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TOWNSEND BRAYLON

Jurisprudence in an African Context Edward Elgar Publishing
This book presents a unified set of arguments about the nature of jurisprudence and its relation to the jurist's role. It explores contemporary challenges that create a need for social scientific perspectives in jurisprudence, and it shows how sociological resources can and should be used in considering juristic issues. Its overall aim is to redefine the concept of sociological jurisprudence and outline a new agenda for this. Supporting this agenda, the book elaborates a distinctive juristic perspective that recognises law's diversity of cultural meanings, its extending transnational reach, its responsibilities to reflect popular aspirations for justice and security, and its integrative tasks as a general resource of regulation for society as a whole and for the individuals who interact under law's protection. Drawing on and extending the author's previous work, the book will be essential reading for students, researchers and academics working in jurisprudence, law and society, socio-legal studies, sociology of law, and comparative legal studies.

Legal Pluralism Explained IGI Global

Equality is often trampled on by those who believe they are, in varying ways, superior. However, identifying how government systems can protect against discrimination can assist future generations in combating the harsh realities of inequality. *Social Jurisprudence in the Changing of Social Norms: Emerging Research and Opportunities* delivers a collection of resources dedicated to identifying sexual orientation as a protected legal class like race, color, gender, and religion using innovative research methods and the federalist responses to the LGBT movement. While highlighting topics including judicial review, LGBT politics, and social change framework, this book is ideally designed for policymakers, politicians, academicians, researchers, and students seeking current research on the analysis of legal cases that provide evidence of LGBT citizen marginalization.

McCoubrey & White's Textbook on Jurisprudence Cambridge

University Press

This book argues that despite the tensions existing in all societies between religious faith and legal order, they inevitably interact. In the course of his discussion Berman traces the history of Western law, exposes the fallacies of law theories that fail to take religion into account, examines key theological, prophetic, and educational themes, and looks at the role of religion in the Soviet and post-Soviet state.

Law and the Invisible Hand Routledge

This textbook provides an introduction to and analysis of the major theories and controversies of jurisprudence. Starting with an overview of the nature of jurisprudence, then moving on to examine the theories and main protagonists in more detail, it is an ideal text for undergraduate students studying the subject for the first time.

Postmodern Legal Movements Wm. B. Eerdmans Publishing

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.

Theory and Context Cambridge University Press

Jurisprudence in an African Context is devoted to the philosophy of law, in a way that engages earnestly with African thought and the African context. The text features primary texts by leading African intellectuals, putting these into critical dialogue with Western theorists. It addressescore jurisprudential topics, such as the nature and functions of law, the manner in which judges do and should interpret the law, theories of distributive justice, and accounts of civil and criminal justice. These abstract philosophical issues are considered in the context of salient controversieson the African continent, including: how cultural norms should influence

judicial interpretation, who is obligated to fight poverty, how to effect land reform, whether to respond punitively to crimes against humanity, and, more broadly, how traditional values might inform contemporary thought andpractice. Texts and topics are expounded and evaluated in a clear, accessible manner, and related questions guide readers to actively engage and respond. *Jurisprudence in an African Context* is suited as core material for courses in jurisprudence (including both legal and political philosophy), and may be ofinterest to scholars who wish to engage with African thought about the making, interpretation and enforcement of law.

Text and Context Cambridge University Press

In this book Joseph Raz develops his views on some of the central questions in practical philosophy: legal, political, and moral. The book provides an overview of Raz's work on jurisprudence and the nature of law in the context of broader questions in the philosophy of practical reason. The book opens with a discussion of methodological issues, focusing on understanding the nature of jurisprudence. It asks how the nature of law can be explained, and how the success of a legal theory can be established. The book then addresses central questions on the nature of law, its relation to morality, the nature and justification of authority, and the nature of legal reasoning. It explains how legitimate law, while being a branch of applied morality, is also a relatively autonomous system, which has the potential to bridge moral differences among its subjects. Raz offers responses to some critical reactions to his theory of authority, adumbrating, and modifying the theory to meet some of them. The final part of the book brings together for the first time Raz's work on the nature of interpretation in law and the humanities. It includes a new essay explaining interpretive pluralism and the possibility of interpretive innovation. Taken together, the essays in the volume offer a valuable introduction for students coming for the first time to Raz's work in the philosophy of law, and an original contribution to many of the current debates in practical philosophy.

General Jurisprudence Routledge

In Islamic Jurisprudence on the Regulation of Armed Conflict, Nesrine Badawi offers a survey of key Islamic legal texts on the

subject and analyses the relationship between their deductive structures and the contexts witnessed at the time of their development.

Jurisprudence Cambridge University Press

This unique study offers a comprehensive analysis of American jurisprudence from its emergence in the later stages of the nineteenth century through to the present day. The author argues that it is a mistake to view American jurisprudence as a collection of movements and schools which have emerged in opposition to each other. By offering a highly original analysis of legal formalism, legal realism, policy science, process jurisprudence, law and economics, and critical legal studies, he demonstrates that American jurisprudence has evolved as a collection of themes which reflect broader American intellectual and cultural concerns.

Threat to the Rule of Law Routledge

This volume brings together leading experts on natural law theory to provide perspectives on the nature and foundations of law.

The Concept of Law Oxford University Press

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.

Contextual-configurative Jurisprudence Clarendon Press

This collection of original essays brings together leading legal historians and theorists to explore the oft-neglected but important relationship between these two disciplines. Legal historians have often been sceptical of theory. The methodology which informs their own work is often said to be an empirical one, of gathering

information from the archives and presenting it in a narrative form. The narrative produced by history is often said to be provisional, insofar as further research in the archives might falsify present understandings and demand revisions. On the other side, legal theorists are often dismissive of historical works. History itself seems to many theorists not to offer any jurisprudential insights of use for their projects: at best, history is a repository of data and examples, which may be drawn on by the theorist for her own purposes. The aim of this collection is to invite participants from both sides to ask what lessons legal history can bring to legal theory, and what legal theory can bring to history. What is the theorist to do with the empirical data generated by archival research? What theories should drive the historical enterprise, and what wider lessons can be learned from it? This collection brings together a number of major theorists and legal historians to debate these ideas.

