



JURISPRUDENCE:

Themes and Concepts

S Veitch • E Christodoulidis • L Farmer

Jurisprudence Themes And Concepts

Austin Sarat, Lawrence

Douglas, Martha Merrill Umphrey

Jurisprudence Themes And Concepts:

Jurisprudence Scott Veitch,Emilios Christodoulidis,Marco Goldoni,2013-07-04 Jurisprudence Themes and Concepts offers an original introduction to and critical analysis of the central themes studied in jurisprudence courses The book is presented in three parts each of which contains General Themes Advanced Topics tutorial questions and guidance on further reading Law and Politics locating the place of law within the study of institutions of government Legal Reasoning examining the contested nature of the application of law Law in Modernity exploring the social forces that shape legal development This second edition includes enhanced discussion of the rise of legal positivism within the context of the rise of the modern state the changing role of natural and human rights discourse concepts of justice in and beyond the nation state the impact of emergency doctrines in contemporary legal regulation and challenges to the rule of law in light of shifting and competing demands for new types of social solidarity Accessible interdisciplinary and socially informed this book has been revised to take into account the latest developments in jurisprudential scholarship Jurisprudence Scott Veitch,Emilios A. Christodoulidis,Marco Goldoni,2018 Jurisprudence Themes and Concepts offers an original introduction to and critical analysis of the central themes studied in jurisprudence courses The book is presented in three parts the first two contain general themes with corresponding tutorial questions and the third contains advanced topics Every chapter in the book gives guidance on further reading Accessible interdisciplinary and socially informed this book has been revised to take into account the latest developments in jurisprudential scholarship *Unlocking the English Legal System* Tom Frost,Rebecca Huxley-Binns,Jacqueline Martin,Shaneez Mithani,2025-06-11 *Unlocking the English Legal System* will help you grasp the main concepts of the legal system in England and Wales with ease Containing accessible explanations in a clear and logical structure it provides an excellent foundation for learning and revising Key features include Clear learning outcomes at the beginning of each chapter set out the skills and knowledge you will need to get to grips with the subject Key Facts summaries throughout each chapter allow you to progressively build and consolidate your understanding End of chapter summaries provide a useful checklist for each topic Cases and judgments are highlighted to help you find them and add them to your notes quickly Frequent activities and self test questions and sample essay questions are included so you can put your knowledge into practice and prepare you for assessment A new Critiquing the Law feature is designed to foster essential critical thinking skills The 8th edition has been fully updated throughout to reflect recent developments and changes in the law including significant updates to the legal implications of the UK s exit from the European Union and the running of the new Solicitors Qualifying Examination SQE The book is also supported by updated digital learning resources Part of the *Unlocking the Law* series it is essential reading for all core modules on the English Legal System *Research Handbook on Critical Legal Theory* Emilios Christodoulidis,Ruth Dukes,Marco Goldoni,2019 *Critical theory* characteristically linked with the politics of theoretical engagement covers the manifold of the connections between theory and praxis This thought

provoking Research Handbook captures the broad range of those connections as far as legal thought is concerned and retains an emphasis both on the politics of theory and on the notion of theoretical engagement The first part examines the question of definition and tracks the origins and development of critical legal theory along its European and North American trajectories The second part looks at the thematic connections between the development of legal theory and other currents of critical thought such as Feminism Marxism Critical Race Theory varieties of post modernism as well as the various turns ethical aesthetic political of critical legal theory The third and final part explores particular fields of law addressing the question how the field has been shaped by critical legal theory or what critical approaches reveal about the field with the clear focus on opportunities for social transformation

Law and Gender Joanne Conaghan,2013-09-05

What role does gender play in shaping the law and legal thinking This book provides an answer to this question examining the historical role of gender in law and the relevance of gender to modern jurisprudence It presents a clear concise introduction to thinking about gender issues for lawyers and law students

Critical theory and sociological theory Darrow Schecter,2019-07-29

Democracy in the twenty first century faces a number of major challenges populism neoliberalism and globalisation being three of the most prominent This book examines such challenges by investigating how the conditions of democratic statehood have been altered at several key historical intervals since 1945 It demonstrates that the formal mechanisms of democratic statehood such as elections have always been complemented by civic cultural educational socio economic and constitutional institutions that mediate between citizens and state authority Rearticulating critical theory with a contemporary focus the book shows why a sociological approach is urgently needed to address conceptual deficits and explain how the formal mechanisms of democratic statehood need to be complemented and updated in new ways today

