
The Concept Of Law Chapter Summary

The Path of the Law and Its Influence

What Makes Law

Law as Institution

Philosophy of Law: A Very Short Introduction

The Cambridge Companion to International Law

Philosophy and International Law

The Concept of a Legal System

Torture and Its Definition in International Law

Pure Theory of Law

English for Law

The Concept of Law

The Basic Concepts of Legal Thought

United States Code

Understanding Law for Public Administration

Social Construction of Law

The Sociology of Law

Invitation to Law & Society

The Law of Good People

Understanding the Nature of Law

Essays on Hellenistic Epistemology and Ethics

The Cambridge Companion to Legal Positivism

Concepts of Law

The Concept of Law

About Law

The Austinian Theory of Law

Business Law I Essentials

Law and Morality

The Concept of Law

The Color of Law: A Forgotten History of How Our Government Segregated America

Law's Empire

Justice as Friendship

Model Rules of Professional Conduct

Political Theology

Learning the Law

History of Philosophy of Science

The Morality of Law

Thoughts and Ways of Thinking

Reading HLA Hart's 'The Concept of Law'

KIRSTEN SIMPSON

The Path of the Law and Its Influence Oxford University Press on Demand

Fifty years on from its original publication, HLA Hart's *The Concept of Law* is widely recognized as the most important work of legal philosophy published in the twentieth century, and remains the starting point for most students coming to the subject for the first time. In this third edition, Leslie Green provides a new introduction that sets the book in the context of subsequent developments in social and political philosophy, clarifying misunderstandings of Hart's project and highlighting central tensions and problems in the work.

What Makes Law Foundation Books

New York Times Bestseller • Notable Book of the Year • Editors' Choice Selection One of Bill Gates' "Amazing Books" of the Year One of Publishers Weekly's 10 Best Books of the Year Longlisted for the National Book Award for Nonfiction An NPR Best Book of the Year Winner of the Hillman Prize for Nonfiction Gold Winner • California Book Award (Nonfiction) Finalist • Los Angeles Times Book Prize (History) Finalist • Brooklyn Public Library Literary Prize This "powerful and disturbing history" exposes how American governments deliberately imposed racial segregation on metropolitan areas nationwide (New York Times Book Review). Widely heralded as a "masterful" (Washington Post) and "essential" (Slate) history of the modern American metropolis, Richard Rothstein's *The Color of Law* offers "the most forceful argument ever published on how federal, state, and local governments gave rise to and reinforced neighborhood segregation" (William Julius Wilson). Exploding the myth of de facto segregation arising from private prejudice or the unintended consequences of economic forces, Rothstein describes how the American government systematically imposed residential segregation: with undisguised racial zoning; public housing that purposefully segregated previously mixed communities; subsidies for builders to create whites-only suburbs; tax exemptions for institutions that enforced segregation; and support for violent resistance to African Americans in white neighborhoods. A groundbreaking, "virtually indispensable" study that has already transformed our understanding of twentieth-century urban history (Chicago Daily Observer), *The Color of Law* forces us to face the obligation to remedy our unconstitutional past.

Law as Institution OUP Oxford

Plato has famously argued ...

Philosophy of Law: A Very Short Introduction Cambridge University Press

This advanced introduction to central questions in legal philosophy attempts to breathe new life into stalled research.

The Cambridge Companion to International Law Edward Elgar Publishing

This book – which is the result of several years of research, discussion, writing and re-writing – consists of three parts and eight chapters. The first part is given by the two first chapters introducing the issue of validity and facticity in law. The second part (Chapters 3, 4 and 5) is the core of this study and tries to present a theory based on a specific view about language and social practice. The

third part deal with the issue of value judgments and views about morality and consists of Chapters 6 and 7. Chapter 8 should nally serve as epilogue. In the first chapter a discussion is started about the relationship between law and power, seen as a presupposition for an assessment of the nature of law. As a matter of fact, as has been remarked, "general theories of law struggle to do justice to the 1 multiple dualities of the law". Indeed, law has a "dual nature": it is a fact, but it also a norm, a sort of ideal entity. Law is sanction, but it is also discourse. It is effectivity, or facticity, but it is also a vehicle of principles among which the central one is justice. But this duality is not only a phenomenological, or a matter of justification and implementation as two separate moments.

