

THE RATIONAL STRENGTH OF ENGLISH LAW - J. H. COOPER

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Rational Strength Of English Law

A. W. Brian Simpson



Rational Strength Of English Law:

The Rational Strength of English Law Frederick Henry Lawson, 1951 This book consists of a series of four lectures delivered under the auspices of the Hamlyn Trust It is a comparison of English law with other systems Within its compass it would be impossible to cover the whole field of law and the author has therefore chosen to deal fairly fully with selected topics of exceptional importance The author is a Professor of Comparative Law and in comparing the English and other systems he has sought to show that contrary to a widespread opinion our law is orderly and rational although not reduced to codified form In the last lecture the author closes with a summary of his conclusions which are of great interest In the law of contract he refers to the law of Scotland and the United States to their advantage in some respects in comparison with English law But he has a high regard for the English law of torts which he thinks most strongly justifies the title of his lectures **The Rational Strength of English Law**

The Rational Strength of English Law Frederick H. Lawson, Frederick Henry Lawson (juriste), 1951 **Principles of the English Law of Obligations** Andrew Burrows, 2016-12-01 Principles of the English Law of Obligations provides students with a high quality overview of this key area of English law Drawing together updated chapters from the third edition of English Private Law the subjects covered include contract tort and equitable wrongs unjust enrichment and remedies Written by a team of acknowledged experts the chapters give a clear simple and accurate overview of the guiding principles and rules of the English law of obligations including contract and tort which are compulsory subjects for law degrees and on professional courses Whether looking for an accessible conceptual introduction to the area or a handy revision reference students will find this book invaluable **Comparative Law in**

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l'Europe M. Cappelletti, 2024-10-28 *UK, EU and Global Administrative Law* Paul Craig, 2015-10-26 A detailed analysis of the foundations and challenges of UK EU and global administrative law *English Law Under Two Elizabeths* John Hamilton Baker, 2021-01-28 A novel experiment in comparative legal history exploring the legal world in England during two different periods *Globalisation and Legal Theory* William Twining, 2000-03 The text makes the case for a revival of general jurisprudence in response to globalisation *Contract Termination in International and Domestic Trade* Bashayer Al-Mukhaizeem, 2024-09-25 This book highlights the right to terminate a contract yielding invaluable insights to enable

policymakers and legal practitioners to facilitate international trade In the modern landscape of globalised trade the imperative of a harmonised legal framework of contract law capable of fostering stability and trust in cross border trade has never been more pronounced This is represented in the United Nations Convention on Contracts for the International Sale of Goods CISG providing rules that can be known understood and abided by globally This book focuses on the termination of contracts one of the harshest remedies when a sale of goods contract is breached by the seller Breaches by the seller dealt in this book are confined to breaches of contractual description delivery time and quality of goods which are the most common violations of sale of goods contracts This book scrutinises the methods adopted for challenging or facilitating contractual termination by CISG as a transnational law as well as the Sale of Goods Act 1979 SGA and Kuwaiti law KLaw both of which are national laws of non contracting states of CISG This study also draws attention to lacunae and practical issues focusing on critical analyses of law and cases and recognises the adopted themes underlying each law to find the degree of their legal clarity and the threshold upon which termination can be granted This comprehensive analysis also provides inspiration for beneficial changes by weighing the pros and cons of each system The book will be of interest to practitioners students and scholars in the fields of contract law trade law commercial law and international law

Foucault and Family Relations
 Malcolm Joyce, 2019-05-14 Foucault and Family Relations Governing from a Distance in Australia analyzes how notions of property ownership were instrumental in maintaining family stability and continuity in rural Australia outlining how inheritance and divorce laws functioned to govern the internal relationships of families to assist the state to rule from a distance Using a selection of Foucault s ideas on the family sexuality race space and economics this books shows how property operated as a disciplinary device which was underpinned by technical ideas such as surveying and cartography This book uses legal judgments as a form of ethnography to show how property as a socio technical device allowed a degree of local freedom for owners This aspect of property allowed the state to stimulate ideas of local freedom to assist in ruling from a distance demonstrating how the rural family as a domestic unit became a key field of intervention for the state as the family represented a bridge to larger relationships of power