The Bloomsbury

Handbook of Theories in Childhood Studies Sarada Balagopalan,John Wall,Karen Wells,2023-11-02 The Bloomsbury Handbook of Theories in Childhood Studies brings together an international group of childhood studies scholars who work with a range of critical theories It speaks to both scholars and students by addressing questions such as how childhoods are diversely constructed and how children s experiences can be better understood The volume draws together a diversity of theoretical perspectives from the social sciences and humanities such as critical race studies disability studies posthumanism feminism politics decolonialism queer theory and postcolonialism to generate a much needed conversation about how to move childhood studies forward as a grounded field of research The volume is subdivided into three sections subjectivities relationalities and structures each of which addresses different but interrelated approaches to childhood studies theorization This handbook will be an essential text not just for childhood studies researchers but for all those interested in theorizing what childhood is what work it does and who children are

Problematizing Law, Rights, and Childhood in

Israel/Palestine Hedi Viterbo,2021-08-05 In this book Hedi Viterbo radically challenges our picture of law human rights and childhood both in and beyond the Israel Palestine context He reveals how Israel rather than disregarding international law

and children's rights has used them to hone and legitimize its violence against Palestinians. He exposes the human rights community's complicity in this situation due to its problematic assumptions about childhood, its uncritical embrace of international law and its recurring emulation of Israel's security discourse. He examines how and to what effect both the state and its critics manufacture, shape and weaponize the categories 'child' and 'adult'. Bridging disciplinary divides, Viterbo analyzes hundreds of previously unexamined sources, many of which are not publicly available. Bold, sophisticated and informative. Problematizing Law, Rights and Childhood in Israel/Palestine provides unique insights into the ever-tightening relationship between law, children's rights and state violence at both the local and global levels. Relevance of Duties in the Contemporary World Raman Mittal, Kshitij Kumar Singh, 2023-01-01. This book reflects on the significance of duties in creating an egalitarian society by collating and contextualizing the relevant literature. It particularly focuses on an appreciation of Gandhi's views on duty to showcase how they remain pertinent to create a cohesive, responsible and value-based society in the present, right-dominated world. A viable solution to the current real-world problems could be found in exploring the philosophy on duties, and the book provides relevant literature in this regard. It undertakes jurisprudential analysis of duty in a rights-dominated world, identifying the gaps in realising the potential of duty to address the critical issues of the present times. It argues that enforcement of rights depends heavily on the observance of duties and proposes coherence in right-duty relationship. Gandhian thought on duty recognises duty as a precursor to rights and emphasises that the observance of duties guarantees the enforcement of rights. The relevance of duties and Gandhian thoughts on the same is not restricted to India but transcends borders with profound appeal. Gandhian thoughts have become even more relevant in the current times to examine the situation of COVID-19 pandemic, racial discrimination, BLM, environmental crises, digital divide, health care and medical care crises, refugee and migrant labour problems, and it can offer promising solutions based on the nuances of social solidarity, self-realisation of duties, responsibilities, local governance, compassion and humanity.

Criminalization R. A. Duff, Lindsay Farmer, S. E. Marshall, Massimo Renzo, Victor Tadros, 2014-12-04. The Criminalization series arose from an interdisciplinary investigation into criminalization, focussing on the principles that might guide decisions about what kinds of conduct should be criminalized and the forms that criminalization should take. Developing a normative theory of criminalization, the series tackles the key questions at the heart of the issue: what principles and goals should guide legislators in deciding what to criminalize? How should criminal wrongs be classified and differentiated? How should law enforcement officials apply the law's specifications of offences? The fourth book in the series examines the political morality of the criminal law, exploring general principles and theories of criminalization. Chapters provide accounts of the criminal law in the light of ambitious theories about moral and political philosophy: republicanism and contractarianism, or reflect upon the success of important theories of criminalization by viewing them in a novel light. Ideas that are fundamental to any complete theory of the criminal law: liberty, harm and the effect on victims are investigated in depth. Sociological investigation