Philosophy and International Law Edward Elgar Publishing

Debates surrounding the concept of law are not new. For a wide variety of reasons and in a wide variety of ways, the meaning of 'law' has long been an important part of Western thought, both within legal scholarship and beyond. The contributors to *Concepts of Law* are international experts from the fields of comparative law, legal philosophy, and the social sciences. Combining theoretical analyses with case studies, they explore various legal concepts and contexts from diverse national and disciplinary perspectives. Legal and normative pluralism is a theme throughout. Some chapters discuss the development of state law and legal systems. Others wrestle with law's rhetoric and the potential utility of alternative vocabularies, e.g., 'governance' and 'governmentality'. Others reveal the rich polyjurality of the present, from the local to the global. The result is a rich picture of both present scholarship on laws and norms and the state of contemporary legal complexity, each crossing traditional boundaries.

The Concept of a Legal System Liveright Publishing

This book explores the question of justification of law. It examines some perennial jurisprudential debates and suggests that law must find its justification in morality. Drawing upon the Aristotelian inspiration that friends have no need for justice - in (ideal) friendship, we behave justly - Seow Hon Tan develops a theory of law based on the universal phenomenon of friendship. Friendships and legal relations attract rights and obligations by virtue of the manner in which parties are situated. Friendship teaches us that how parties are situated gives rise to legitimate expectations; it attests to the intrinsic worth of each person. The methodology for deciphering norms within, and moral lessons from, friendship can be transposed to law, resulting in an inter-subjectively agreeable and rich conception of justice. In determining the content of legal rights and obligations, we can and should draw upon such determination in friendship. Justice as Friendship aims to provide a vision for law's development and invites the practitioner to advance its central claims in their area of expertise. In dealing with selected legal doctrines, the book draws upon illustrative cases from the United States, the United Kingdom, and the Commonwealth. The book traverses the fields of jurisprudence, philosophy, ethics, political theory, contract law, and tort law.

Torture and Its Definition in International Law OUP USA

This illuminating book explores the theme of social constructionism in legal theory. It questions just how much freedom and power social groups really have to construct and reconstruct law.

Pure Theory of Law Jones & Bartlett Publishers

A landmark work of political and legal philosophy, Ronald Dworkin's *Taking Rights Seriously* was acclaimed as a major work on its first publication in 1977 and remains profoundly influential in the 21st century. A forceful statement of liberal principles - championing the legal, moral and political rights of the individual against the state - Dworkin demolishes prevailing utilitarian and legal-positivist approaches to jurisprudence. Developing his own theory of adjudication, he applies this to controversial public issues, from civil disobedience to positive discrimination. Elegantly written and cuttngly insightful, *Taking Rights Seriously* is one of the most important works of public thought of the last fifty years.

English for Law Ubiquity Press

Knowledge of legal language and the ability to use it effectively are essential requirements for students who have chosen to study law. A comprehensive course in English specially prepared for undergraduate students of law, this book aims to train students in both these aspects.

The Concept of Law Universal Law Publishing Company Limited

Why do we think differently from one another? Why do religious people adhere to their faith even against reason, whilst atheist thinkers label it "nonsense"? Why do some judges turn more to moral values and others less? Why do we attach different meanings to the same words? These questions can be tackled on psychological or sociological levels, but we can also analyze the subjects on the epistemological level. That is the purpose of this book. *Thoughts and Ways of Thinking* offers Source Theory as a single explanation for epistemic processes and their religious, legal and linguistic derivatives. The idea is simple: our senses, our understanding, our memory, the testimonies that we trust, and many other objects transmit data to us and so shape our beliefs. In this function they serve as our truth sources. Different beliefs stem from different sources or different hierarchies between same sources. This notion is formalized here through the new tool of Source Calculus, and, after balancing its relativistic consequences by adding pragmatic constraints, it is applied to the philosophies of religion, law and language. With this unified theory, old doubts are framed in new perspectives, and some of them even find their solution.

The Basic Concepts of Legal Thought Routledge

Offers an accessible discussion of conceptual and moral questions on international law and advances the debate on many of these topics.

