



The Legal Concept Of Art

Jaap C. Hage, Dietmar von der Pfordten

The Legal Concept Of Art:

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 Interpretation and Legal Theory Andrei Marmor, 2005-04-30 Pre v ed published by Oxford Clarendon Press New York Oxford University Press 1992 **Rights in Context** Professor Reza Banakar, 2013-02-28 This volume offers snapshots of how rights are debated and employed in public discourse to reshape legal and political relations at the beginning of the twenty first century It explores how rights are used to challenge the state of affairs by individuals and groups who seek justice and the strategies devised to defy the existing rights by those who wish to recast the social and political order This volume discusses rights firstly in relation to actual events and issues faced by policy makers courts international agencies or ordinary people These range from the demands of minority groups living in the West to freely practice their culture and or religion to the threat of terrorism the regulation of asylum rights the investor s rights to disclosure and the rights of artists to freedom of expression Secondly rights discourse is examined in relation to attempts to redefine the form and content of rights for example by banning the right to wear religious symbols in public institutions or detaining terrorism suspects without trial Thirdly rights discourse is explored in connection with the attempts to develop new notions of rights such as human security which can more effectively

respond to the challenges of late modern societies Finally the statuses of rights in sociological theory and socio legal research are briefly discussed and analysed The Autonomous Legal Concept of Communication to the Public Branka Marušić,2023-05-09 The economic right of a copyright holder to communicate to the public has become an increasingly important and complex issue in recent years this is partially due to changes in the way that content is accessed and consumed online This innovative book analyses the right of communication to the public taking account of what legal standing an autonomous legal concept can hold and how this is impacted by wider harmonisation efforts at an EU level

Art and Copyright Simon Stokes,2001-06 This is the first text to specifically examine in detail the intellectual property rights protecting artistic works and artists rights in the UK *The Legal System of Art Auction in China* Zhen Zheng,2022-02-21 This book is the first book to comprehensively and deeply explain and construct the legal system of Chinese art auctions Based on agency theory in traditional contract law this book combs the legal relationship between client auctioneer and buyer Aiming at the most difficult problem of art identification this book shows the obligations that auctioneers must perform and the common methods for auctioneers to avoid these obligations The purpose of this book is to ease the current situation in which the interests of buyers and auctioneers are too opposed and speed up the legalization process of art auctions through the construction of the legal system of art auctions in China Additionally using the method of policy demonstration this book discusses how public power should intervene in the process of art auctions Precedents, Statutes, and Analysis of Legal Concepts Scott Brewer,2013-06-17 At least since plato and Aristotle thinkers have pondered the relationship between philosophical arguments and the sophistical arguments offered by the Sophists who were the first professional lawyers Judges wield substantial political power and the justifications they offer for their decisions are a vital means by which citizens can assess the legitimacy of how that power is exercised However to evaluate judicial justifications requires close attention to the method of reasoning behind decisions This new collection illuminates and explains the political and moral importance in justifying the exercise of judicial power *When Luxury Meets Art* Olga Louisa Kastner,2013-12-05 Increasingly luxury brands join forces with the arts today Yet these cross over collaborations do not constitute a homogeneous strategy but become manifest in manifold forms and appearances Regardless of their growing practical relevance for the creation of contemporary luxury brands though the varied forms of Luxury Brand Art Collaborations LBACs have remained largely unexplored to date Olga Louisa Kastner aims at systematizing the dominating collaborative patterns between luxury brands and the arts She empirically derives distinct types of LBACs based on methodically developed attributes and a large number of real cases Finally the author describes the main characteristics of the identified types and illustrates them by prototypical cases *Handbook of Communication in the Legal Sphere* Jacqueline Visconti,2018-09-24 This volume explores communication and its implications on interpretation vagueness multilingualism and multiculturalism It investigates cross cultural perspectives with original methods models and arguments emphasizing national EU and

international perspectives Both traditional fields of investigations along with an emerging new field Legal Visual Studies are discussed Communication addresses the necessity of an ongoing interaction between jurilinguists and legal professionals This interaction requires persuasive convincing and acceptable reasons in justifying transparency visual analyses and dialogue with the relevant audience The book is divided into five complementary sections Professional Legal Communication Legal Language in a Multilingual and Multicultural Context Legal Communication in the Courtroom Laws on Language and Language Rights and Visualizing Legal Communication The book shows the diversity in the understanding and practicing of legal communication and paves the way to an interdisciplinary and cross cultural operation in our common understanding of legal communication This book is suitable for advanced students in Linguistics and Law and for academics and researchers working in the field of Language and Law and jurilinguists

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

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