of the criminal law grounds a critical investigation into the principles of criminalization both as a legislative matter and with respect to criminalization practices in contemporary and historical contexts The volume broadens our conceptions of the theory of criminalization and clarifies the role of the series in the development of this theory It is essential reading for all interested in legal political and social theories of criminalization *Law without Nations* Austin Sarat, Lawrence Douglas, Martha Merrill Umphrey, 2010-12-10 The possibility of law in the absence of a nation would seem to strip law from its source of meaning and value At the same time law divorced from nations would clear the ground for a cosmopolitan vision in which the prejudices or idiosyncrasies of distinctive national traditions would give way to more universalist groundings for law These alternately dystopian and utopian viewpoints inspire this original collection of essays on law without nations This book examines the ways in which the growing internationalization of law affects domestic national law the relationship between cosmopolitan legal ideas and understandings of national identity and the intersections of identity and law based on the liberal tradition of jurisprudence and transnational influences Ultimately *Law without Nations* offers sharp analyses of the fraught relationship between the nation and the state and the legal forms and practices that they require constitute and violently contest *Responsibilities: A Critical Legal Defence of Human Rights* Ian Turner, 2025-11-11 For many human rights have become a panacea for the injustices of society globalisation poverty discrimination climate change etc But has this rights inflation been a prima facie good Has the rise in human rights merely propounded a self centred individualism exacerbating the marginalisation of large swathes of society who are already socially excluded Rightly human rights have been the subject of a multitude of criticisms from a range of critical perspectives Marxism critical legal studies communitarianism feminism critical race theory etc However this unique study pushes back against this tide of anti rights providing an original defence of human rights from the perspective of a progressive political community of rights holders and duty bearers Possessing rights might place a rights holder at the centre of their moral universe to the exclusion of all others but that holder of rights cannot expect others to bear the duty of their rights without exercising the same obligation to the rights of others in return So far from emphasising isolation and self interest responsibilities arising from the exercise of rights engender a keen sense of solidarity a principle integral to critical legal theory The book will be of interest to academics and researchers working in the areas of Human Rights Constitutional Law and Legal and Political Theory *Legal Positivism in a Global and Transnational Age* Luca Siliquini-Cinelli, 2019-08-30 A theme of growing importance in both the law and philosophy and socio legal literature is how regulatory dynamics can be identified that is conceptualised and operationalised and normative expectations met in an age when transnational actors operate on a global plane and in increasingly fragmented and transformative contexts A reconsideration of established theories and axiomatic findings on regulatory phenomena is an essential part of this discourse There is indeed an urgent need for discontinuity regarding what we think we know about among other things law legality sovereignty and political legitimacy power relations institutional

design and development and pluralist dynamics of ordering under processes of globalisation and transnationalism Making an important contribution to the scholarly debate on the subject this volume features original and much needed essays of theoretical and applied legal philosophy as well as socio legal accounts that reflect on whether legal positivism has anything to offer to this intellectual enterprise This is done by discussing whether global and transnational cultural socio political economic and juridical challenges as well as processes of diversification fragmentation and transformation significantly de formalisation reinforce or weaken legal positivists assumptions claims and methods The themes covered include but are not limited to absolute and limited state sovereignty the new international legal positivism Hartian legal positivism and the normative positivist account the relationship between modern secularisation social conventionalism and meta ontological issues of temporality in postnational jurisprudence the social positivisation of human rights the formation and content of jus cogens norms feminist critique the global and transnational migration of principles of justice and morality the Vienna Convention on the Law of Treaties rule of interpretation and the responsibility of transnational corporations The Legal Academic's Handbook Chris Ashford, Jessica Guth, 2020-10-16 How do you become a legal academic What skills and experience are necessary to progress your career In which ways could you enrich your job With contributions from more than 60 established academics this handbook offers essential guidance on starting pursuing managing and advancing a career in legal academia Whether you are looking for ways to overcome challenges or to seek out new opportunities this book provides practical advice through relevant research personal experience and anecdotal evidence Four fictional academics who want to pursue different career paths in different academic institutions are introduced at the start of the book Each chapter then delves into a specific topic from the perspective of one of these academics including making the transition from legal practice investigating gender issues gaining recognition for teaching building a research profile and organising a specialist conference

Concepts in Law Jaap C. Hage, Dietmar von der Pfordten, 2009-08-24 During the last decades legal theory has focused almost completely on norms rules and arguments as the constitutive elements of law Concepts were mostly neglected The contributions to this volume try to remedy this neglect by elucidating the role concepts play in law from different perspectives A main aim of this volume is to initiate a debate about concepts in law ke Fr ndberg gives an overview of the many different uses of concepts in law and shows amongst others that concepts in the law should not be confused with the role of concepts in descriptions of the law Dietmar von der Pfordten criticizes the restriction to norms as parts of the law in contemporary legal theory by questioning what concepts are and what their function is both in general and in legal conceptual schemes Giovanni Sartor assumes the inferential analysis of meaning proposed by Alf Ross in his ground breaking paper T t and addresses the question how possession of a concept including the rules defining it is possible without endorsing these rules Jaap Hage argues that 1 legal status words such as owner have a meaning because they denote things or relations in institutional reality 2 the meaning of these words consists in this denotation relation 3 knowledge of this

