

5th EDITION

McCoubrey & White's
Textbook on



Jurisprudence

J.E. Penner
E. Melissaris

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McCoubrey & White's Textbook on Jurisprudence James Penner, Nigel D. White, H. McCoubrey, Emmanuel Melissaris, 2012-08-30 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

McCoubrey & White's Textbook on Jurisprudence H. McCoubrey, James E. Penner, Nigel D. White, 2002 **International Conflict and Security Law** Richard Burchill, Nigel D. White, Justin Morris, 2005-06-23 Hilaire McCoubrey wrote extensively in the area of armed conflict law and on the issues of collective security law and the law relating to arms control Although he died at the early age of 46 in 2000 he had contributed significantly to the separate study of these areas but also to the idea of studying the issues as a whole subject The collection covers difficult and controversial issues in the area of conflict and security law The contributors drawn both from academe and practice provide expert analysis of many aspects of the law governing armed conflict and collective security As well as providing a fitting tribute to the main aspects of Hilaire's contribution to knowledge the volume provides a coherent reconsideration and development of key aspects of conflict and security law at a time when that law is being applied breached debated or reformed on almost a daily basis

Understanding Jurisprudence Raymond Wacks, 2015 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 **Forgotten Justice** Allan Beever, 2013-02-14 Throughout much of the history of political philosophy many of the great philosophers begin their work with an investigation of private law Why is this And why is the central focus of our modern concern the state examined so late in their works This book suggests an answer to these and related questions It reveals that there are two general ways of thinking about the legal and the political the modern which sees all through the lens of the state and the traditional which begins with individuals and with the normative relations that exist between them building only slowly towards the community and the state In the modern view private law is understood as a method for achieving certain social goals As such it can be overlooked by political philosophy For the traditional view on the other hand private law is of central philosophical importance because it is there that we observe a society's enunciation of its most fundamental political and legal values Arguing that an understanding of the traditional view is essential to an understanding of private law and political life this book highlights how the modern conception is seriously distorting in this regard A story unfolds throughout the chapters the story of the growth and decline of the traditional view in political and legal thought It challenges the modern fixation with the state arguing for a return to the traditional view of legal and political community Thinking Critically About Law Amy R Codling, 2018-01-31 So you've arrived at university you've read the course handbook and you're ready to learn the law But is

knowing the law enough to get you the very best marks And what do your lecturers mean when they say you need to develop critical and analytical skills When is it right to put your own views forward What are examiners looking for when they give feedback to say that your work is too descriptive This book explores what it means to think critically and offers practical tips and advice for students to develop the process skill and ability of thinking critically while studying law The book investigates the big questions such as What is law and What is thinking critically How can I use critical thinking to get better grades in assessments What is the role of critical thinking in the work place These questions and more are explored in **Thinking Critically About Law** Whether you have limited prior experience of critical thinking or are looking to improve your performance in assessments this book is the ideal tool to help you enhance your capacity to question challenge reflect and problematize what you learn about the law throughout your studies and beyond

Understanding Jurisprudence Denise Meyerson, 2009-06-02 Considering general philosophical and theoretical questions about the nature purpose and operation of law as a whole this book introduces students to contemporary debates in jurisprudence and encourages them to think in a theoretical and critical way about the nature of law legal reasoning and adjudication Discussing wider issues of morality politics and society with reference to legal cases and examples it provides as broad a perspective on the law as possible Key features of this textbook include introductions to each chapter analysis of how jurisprudential issues can arise in everyday life a wide range of cases to ground the theoretical discussion in depth discussion of the relationship of law to force morality and politics as well as of rights justice and feminist jurisprudence The text provides a concise treatment of all the major topics typically covered in an undergraduate course on jurisprudence and succinctly explains the arguments for and against the different approaches to the issues that are raised

Law Express: Jurisprudence (Revision Guide) Julia J.A. Shaw, 2014-08-01 The Law Express series is tailored to help you revise effectively Understand essential concepts remember and apply key theories and make your answers stand out

Law in Perspective Michael Head, Scott Mann, 2008 Chiefly written as a textbook for 1st year university law students this book encourages critical responsible and creative thinking about law as a system of ideas and a social institution Explore the relationship between law logic and science

