

# Some Reflections on Jurisprudence

W. W. Buckland

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# Some Reflections On Jurisprudence

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## Some Reflections On Jurisprudence:

**Some Reflections on Jurisprudence** W. W. Buckland, 2011-06-16 This 1949 work investigates the arguments and theories of writers on jurisprudence so far as they make contact with positive law

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*Philosophical and Sociological Reflections on Labour Law in Times of Crisis* Eduardo von Adamovich, Marcel Zernikow, 2022-05-13 Starting from the assertion that crisis is part of the essence of labour law this volume brings together researchers in the field who accepted the challenge to critically reflect on this branch of the discipline As the COVID 19 pandemic has had a global impact labour law across the world must come to terms with a new reality In this context it would be prudent to adapt to new circumstances by taking known paths To this end this book reflects on what effectively constitutes labour law considering questions which are not usual within labour law Insights from philosophical sociological and even economic standpoints are mobilised to reconcile the past with the future of labour law

**Kazimierz Opalek Selected Papers in Legal Philosophy** Jan Wolenski, 2013-06-29 Philosophical aspects of law and jurisprudence are investigated from various points of view This collection represents the analytic approach to legal philosophy However this approach is not extreme in the sense that it is limited exclusively to linguistic matters The concept of norm as a directive of conduct is the central category analyzed in particular essays The structure of directives as well as their semantic and pragmatic roles are studied Pragmatic functions of directives are linked with their functioning as speech acts Moreover existence and validity of norms are analyzed The author also touches on general methodological problems of legal theory and philosophy particularly their relations to social sciences The collection covers material interesting for philosophers lawyers and social scientists

*Doing Austin Justice* Wilfrid Rumble, 2004-12-01 Austin was an towering presence in 19th century English jurisprudence and many of his ideas remain viable today They include his conception of analytical jurisprudence his sharp distinction between law and morality and his utilitarian theory of resistance to government Yet he has always had his critics and they have become ever shriller in the last 50 years If it is not a requirement of political correctness to belittle his ideas the tendency to do so is widespread Critics often dismiss Austin with a wave of the hand or reduce his jurisprudence to a few of his ideas such as his conception of law as a command or his notion of a legally unlimited sovereign Whatever approach is taken Austin s doctrines tend to be abstracted from their historical context and vastly oversimplified For example the utilitarian ethical theories that he expounded in three of the six chapters of the only book that he published in his lifetime are usually ignored Accordingly there has been a failure to recognize the complexity and inner tensions of his legal philosophy There is not one John Austin but at least half a dozen Nothing makes this clearer than the diverse responses to his work in the 19th century Wilfrid E Rumble s study thus fills a large gap in the literature about this important figure It will be of substantial interest not only to historians of ideas law and the 19th century but also to jurists

legal philosophers and political theorists      **Globalisation and Legal Theory** William Twining,2000-03 The text makes the case for a revival of general jurisprudence in response to globalisation      *The Nature of African Customary Law* Taslim Olawale Elias,1956      **A Companion to Philosophy of Law and Legal Theory** Dennis Patterson,2010-01-15 The articles in this new edition of *A Companion to Philosophy of Law and Legal Theory* have been updated throughout and the addition of ten new articles ensures that the volume continues to offer the most up to date coverage of current thinking in legal philosophy Represents the definitive handbook of philosophy of law and contemporary legal theory invaluable to anyone with an interest in legal philosophy Now features ten entirely new articles covering the areas of risk regulatory theory methodology overcriminalization intention coercion unjust enrichment the rule of law law and society and Kantian legal philosophy Essays are written by an international team of leading scholars      *The Routledge Companion to Philosophy of Law* Andrei Marmor,2012-04-27 The *Routledge Companion to the Philosophy of Law* provides a comprehensive non technical philosophical treatment of the fundamental questions about the nature of law Its coverage includes law's relation to morality and the moral obligations to obey the law the main philosophical debates about particular legal areas such as criminal responsibility property contracts family law law and justice in the international domain legal paternalism and the rule of law The entirely new content has been written specifically for newcomers to the field making the volume particularly useful for undergraduate and graduate courses in philosophy of law and related areas All 39 chapters written by the world's leading researchers and edited by an internationally distinguished scholar bring a focused philosophical perspective to their subjects The *Routledge Companion to the Philosophy of Law* promises to be a valuable and much consulted student resource for many years      **The ^A Unfamiliar Abode** Kathleen Moore,2010-03-18 Kathleen Moore explores the development of new forms of Islamic law and legal reasoning in the US and Great Britain as well the Muslims encountering Anglo American common law and its unfamiliar commitments to pluralism and participation and to gender family and identity The underlying context is the aftermath of 9 11 and 7 7 the two attacks that arguably recast the way the West views Muslims and Islam      *The Unfamiliar Abode* Kathleen Moore,2010-03-18 Today there are more Muslims living in diaspora than at any time in history This situation was not envisioned by Islamic law which makes no provision for permanent as opposed to transient diasporic communities Western Muslims are therefore faced with the necessity of developing an Islamic law for Muslim communities living in non Muslim societies In this book Kathleen Moore explores the development of new forms of Islamic law and legal reasoning in the US and Great Britain as well the Muslims encountering Anglo American common law and its unfamiliar commitments to pluralism and participation and to gender family and identity The underlying context is the aftermath of 9 11 and 7 7 the two attacks that arguably recast the way the West views Muslims and Islam Islamic jurisprudence Moore notes contains a number of references to various abodes and a number of interpretations of how Muslims should conduct themselves within those worlds These include the dar al harb house of war dar al kufr house of unbelievers and dar al salam house of peace