meaning presupposes knowledge of the rules governing these words Torben Spaak contributes to this volume with an exemplary analysis of one of the most central concepts of the law namely that of a legal power Lorenz K hler discusses the role of concepts in determining the scope of application of legal rules and raises from this perspective the question to what extent legal concept formation can be arbitrary Ralf Poscher argues that as soon as a concept is used in stating the law the precise scope of application of this concept has become a legal matter This means that the use of moral concepts in the law does not automatically lead to a moral import into the law Dennis Patterson holds that Hart s concept of law can be understood as a so called practice theory and provides an overview of such a theory After Sovereignty Charles Barbour, George Pavlich, 2009-10-16 After Sovereignty addresses the vexed question of sovereignty in contemporary social political and legal theory The emergence and now apparent implosion of international capital exceeding the borders of known political entities the continued expansion of a potentially endless War on Terror the often predicted but still uncertain establishment of either a new international American Empire or a new era of International Law the proliferation of social and political struggles among stateless refugees migrant workers and partial citizens the resurgence of religion as a dominant source of political identification among people all over the globe these developments and others have thrown into crisis the modern concept of sovereignty and the notions of statehood and citizenship that rest upon it Drawing on classical sources and more contemporary speculations and developing a range of arguments concerning the possibility of political beginnings in the current moment the papers collected in After Sovereignty contribute to a renewed interest in the problem of sovereignty in theoretical and political debate They also provide a multitude of resources for the urgent if necessarily fractured and diffuse effort to reconfigure sovereignty today Whilst it has regularly been suggested that the sovereignty of the nation state is in crisis the exact reasons for and exact implications of this crisis have rarely been so intensively examined

Law after Modernity Sionaidh Douglas-Scott, 2014-07-18 How can we characterise law and legal theory in the twenty first century Law After Modernity argues that we live in an age after Modernity and that legal theory must take account of this fact The book presents a dynamic analysis of law which focusses on the richness and pluralism of law on its historical embeddedness its cultural contingencies as well as acknowledging contemporary law s global and transnational dimensions However Law After Modernity also warns that the complexity fragmentation pluralism and globalisation of contemporary law may all too easily perpetuate injustice In this respect the book departs from many postmodern and pluralist accounts of law Indeed it asserts that the quest for justice becomes a crucial issue for law in the era of legal pluralism and it investigates how it may be achieved The approach is fresh contextual and interdisciplinary and unusually for a legal theory work is illustrated throughout with works of art and visual representations which serve to re enforce the messages of the book **Research Methods in Law** Dawn Watkins, Mandy Burton, 2025-07-31 Explaining in clear terms some of the main methodological approaches to legal research Research Methods in Law is written by specialists in their fields researching in a variety of

jurisdictions Covering a range of topics including feminist approaches economic analysis of the law and socio legal studies each contributor addresses the topic of lay decision makers in the legal system from their particular methodological perspective This focus on one main topic allows the reader to draw comparisons between methods with relative ease This third edition has been fully updated and includes bullet point summaries at the start of each chapter There are also two new chapters covering biographical approaches and creative approaches The broad range of contributors makes *Research Methods in Law* well suited to an international audience and it is ideal reading for PhD students in law undergraduate dissertation students in law LL M Research students and early year researchers

Law, Art and the Commons Merima Bruncevic, 2017-10-12 The concept of the cultural commons has become increasingly important for legal studies Within this field however it is a contested concept at once presented as a sphere for creativity democratic access and freedom of speech but one that denies property rights and misappropriates the public domain In this book Merima Bruncevic takes up the cultural commons not merely as an abstract notion but in its connection to physical spaces such as museums and libraries A legal cultural commons can she argues be envisioned as a lawscape that can quite literally be entered and engaged with Focusing largely on art in the context of the copyright regime but also addressing a number of cultural heritage issues the book draws on the work of Deleuze and Guattari in order to examine the realm of the commons as a potential space for overcoming the dichotomy between the owner and the consumer of culture Challenging this dichotomy it is the productive and creative potential of law itself that is elicited through the book's approach to the commons as the empirical basis for a new legal framework which is able to accommodate a multitude of interests and values

Shakespeare Survey 73 Emma Smith, 2020-09-17 *Shakespeare Survey* is a yearbook of Shakespeare studies and production Since 1948 *Survey* has published the best international scholarship in English and many of its essays have become classics of Shakespeare criticism Each volume is devoted to a theme or play or group of plays each also contains a section of reviews of that year's textual and critical studies and of the year's major British performances The theme for Volume 73 is Shakespeare and the City The complete set of *Survey* volumes is also available online at <https://www.cambridge.org/core> what we publish collections

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