area and presented with the key tensions and questions underlying each topic.

A Cosmopolitan Jurisprudence Bloomsbury Publishing

This book describes and analyses the rules and provisions of the United Nation Convention on the International Sale of Goods of 1980 - CISG-. The authors explain the details of the CISG's text, report the essence of the scholarly discussions of its issues, and, in particular, present numerous cases decided by courts and arbitration tribunals both as illustrations of problems arising under the CISG and as case law interpreting the Convention. The book is mainly intended to be used in teaching, but it can also help practitioners to understand the structure and basic solutions of sales law issues encoded in the CISG.

UTILITY AND WELFARE OPTIMIZATION

Macmillan International Higher Education

An engaging introduction to the more advanced writings on criminal law, designed to provide the additional insights necessary to excel in the study of the subject.

REASONABLENESS AND LAW

Macmillan International Higher Education

This volume offers a collection of articles by leading legal and political theorists. Originally intended as a celebration of MacCormick's work on the occasion of the completion of the four-volume series on Law, State and Practical Reason, it has turned into a homage and salute after MacCormick's passing. Cast in MacCormick's reflexive spirit, the book presents a critical reconstruction of the Scottish philosopher's work, with the aim of revealing the connections between law and democracy in his writings and furthering his insights in each specific field. Neil MacCormick made outstanding contributions to the understanding of law and democracy under conditions of pluralism. His institutional theory of law has elucidated the close connection between the normative character of law as a means of social integration and legal social practices. This has produced a synthesis of the key insights of the legal and political theories of Kelsen, Hart, Alexy and Dworkin, and has broken new ground by undermining the 'monolithic' and 'nation-state' centered character of standard legal theories.

A Reader Springer Science & Business Media

The Humanity of Private Law presents a new way of thinking about English private law. Making a decisive break from earlier views of private law, which saw private law as concerned with wealth-maximisation or preserving relationships of mutual independence between its subjects, the author argues that English private law's core concern is the flourishing of its subjects. THIS VOLUME - presents a critique of alternative explanations of private law; - defines and sets out the key building blocks of private law; - sets out the vision of human flourishing (the RP) that English private law has in mind in seeking to promote its subjects' flourishing; - shows how various features of English private law are fine-tuned to ensure that its subjects enjoy a flourishing existence, according to the vision of human flourishing provided by the RP; - explains how other features of English private law are designed to preserve private law's legitimacy while it pursues its core concern of promoting human flourishing; - defends the view of English private law presented here against arguments that it does not adequately fit the rules and doctrines of private law, or that it is implausible to think that English private law is concerned with promoting human flourishing. A follow-up volume will question whether the RP is correct as an account of what human flourishing involves, and consider what private law would look like if it sought to give effect to a more authentic vision of human flourishing. The Humanity of Private Law is essential reading for students, academics and judges who are interested in understanding private law in common law jurisdictions, and for anyone interested in the nature and significance of human flourishing.

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