The Politics of Jurisprudence Oxford University Press

What do Catharine MacKinnon, the legacy of *Brown v. Board of Education*, and Lani Guinier have in common? All have, in recent years, become flashpoints for different approaches to legal reform. In the last quarter century, the study and practice of law have been profoundly influenced by a number of powerful new movements; academics and activists alike are rethinking the interaction between law and society, focusing more on the tangible effects of law on human lives than on its procedural elements. In this wide-ranging and comprehensive volume, Gary Minda surveys the current state of legal scholarship and activism, providing an indispensable guide to the evolution of law in America.

A Critical Introduction to Legal Philosophy Oxford University Press, USA

The contemporary US legal culture is marked by ubiquitous battles among various groups attempting to seize control of the law and wield it against others in pursuit of their particular agenda. This battle takes place in administrative, legislative, and judicial arenas at both the state and federal levels. This book identifies the underlying source of these battles in the spread of the instrumental view of law - the idea that law is purely a means to an end - in a context of sharp disagreement over the social good. It traces the rise of the instrumental view of law in the course of the past two centuries, then demonstrates the

pervasiveness of this view of law and its implications within the contemporary legal culture, and ends by showing the various ways in which seeing law in purely instrumental terms threatens to corrode the rule of law.

Theory & Context OUP Oxford

This collection of essays explores the different ways the insights from complexity theory can be applied to law. Complexity theory - a variant of systems theory - views law as an emergent, complex, self-organising system comprised of an interactive network of actors and systems that operate with no overall guiding hand, giving rise to complex, collective behaviour in law communications and actions. Addressing such issues as the unpredictability of legal systems, the ability of legal systems to adapt to changes in society, the importance of context, and the nature of law, the essays look to the implications of a complexity theory analysis for the study of public policy and administrative law, international law and human rights, regulatory practices in business and finance, and the practice of law and legal ethics. These are areas where law, which craves certainty, encounters unending, irresolvable complexity. This collection shows the many ways complexity theory thinking can reshape and clarify our understanding of the various problems relating to the theory and practice of law.

An Introduction to Legal Theory Lawbook Exchange Limited
JurisprudenceTheory and Context

The Reconciliation of Law and Religion Hart Publishing

Now in its second edition, this textbook presents a critical rethinking of the study of comparative law and legal theory in a globalising world, and proposes an alternative model. It highlights the inadequacies of current Western theoretical approaches in comparative law, international law, legal theory and jurisprudence, especially for studying Asian and African laws, arguing that they are too parochial and eurocentric to meet global challenges. Menski argues for combining modern natural law theories with positivist and socio-legal traditions, building an interactive, triangular concept of legal pluralism. Advocated as the fourth major approach to legal theory, this model is applied in analysing the historical and conceptual development of Hindu law, Muslim law, African laws and Chinese law.

Jurisprudence BRILL

The second edition of this leading reference work provides a

comprehensive discussion of the dynamic and important field of international law concerned with environmental protection. It is edited by globally-recognised international environmental law scholars, Professor Lavanya Rajamani and Professor Jacqueline Peel, and features 67 chapters authored by 76 renowned experts in their fields. The Handbook discusses the key principles underpinning international environmental law, its relevant actors and tools, and rules applying in its substantive sub-fields such as climate law, oceans law, wildlife and biodiversity law, and hazardous substances regulation. It also explores the intersection of international environmental law with other areas of international law, such as those concerned with trade, investment, disaster, migration, armed conflict, intellectual property, energy, and human rights. The Handbook sets its discussion of international environmental law in the broader interdisciplinary context of developments in science, ethics, politics and economics, which inform the way in which environmental rules are made, implemented, and enforced. It provides an introduction to the foundations of international

environmental law while also engaging with questions at the frontiers of research, teaching, and practice in the field, including the role of Global South perspectives, the contribution made by Earth jurisprudence, and the growing role of a diverse range of actors from indigenous peoples to business and industry. Like the first edition, this second edition of the Handbook is an essential reference text for all engaged with environmental issues at the international level and the applicable governance and regulatory structures.

Realism in Theory and Practice Cambridge University Press
Lawyers Crossing Lines is a collection of true stories about lawyers from all segments of the legal profession who transgressed ethical boundaries. Most of them ended up being sanctioned by their state Bar, sued for malpractice, prosecuted, or some combination of all three. All of the cases are rich in detail, many are bizarre, and in a few the attorney's conduct is so outrageous as to stretch the reader's credulity. Each tale is followed by comments and questions designed to explore the

issues in greater depth. This diminutive but captivating volume is intended as a supplemental text for students in professional responsibility courses at American law schools. It can also be used as the foundation for an advanced seminar in ethics. It is based on the proposition that, although the rules of professional responsibility are, of course, of supreme importance, sometimes the study of them can be monotonous and dry. More important, students -- none of whom have been in law practice and most of whom have never been out in the working world -- often find it hard to believe that the rules can be so easily and egregiously broken. These real world scenarios bring the ethical quandaries faced in everyday legal practice to life. The stories come from all segments of the legal profession and make fascinating and memorable reading. No other book on the market takes this narrative approach, making this an important and unique contribution to the field.

A Very Short Introduction Oxford University Press

In a series of new essays the authors attempt to answer important questions about the nature of jurisprudential thinking.

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