How Islamic law interprets these determines the debates that take shape in and around Islamic legality in these spaces Moore s analysis emphasizes the multiplicities of law the tensions between secularism and religiosity She is the first to offer a close examination of the emergence of a contingent legal consciousness shaped by the exceptional circumstances of being Muslim in the U S and Britain in the 1990s and the first decade of the 21st century Reparations for Victims of Armed Conflict Cristián Correa,Shuichi Furuya,Clara Sandoval Villalba,Clara Sandoval,2020-12-17 Three experts address reparation for victims of armed conflict drawing on international law practice human rights courts and domestic law **The Limits of Transition: The South African Truth and Reconciliation Commission 20 Years on** Mia Swart,Karin van Marle,2017-08-28 The South African Truth and Reconciliation Commission was a noble attempt to begin to address the continuing traumatic legacy of Apartheid This interdisciplinary collection critiques the work of the TRC 20 years since its establishment Taking the paralysing political and social crises of the mid 1990s in South Africa as starting point the book contains a collection of responses to the TRC that considers the notions of crisis judgment and social justice It asks whether the current political and social crises in South Africa are linked to the country s post apartheid transitional mechanisms specifically the TRC The fact that the material conditions of the lives of many Apartheid victims have not improved forms a major theme of the book Collectively the book considers the unfinished business of the TRC **Legal Positivism** Tom D. Campbell,2016-12-05 Despite persistent criticism from a variety of different perspectives including natural law legal realism and socio legal studies legal positivism remains as an enduring theory of law The essays contained in this volume represent the most balanced responses toward legal positivism and although largely sympathetic the essays do not fail to criticize elements of the tradition wherever appropriate The Legal Realism of Jerome N. Frank Julius Paul,2012-12-06 Between the Levite at the gate and the judicial systems of our day is a long journey in courthouse government but its basic structure remains the same law judge and process Of the three process is the most unstable procedure and facts Of the two facts are the most intractable While most of the law in books may seem to center about abstract theories doctrines principles and rules the truth is that most of it is designed in some way to escape the painful examination of the facts which bring parties in a particular case to court Frequently the emphasis is on the rule of law as it is with respect to the negotiable instrument which forbids inquiry behind its face sometimes the emphasis is on men as in the case of the wide discretion given a judge or administrator sometimes on the process as in pleading to a refined issue summary judgment pre trial conference or jury trial designed to impose the dirty work of fact finding on laymen The minds of the men of law never cease to labor at improving process in the hope that some less painful more trustworthy and if possible automatic method can be found to lay open or force litigants to disclose what lies inside their quarrel so that law can be administered with dispatch and decisiveness in the hope that truth and justice will be served **Indian Factories & Labour Reports** ,2010-07 Vols 1 contain separately paged sections Journal summaries Acts and notifications and Reports **Essays in Legal Philosophy** Robert S.

Summers,1976-01-01

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