

Jurisprudence Theory Context Brian Bix

Jurisprudence-Brian H. Bix 2019

Jurisprudence-Brian Bix 1996

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Jurisprudence-Brian Bix 2003 This title is aimed at students new to the study of jurisprudence. Its intention is to explain the often complex and difficult ideas in legal philosophy as clearly as possible, without over-simplifying them to the point of distortion. As well as introducing the reader to the fundamental themes in legal philosophy, it also describes and comments critically on the writing of the foremost legal theorists. The text is supplemented by Suggested Further Readings which contain references to related materials. For the third edition, the book has been extensively revised, taking into account the most recent scholarly work, and elaborating on many of the key ideas and arguments.

Law and the Modern Mind-Jerome Frank 1930 Law and the Modern Mind first appeared in 1930 when, in the words of Judge Charles E. Clark, it "fell like a bomb on the legal world." In the generations since, its influence has grown--today it is accepted as a classic of general jurisprudence. The work is a bold and persuasive attack on the delusion that the law is a bastion of predictable and logical action. Jerome Frank's controversial thesis is that the decisions made by judge and jury are determined to an enormous extent by powerful, concealed, and highly idiosyncratic psychological prejudices that these decision-makers bring to the courtroom. Frank points out that legal verdicts are supposed to result from the application of legal rules to the facts of the suit--a procedure that sounds utterly methodical. Frank argues, that profound, immeasurable biases strongly influence the judge and jury's reaction to witnesses, lawyers, and litigants. As a result, we can never know what they will believe "the facts of the suit" to be. The trial's results become unforeseeable, the lawyer's advice unreliable, and the cause of justice insecure. This edition includes the author's final preface in which he answers two decades of criticism of his position.

Law in a Market Context-Robin Paul Malloy 2004-04-22

Law in a Market Context-Robin Paul Malloy 2004-04-22 In Law in a Market Context Robin Paul Malloy examines the way in which people, as social beings, experience the intersection of law, markets, and culture. Through case examples, illustrative fact patterns, and problems based on hypothetical situations he demonstrates the implications and the ambiguities of law in a market society. In his analysis he provides a complete and accessible introduction to a vast array of economic terms, concepts, and ideas--making this book a valuable primer for anyone interested in understanding the use of market concepts in legal reasoning.

Teaching Law-Robin West 2013-11-25 This book suggests reforms to improve legal education and

responds to concerns that law schools eschew the study of justice.

Canadian Law and Indigenous Self-Determination-Gordon Christie 2019 Canadian Law and Indigenous Self-Determination demonstrates how, over the last few decades, Canadian law has attempted to remove Indigenous sovereignty from the Canadian legal, social, and political landscape.

A Realistic Theory of Law-Brian Z. Tamanaha 2017-04-30 The book re-orientes jurisprudence and develops an empirically informed theory of law that applies throughout history and across different societies.

Law's Reality-Allan Beever 2021-06-25 Allan Beever lays the foundation for a timely philosophical and empirical study of the nature of law with a detailed examination of the structure of evolving law through declaratory speech acts. This engaging book demonstrates both how law itself is achieved and also its ability to generate rights, duties, obligations, permissions and powers.

Allegiance and Identity in a Globalised World-Fiona Jenkins 2014-11-06 Interrogating the concepts of allegiance and identity in a globalised world involves renewing our understanding of membership and participation within and beyond the nation-state. Allegiance can be used to define a singular national identity and common connection to a nation-state. In a global context, however, we need more dynamic conceptions to understand the importance of maintaining diversity and building allegiance with others outside borders. Understanding how allegiance and identity are being reconfigured today provides valuable insights into important contemporary debates around citizenship. This book reveals how public and international law understand allegiance and identity. Each involves viewing the nation-state as fundamental to concepts of allegiance and identity, but they also see the world slightly differently. With contributions from philosophers, political scientists and social psychologists, the result is a thorough appraisal of allegiance and identity in a range of socio-legal contexts.