Does God Believe in Human Rights? Nazila Ghanea-Hercock, Alan Andrew Stephens, Raphael Walden, 2007 Where can religions find sources of legitimacy for human rights How do and how should religious leaders and communities respond to human rights as defined in modern International Law When religious precepts contradict human rights standards for example in relation to freedom of expression or in relation to punishments which should trump the other and why Can human rights and religious teachings be interpreted in a manner which brings reconciliation closer Do the modern concept and system of human rights undermine the very vision of society that religions aim to impart Is a reference to God in the discussion of human rights misplaced Do human fallibilities with respect to interpretation judicial reasoning and the understanding of human oneness and dignity provide the key to the undeniable and sometimes devastating conflicts that have arisen between and within

religions and the human rights movement In this volume academics and lawyers tackle these most difficult questions head on with candour and creativity and the collection is rendered unique by the further contributions of a remarkable range of other professionals including senior religious leaders and representatives journalists diplomats and civil servants both national and international Most notably the contributors do not shy away from the boldest question of all summed up in the book s title The thoroughly edited and revised papers which make up this collection were originally prepared for a ground breaking conference organised by the Clemens Nathan Research Centre the University of London Institute of Commonwealth Studies and Martinus Nijhoff Brill Royal Regulation of Loans and Sales in Medieval England Gwen Seabourne,2003 Financial legislation demonstrates the advancing role of law in the later middle ages *The Policy of Law* Mauro Zamboni,2007-11-19 The book focuses on the relationship between law and politics as perceived by the legal community and more specifically the transformation of politics into law After exploring the relationship between law and politics as considered by the major modern schools of legal theory the focus moves to the regions of interaction in which law and politics meet termed the policy of law The policy of law is characterized in this work as the stage of the law making process at which values entrenched in political decisions are transformed into legal concepts in order to fit the existing legal system The space labeled as policy of law is today mainly but not exclusively the domain of legal actors Consequently the identification of a branch of the legal discipline specifically devoted to the investigation of the transformations of values into law is given the policy of law analysis Finally whether and to what extent the policy of law analysis can be encompassed within the traditional legal discipline and more particularly as a part of jurisprudence is explored Zamboni ranges broadly and knowledgeably over vast areas of legal theory But it is no mere taxonomising his argument is valuable and original It is clear learned and never boring Zenon Bankowski University of Edinburgh **The Limits of Transnational Law** Guy S. Goodwin-Gill,Hélène Lambert,2010-03-18 State authority and power have become diffused in an increasingly globalized world characterized by the freer trans border movement of people objects and ideas As a result some international law scholars believe that a new world order is emerging based on a complex web of transnational networks Such a transnational legal order requires sufficient dialogue between national courts This 2010 book explores the prospects for such an order in the context of refugee law in Europe focusing on the use of foreign law in refugee cases Judicial practice is critically analysed in nine EU member states with case studies revealing a mix of rational and cultural factors that lead judges to rarely use each others decisions within the EU Conclusions are drawn for the prospects of a Common European Asylum System and for international refugee law *The Hong Kong Legal System* Stefan H. C. Lo,Kevin Kwok-yin Cheng,Wing Hong Chui,2020 Offers an accessible overview of Hong Kong s legal system and guides first year law students in legal research and methods Lex Populi William P. MacNeil,2007 This is a book about jurisprudence or legal philosophy The legal philosophical texts under consideration are to say the least unorthodox Tolkien Buffy the Vampire Slayer Harry Potter Million Dollar Baby and other cultural products are all referenced

as exemplary instances of what the author calls *lex populi* people's or pop law There more than anywhere else will one find the leading issues of legal philosophy These issues however are heavily coded for few of these pop cultural texts announce themselves as expressly legal Nonetheless *Lex Populi* reads these texts jurisprudentially that is with an eye to their hidden legal philosophical meanings enabling connections such as Tolkien's Ring as Kelsen's grundnorm vampire slaying as legal language's semiosis Hogwarts as substantively unjust and a seriously injured young woman as termination's rights bearer In so doing *Lex Populi* attempts not only a jurisprudential reading of popular culture but a popular rereading of jurisprudence removing it from the legal experts in order to restore it to the public at large a *lex populi* by and for the people **A**

