

Introduction to Law and the Legal System Frank Maguire Schubert - Chapter 1

Legal philosophy

Theory of jurisprudence

Natural Law

Philosophy or position in law which assumes to describe the full content of right and wrong that exist before every period of time. The moral imperative

Historical Jurisprudence

Historical jurisprudence or historical law philosophy describes what occurred in the actual course of particular jurisdictions/parts of the subject matter practical treatment of particular cases that represented a social problem

Criticism Law

Focused on the social existence of legal norms rather than on abstract concepts of justice and justice

Analytical Positivism

Constructivist law was a self-sufficient system of legal rules that the judge must in the face of concrete cases govern. These systems do not depend on legislative or executive institutions which are subject, rather, to the social conditions. The social order will naturally only be developed according to the social conditions which are the essence of a social system

Law as Power

The nature of law is not abstract but rather is a social order for law abstract from all government law is law in the sense that it is a social order in power and that power is the power to enforce the law as created by the government's will

Pragmatic Jurisprudence

Pragmatic jurisprudence or practical law is the system of law that is created by the state in enforcing and in which law is created by the state. It is the state that law is based on practical philosophy and therefore jurisprudence is a social system

The challenge of Jurisprudence

Constructivist law is a practical system of law that is created by the state in enforcing and in which law is created by the state. It is the state that law is based on practical philosophy and therefore jurisprudence is a social system

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