Q&A Jurisprudence 2009-2010-David Brooke 2009-06-02 Routledge-Cavendish Q&As - your path to exam success! Has the thought of facing your law exams left you feeling completely overwhelmed? Are you staring at the mountain of revision in front of you and wondering where to start? Routledge-Cavendish Q&As will help guide you through the revision maze, providing essential exam practice and helping you polish your essay-writing technique. Each Routledge-Cavendish Q&A contains 50 essay and problem-based questions on topics commonly found on exam papers, complete with answer plans and fully worked model answers. The titles are written by lecturers who are also examiners, so you can recognise exactly what examiners are looking for in an answer. Key cases and legislation are highlighted within the text for ease of reference. Boxed answer plans after each question outline the major points you should be aiming to convey within your answer. The books in this series are supported by a companion web offering you bonus q&as; advice on preparing for your exams; revision checklists; discussion forums and more. But don't just take our word for it! "The book was an answer to my prayers... I've been begging tutors to give us ready-made answers so we get a structure as to what we should be including and revising and the Q&As do exactly that!" Azmina Thanda, 2nd year LLB "The Routledge-Cavendish Q&As are very well designed and helpful, giving a good indication of what comes up in exams." Deaglan McArdle, 3rd year LLB

Q&A Jurisprudence 2011-2012-David Brooke 2011-03-17 Routledge Q&As give you the ideal opportunity to practice and refine your exam technique, helping you to apply your knowledge most effectively in an exam situation. Each book contains approximately fifty essay and problem-based questions on topics commonly found on exam papers, complete with answer plans and fully worked model answers. Our authors have also highlighted common mistakes as well as offering you tips to achieve the very best marks. What's more, Routledge Q&As are written by lecturers who are also examiners, giving you an exclusive insight into exactly what examiners are looking for in an answer. The English Legal System-Alisdair Gillespie 2017-07 The English Legal System combines comprehensive and thorough coverage of the main topics covered on English legal system courses with a lively and engaging style to capture students' attention and provide them with a firm foundation for their study of law. This book enables students to first understand all of the key areas

of the English legal system, and then to engage with the subject fully for themselves. The law is not just presented but critiqued, with a range of learning features which encourage students to actively engage with contentious issues and difficult questions. Everyday examples help students to apply their knowledge of the law in a practical way, while questions for reflection help students to analyse, evaluate, and think critically. Aided by a clear structure, arranged in five parts, students will be able to fully grasp the processes involving in making and reforming the law. The English Legal System is accompanied by a wide range of online resources, to help students to take their learning further: For Students Introductory podcasts - an invaluable guide through the book and its features Web links - provide opportunities to take learning further Activities - help students to put their knowledge into practice Glossary - outlining the key terms related to the English legal system Podcasts - accompany the questions for reflection in the textbook For Lecturers Test bank - a customizable electronic testing resource

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Law's Ethical, Global and Theoretical Contexts-Upendra Baxi 2015-10-22 Law's Ethical, Global and Theoretical Contexts examines William Twining's principal contributions to law and jurisprudence in the context of three issues which will receive significant scholarly attention over the coming decades. Part I explores human rights, including torture, the role of evidence in human rights cases, the emerging discourse on 'traditional values', the relevance of 'Southern voices' to human rights debates, and the relationship between human rights and peace agreements. Part II assesses the impact of globalization through the lenses of sociology and comparative constitutionalism, and features an analysis of the development of pluralistic ideas of law in the context of privatization. Finally, Part III addresses issues of legal theory, including whether global legal pluralism needs a concept of law, the importance of context in legal interpretation, the effect of increasing digitalization on legal theory, and the utility of feminist and postmodern approaches to globalization and legal theory.

Understanding Jurisprudence-Raymond Wacks 2012-02-02 Perfect for the student new to jurisprudence, this book provides an illuminating introduction to the central questions of legal theory. An experienced teacher of jurisprudence, Professor Wacks' approach is both accessible and entertaining, providing the ideal base for further study.