Treatise of Legal Philosophy and General Jurisprudence Enrico Pattaro, Corrado Roversi, 2016-07-13 A *Treatise of Legal Philosophy and General Jurisprudence* is the first ever multivolume treatment of the issues in legal philosophy and general jurisprudence from both a theoretical and a historical perspective The work is aimed at jurists as well as legal and practical philosophers Edited by the renowned theorist Enrico Pattaro and his team this book is a classical reference work that would be of great interest to legal and practical philosophers as well as to jurists and legal scholar at all levels The work is divided in two parts The theoretical part published in 2005 consisting of five volumes covers the main topics of the contemporary debate the historical part consisting of six volumes Volumes 6-8 published in 2007 Volumes 9 and 10 published in 2009 Volume 11 published in 2011 and Volume 12 forthcoming in 2016 accounts for the development of legal thought from ancient Greek times through the twentieth century Volume 12 *Legal Philosophy in the Twentieth Century The Civil Law World* Volume 12 of A *Treatise of Legal Philosophy and General Jurisprudence* titled *Legal Philosophy in the Twentieth Century The Civil Law World* functions as a complement to Gerald Postema's volume 11 titled *Legal Philosophy in the Twentieth Century The Common Law World* and it offers the first comprehensive account of the complex development that legal philosophy has undergone in continental Europe and Latin America since 1900 In this volume leading international scholars from the different language areas making up the civil law world give an account of the way legal philosophy has evolved in these areas in the 20th century the outcome being an overall mosaic of civil law legal philosophy in this arc of time 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 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 *A Real Mind* Patricia Mindus,2009-09-18 This comprehensive presentation of Axel H gerstr m 1868 1939 fills a void in nearly a century of literature providing both the legal and political scholar and the non expert reader with a proper introduction to the father of Scandinavian realism Based on his complete work including unpublished material and personal correspondence selected exclusively from the Uppsala archives *A Real Mind* follows the chronological evolution of H gerstr m s intellectual enterprise and offers a full account of his thought The book summarizes H gerstr m s main arguments while enabling further critical assessment and tries to answer such questions as If norms are neither true nor false how can they be adequately understood on the basis of H gerstr m s theory of knowledge Did the founder of the Uppsala school uphold emotivism in moral philosophy What consequences does such a standpoint have in practical philosophy Is he really the inspiration behind Scandinavian state absolutism *A Real Mind* places the complex web of issues addressed by H gerstr m within the broader context of 20th century philosophy stretching from epistemology to ethics His philosophy of law is examined in the core chapters of the book with emphasis on the will theory and the relation between law and power The narrative is peppered with vignettes from H gerstr m s life giving an insightful and highly readable portrayal of a thinker who put his imprint on legal theory The appendix provides a selected bibliography and a brief synopsis of the major events in his life both private and intellectual *Tax Law, Religion, and Justice* Allen Calhoun,2021-03-08 This book asks why tax policy is both attracted to and repelled by the idea of justice Accepting the invitation of economist Henry Simons to acknowledge that tax justice is a theological concept the work explores theological doctrines of taxation to answer the presenting question The overall message of the book is that taxation is an instrument of justice but only when taxes take into account multiple goods in society the requirements of the government the property rights of society s members and the material needs of the poor It is argued that this answer to the presenting question is a theological and ethical answer in that it derives from the insistence of Christian thinkers that tax policy take into account material human need *necessitas* Without the *necessitas* component of the tax balance tax systems end up honoring only one of the three components of the tax equation and cease to reflect a coherent idea of justice The book will be of interest to academics and researchers working in the areas of tax law economics theology and history *The Interaction between World Trade Organisation (WTO) Law and External International Law* Ronnie R.F. Yearwood,2012-05-23 International legal scholarship is concerned with the fragmentation of international law into specialised legal systems such as trade environment and human rights Fragmentation raises questions about the inter systemic interaction between the various specialised systems of international law This study conceptually focuses on the interaction between World Trade Organisation WTO law and external international law It introduces a legal theory of WTO law constrained openness as a way to understand that interaction The idea is that WTO law from its own internal point of view constructs its own law The effect is that external international law is not incorporated into WTO law wholesale but is re constructed as WTO law It follows that legal systems do not directly communicate with each

other Therefore to influence WTO law an indirect strategic approach is required which recognises the functional nature of the differentiated systems of the fragmented international legal system

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