United States Code Cambridge University Press

The purpose of this book is to introduce the sociology of law by providing a coherent organization to the general body of literature in that field. As such, the text gives a comprehensive overview of theoretical sociology of law. It deals with the broad expanse of the field and covers a vast amount of intellectual terrain. This volume is intended to fill a gap in the literature. Most textbooks in the sociology of law are insufficiently theoretical or else do not provide a paradigmatic analysis of sociological theories. The content of this text consists of discussions of the works of scholars who have contributed the most to the cumulative development of the sociology of law. It surveys the major traditions of legal sociology but is not wedded to any one particular theoretical approach. Both the "classical," or nineteenth-century, and "contemporary," or twentieth-century, perspectives are covered. The reader will see that nineteenth-century thought has directly influenced the emergence of twentieth-century theory. One unique feature of this book is that key sociological and legal

concepts, presented in bold print and italics, are defined, described, and illustrated throughout. Although the nature of the subject matter is highly theoretical and, at times, quite complex, Trevino values every effort to present the material in the most straightforward and intelligible form possible without compromising the integrity of the theories themselves. In short, this book aims to accomplish three objectives: inform about the progressive advancement of sociological theory, teach the reader to analyze the law as a social phenomenon, and develop in the reader a critical mode of thinking about issues relevant to the relationship between law and society.

Understanding Law for Public Administration Columbia University Press

Understanding the Nature of Law explores methodological questions about how best to explain law. Among these questions, one is central: is there something about law which determines how it should be theorized? This novel book explains the importance of

Social Construction of Law Hart Pub Limited

This intellectually rigorous introduction to international law encourages readers to engage with multiple aspects of the topic: as 'law' directing and shaping its subjects; as a technique for governing the world of states and beyond statehood; and as a framework within which several critical and constructivist projects are articulated. The articles situate international law in its historical and ideological context and examine core concepts such as sovereignty, jurisdiction and the state. Attention is also given to its operation within international institutions and in dispute settlement, and a separate section is devoted to international law's 'projects': protecting human rights, eradicating poverty, the conservation of resources, the regulation of international trade and investment and the establishment of international order. The diverse group of contributors draws from disciplinary orientations ranging from positivism to postmodernism to ensure that this book is informed theoretically and politically, as well as grounded in practice.

The Sociology of Law Oxford University Press

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.

Invitation to Law & Society Springer Science & Business Media

Here is an introduction to the intellectual challenges presented by law in the western secular tradition. Treating not just British law, but the whole western tradition of law, Professor Honore guides the reader through eleven topics which straddle various branches of the law, including constitutional and criminal law, property, and contracts. He also explores moral and historical

aspects of the law, including a discussion of justice and the difference between civil and common law systems. The law, Honore argues, is mainly concerned with the question of obedience to authority, and establishing the situations in which obedience is required and those in which it may be waived ought to be the central concern of all legal theorists.

[The Law of Good People](#) Cambridge University Press

This is a brief introduction to the major issues in legal philosophy, intended for use as a secondary text in law schools, and in graduate and undergraduate courses in philosophy of law, jurisprudence and legal issues.

Springer Science & Business Media

The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between

you and your clients, colleagues and the courts.

Understanding the Nature of Law OUP Oxford

A comprehensive overview and resource for public administration students and practitioners. This book is a combination of an introduction to basic legal principles, analysis of excerpts from instructive cases, and practical advice. It is an original approach to learning about law for those who work for the public good, the culmination of more than twenty-five years of research, study, counseling, law reform work, and reflection on what the law is and should be and how this can be explained to any reasonably thoughtful person. The book combines substantive coverage of law subjects likely to be encountered in public administration, analysis of illustrative cases, and practical advice. It distills and simplifies complex topics and combines legal theory with practical realities. The book describes the general nature of the laws, cases, and legal principles that public administrators are most likely to encounter. It begins by considering the sources of rules that govern our behavior, the evolution of formal law, and formal sources of law in the United States legal system. The next several chapters discuss constitutional law principles, providing an overview of important issues and analyzing important illustrative cases. The next several chapters follow a similar approach to the main law subjects likely to be encountered in public administration. The remaining chapters cover practical matters, including public ethics, how to deal with lawyers, and how to do legal research.

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