Q&A Jurisprudence 2013-2014-David Brooke 2013-04-18 Routledge Q&As give you the tools to practice and refine your exam technique, showing you how to apply your knowledge to maximum effect in an exam situation. Each book contains up to fifty essay and problem-based questions on the most commonly examined topics, complete with expert guidance and fully worked model answers. These new editions for 2013-2014 will provide you with the skills you need for your exams by: Helping you to be prepared: each title in the series has an introduction presenting carefully tailored advice on how to approach assessment for your subject Showing you what examiners are looking for: each question is annotated with both a short overview on how to approach your answer, as well as footnoted commentary that demonstrate how model answers meet marking criteria Offering pointers on how to gain marks, as well as what common errors could lose them: 'Aim Higher' and 'Common Pitfalls' offer crucial guidance throughout Helping you to understand and remember the law: diagrams for each answer work to illuminate difficult legal principles and provide overviews of how model answers are structured Books in the series are also supported by a Companion Website that offers online essay-writing tutorials, podcasts, bonus Q&As and multiple-choice questions to help you focus your revision more effectively.

A Chinese Theory of International Law-Zhipeng He 2020-03-14 This book analyzes China's attitude to international law based on historical experiences and documents, and provides an explanation of China's approaches to international legal issues. It also establishes several elements for a possible framework of Chinese theory on international law. The book offers researchers, university students and practitioners valuable insights into how China views international law and why it does so in the way it does.

Towards the True Law-Felipe de Jesús Fierro Alvidrez 2013-07-11 Does the Law exist? And if so,

newly translated papers and some of the best extant writings on Kelsen's theory, this volume covers topics including competing ideas on the nature of law, legal validity, legal powers and the unity of municipal and international law.

Harvard Law Review: Volume 130, Number 9 - Bicentennial Issue 2017-Harvard Law Review 2017-11-01

Rediscovering Fuller-W. J. Witteveen 1999 Lon Fuller, one of the great American jurists of this century, is often remembered only for his stand on the morality of law in the Fuller-Hart debate. Rediscovering Fuller considers the full range of Fuller's writings, from his early engagement with legal fictions and his critique of legal positivism to his later work on implicit law and the art of institutional design. Contributors from the fields of both civil law and common law argue that Fuller's insights are highly relevant to contemporary concerns. The book contains essays by K. Winston, D. Dyzenhaus, P. Cliteur, F. Schauer ("Beyond the Fuller-Hart Debate"), P. Westerman, W. van der Burg, D. Luban ("Moralities of Law"), G. Postema, P. Teachout ("Implicit Law"), R. Macdonald, W. Witteveen, J. Allison, M. Hertogh, K. Soltan ("The Art of Institutional Design"), J. Allan, F. Mootz, J. Vining ("Law's Dialogue"), and a preface by Ph. Selznick. "At some point in the future, when we become more open to the moral relevance of social inquiry, more empirical in our study of philosophical issues, more capable of uniting moral and social theory, Lon Fuller's work will stand as a landmark. This volume will help show the way." —Ph. Selznick

The Three Ps of Liberty-Allen Mendenhall 2020-03-12 This book considers the "three Ps" of liberty: pragmatism, pluralism, and polycentricity. These concepts enrich the complex tradition of classical liberal jurisprudence, providing workable solutions based on the decentralization, diffusion, and dispersal of power.

Language, Meaning and the Law-Christopher Hutton 2009-01-19 Language, Meaning and the Law offers an accessible, critical guide to debates about linguistic meaning and interpretation in relation to legal language. Law is an ideal domain for considering fundamental questions relating to how we assign meanings to words, understand and comment on texts, and deal with socially and ideologically significant questions of interpretation. The book argues that theoretical issues of concern to linguists, philosophers, literary theorists and others are illuminated by the demands of the legal context, since law is driven by the need for practical solutions and for determinate outcomes based on explicit reasoning. Topics covered include: the relationship of linguistics to legal theory, indeterminacy and statutory interpretation, the theory and practice of using dictionaries in law, defamation and language in the public sphere, and the distinction between perjury and deception. This book does not assume specialist knowledge of the field, and is designed as a self-contained, advanced introduction to a fascinating area of study. The reader will gain an overall insight into issues and debates about meaning and interpretation, as well as an understanding of how these questions are shaped by the legal context.

