

THE
LEGAL
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Abridged Edition

James Boyd
White

The Legal Imagination

**Richard Mullender, Matteo
Nicolini, Thomas D.C. Bennett, Emilia
Mickiewicz**

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Law and Imagination in Troubled Times Richard Mullender, Matteo Nicolini, Thomas D.C. Bennett, Emilia Mickiewicz, 2020-05-12 This collection focuses on how troubled times impact upon the law the body politic and the complex interrelationship among them It centres on how they engage in a dialogue with the imagination and literature thus triggering an emergent but thus far underdeveloped field concerning the legal imagination Legal change necessitates a close examination of the historical cultural social and economic variables that promote and affect such change This requires us to attend to the variety of non legal variables that percolate throughout the legal system The collection probes the transatlantic constitution and focuses attention on imagination in a common law context that seems to foster imagination as a cultural capability The book is divided into four parts The first part begins with a set of insights into the historical development of legal education in England and concludes with a reflection on the historical transition of England from an absolute monarchy to a republic The second part of the volume examines the role that imagination plays in the functioning of the courts The third part focuses on patterns of thought in legal scholarship and detects how legal imagination contributes to the process of producing new legal categories and terminology The fourth part focuses on patterns of thought in legal scholarship and looks to the impact of the imagination on legal thinking in the future The work provides stimulating reading for those working in the areas of legal philosophy legal history and law and humanities and law and language

Constitutional Imaginaries Jiří Příbáň, 2021-09-30 This book offers a social theoretical analysis of imaginaries as constituent social forces of positive law and politics Constitutional imaginaries invite constitutional and political theorists philosophers and sociologists to rethink the concept of constitution as the normative legal limitation and control of political power They show that political constitutions include societal forces impossible to contain by legal norms and political institutions The constitution of society as one polity defined by the unity of topos ethnos nomos that is the unity of territory people and their laws informed the rise of modern nations and nationalisms as much as constitutional democratic statehood and its liberal and republican regimes However the imaginary of polity as one nation living on a given territory under the constitutional rule of law is challenged by the process

of European integration and its imaginaries informed by transnational legal and societal pluralism administrative governance economic performativity and democratically mobilised polity This book discusses the sociology of imagined communities and the philosophy of modern social imaginaries in the context of transnational European constitutionalism and its recent theories most notably the theory of societal constitutions It offers a new approach to the legal constitutions as societal power formations evolving at national European and global levels The book will be of interest to scholars and students interested in constitutional and European law theory and philosophy as much as interdisciplinary and socio legal studies of transnational law and society

Legal Theory and the Legal Academy Maksymilian Del Mar, 2017-07-05 The third in a series of three volumes on Contemporary Legal Theory this volume deals with four topics 1 the role of legal theory in the legal curriculum 2 the teaching of legal theory 3 the relationship of legal theory to legal scholarship and 4 the relationship of legal theory to comparative law The focus of the first two topics is on the common law world where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since John Austin's 1828 lecture The Uses and the Study of Jurisprudence These first two parts offer a selection of the most important papers including surveys as well as pedagogical viewpoints and particular course descriptions from analytical critical feminist law and literature and global perspectives The last three decades have seen just as many changes for legal scholarship and comparative law These changes such as the rise of empirical legal scholarship have often attracted the attention of legal theorists Within comparative law the last thirty years have witnessed intense methodological reflection within the discipline the results of these reflections are themselves properly recognised as legal theoretical contributions The volume collects the key papers including those by Neil MacCormick Mark Van Hoecke Andrew Halpin William Ewald and Geoffrey Samuel

Failures of the Legal Imagination Alan Watson, 1988

Yearbook on International Investment Law and Policy 2020 Lisa E. Sachs, 2022 The Yearbook on International Investment Law Policy is an annual publication which provides a comprehensive overview of current developments in the international investment law and policy field

Sexuality in the Legal Arena Didi Herman, Carl Stychin, 2000-01-01 The essays in this book explore a wide range of themes of current interest and controversy with a particular focus on lesbian and gay issues nationality postcoloniality sexuality and criminality and the politics of rights struggles

The Legal Order Åke Frändberg, 2018-08-16 In this monograph a fundamental distinction is made between law and juridical thinking Law is the content of legal rules and the systems of legal rules Juridical thinking is the handling of the law by the lawyers To this distinction corresponds a basic distinction between the language of law and the language of juridical thinking and correlatively between L concepts law concepts and J concepts juridical or jurisprudential concepts The monograph is devoted to the J concepts especially of technical not ideological or evaluative J concepts Four kinds of J concepts are investigated morphological J concepts those that help us to structure the law in a logical and functional way topological J concepts those that help us to indicate the phenomena to which the law is applicable and to separate the areas

of application for different legal systems praxeological J concepts those that help us to explore the relations between law and action and methodological J concepts those that help us to describe the methods of the professional juridical handling of the law The work can be characterised as presenting a lawyer s philosophy of law

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