Law's Virtues-Cathleen Kaveny 2012-09-20 Can the law promote moral values even in pluralistic societies such as the United States? Drawing upon important federal legislation such as the Americans with Disabilities Act, legal scholar and moral theologian Cathleen Kaveny argues that it can. In conversation with thinkers as diverse as Thomas Aquinas, Pope John Paul II, and Joseph Raz, she argues that the law rightly promotes the values of autonomy and solidarity. At the same time, she cautions that wise lawmakers will not enact mandates that are too far out of step with the lived moral values of the actual community. According to Kaveny, the law is best understood as a moral teacher encouraging people to act virtuously, rather than a police officer requiring them to do so. In Law's Virtues Kaveny expertly applies this theoretical framework to the controversial moral-legal issues of abortion, genetics, and euthanasia. In addition, she proposes a moral analysis of the act of voting, in dialogue with the election guides issued by the US bishops. Moving beyond the culture wars, this bold and provocative volume proposes a vision of the relationship of law and morality that is realistic without being relativistic and optimistic without being utopian.

Law, Reason and Emotion-Mortimer Sellers (org.) Volume II: Special Workshops Initia Via Editoria Truth-Kurt Pritzl 2010 *Fresh interpretations of the greatest philosophers on the nature of truth and

speculative essays on truth in law, the arts, and science*

IBSS-British Library of Political and Economic Science 2001 IBSS is the essential tool for librarians, university departments, research institutions and any public or private institution whose work requires access to up-to-date and comprehensive knowledge of the social sciences.

Creon's Ghost-Joseph Tomain 2009-02-19 Creon's ghost -- Shadows and light -- Rule and measure -- The ancient courts of ancient men -- Law breaking -- Law's practical theory -- Timeliness and justice -
- A poet dies.

The Invisible Origins of Legal Positivism-W.E. Conklin 2012-12-06 Conklin's thesis is that the tradition of modern legal positivism, beginning with Thomas Hobbes, postulated different senses of the invisible as the authorising origin of humanly posited laws. Conklin re-reads the tradition by privileging how the canons share a particular understanding of legal language as written. Leading philosophers who have espoused the tenets of the tradition have assumed that legal language is written and that the authorising origin of humanly posited rules/norms is inaccessible to the written legal language. Conklin's re-reading of the tradition teases out how each of these leading philosophers has postulated that the authorising origin of humanly posited laws is an unanalysable externality to the written language of the legal structure. As such, the authorising origin of posited rules/norms is inaccessible or invisible to their written language. What is this authorising origin? Different forms include an originary author, an a priori concept, and an immediacy of bonding between person and laws. In each case the origin is unwritten in the sense of being inaccessible to the authoritative texts written by the officials of civil institutions of the sovereign state. Conklin sets his thesis in the context of the legal theory of the polis and the pre-polis of Greek tribes. The author claims that the problem is that the tradition of legal positivism of a modern sovereign state excises the experiential, or bodily, meanings from the written language of the posited rules/norms, thereby forgetting the very pre-legal authorising origin of the posited norms that each philosopher admits as offering the finality that legal reasoning demands if it is to be authoritative.

The Legal Relation-Alexander Somek 2017-09-30 What is law? The usual answer is that the law is a system of norms. But this answer gives us at best half of the story. The law is a way of relating to one another. We do not do this as lovers or friends and not as people who are interested in obtaining guidance from moral insight. In a legal context, we are cast as "character masks" (Marx), for example, as "buyer" and "seller" or "landlord" and "tenant". We expect to have our claims respected simply because the law has given us rights. We do not want to give any other reason for our behavior than the fact that we have a legal right. Backing rights up with coercive threats indicates that we are willing to accept legal obligations unwillingly. This book offers a conceptual reconstruction of the legal relation on the basis of a critique of legal positivism.

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