Contract Law and the Legislature TT Arvind, Jenny Steele, 2020-08-06 This volume revisits some of the key debates about the nature and shape of contract law in light of the impact that statutes have had on its development With contributions from leading contract law scholars it fills a significant gap in existing theoretical and doctrinal analyses of contract law which rely primarily on cases to put forward accounts of the general principles and structure of contract law Statutory rules are typically seen as being specific instances of legal regulation that carve out exceptions to these general principles for specific reasons of policy This treatment of these rules has resulted in an incomplete understanding of the nature of contract law and the principles that underpin it By drawing specifically on contract statutes the volume produces a more complete picture of modern contract law A companion to the ground breaking Tort Law and the Legislature Common Law Statute and the Dynamics of Legal Change Hart Publishing 2012

this collection will have a significant impact on the study of contract law Spatial Planning Systems of Britain and France Philip Booth,Michelle Breuillard,Charles Fraser,Didier Paris,2007-03-12 Exploring the similarities and differences between the spatial planning in Great Britain and France this book draws on the outcomes of the Franco British Planning Study Group It features detailed analysis and case studies *Reflections on 'The Concept of Law'* A. W. Brian Simpson,2011-09-22 HLA Hart developed The Concept of Law while renowned historian AWB Simpson was studying and teaching at Oxford Simpson wittily recreates the culture of Oxford philosophy in the 50s providing a new perspective of one of the most famous works of philosophy of the 20th century and casting a satirical eye over the shortcomings of post war Oxford *The Logic of Choice* Gidon Gottlieb,2019-10-30 Originally published in 1968 This is a critical study of the concept of rule featuring in law ethics and much philosophical analysis which the author uses to investigate the concept of rationality The author indicates in what manner the modes of reasoning involved in reliance upon rules are unique and in what fashion they provide an alternative both to the modes of logico mathematical reasoning and to the modes of scientific reasoning This prepares the groundwork for a methodology meeting the requirements of the fields using rules such as law and ethics which could be significant for communications theory and the use of computers in normative fields Other substantive issues related to the mainstream of legal philosophy are discussed theories of interpretation the notion of purpose and the requirements of principled decision making The book utilizes examples drawn from English and American legal decisions to suggest how the positions of legal positivism and of natural law are equally artificial and misleading *The Code Napoleon and the Common-law World* Bernard Schwartz,1998 Originally published New York New York University Press 1956 x 438 pp This book consists of papers delivered by participants in the conference sponsored by the New York University Institute of Comparative Law to honor the 150th anniversary of the French Civil Code which was the largest public celebration of the event in the legal world The papers deal with the influence of the Code upon common law countries in their efforts to manage statute and case law and gives examples of modern attempts at restatement of the law and uniform state laws as examples of the effect of the Code s coherence and logic The papers were given by notable legal scholars such as Benjamin Akzin Ren Cassin C J Friedrich Arthur von Mehren Roscoe Pound Thibadeau Rinfret Max Rheinstein Angelo Piero Sereni Jack Bernard Tate and Arthur T Vanderbilt At the time of these lectures Schwartz was Director of the Institute Includes a bibliography by Julius J Marke Reprint of the first edition BERNARD SCHWARTZ 1923 1997 was professor of law and director of the Institute of Comparative Law New York University He was the author of over fifty books including French Administrative Law and the Common Law World 1954 reprinted 2006 the five volume Commentary on the Constitution of the United States 1963 1968 Constitutional Law A Textbook 2d ed 1979 Administrative Law A Casebook 4th ed 1994 and A History of the Supreme Court 1993 **Comparative Law in the Courtroom and Classroom** Basil S Markesinis,2003-03-20 This book presents an original deliberately controversial and at times disturbing appraisal of the state of comparative law at the beginning of the

21st century its weaknesses its strengths and its protagonists most of whom were personally known to the author during the preceding thirty five years It is also a reminder of the unique opportunities the subject has in our shrinking world The author brings to bear his experience of thirty five years as a teacher of the subject to criticise the impact the long association with Roman law has had on the orientation and well being of his subject With equal force he also warns against some modern trends linking it with variations of the critical legal studies movement and urges the study of foreign law in a way that can make it more attractive to practitioners and more usable by judges At the end of the day this monograph represents a passionate call for greater intellectual co operation and offers one way of achieving it A co operation between practitioners and academics on the one hand and between Common and modern Civilian lawyers on the other in an attempt to save the subject from the marginalisation it suffered in the 1980s and from which the globalisation movement of the 21st century may be about to deliver it

European Contract Law Bénédicte Fauvarque-Cosson, Denis Mazeaud, 2009-04-27 The Association Henri Capitant des Amis de la Culture Juridique Française and the Société de législation comparée joined the academic network on European Contract Law in 2005 to work on the elaboration of a common terminology and on guiding principles as well as to propose a revised version of the Principles of European Contract Law PECL The results of this work were sent to the European Commission and have already been published in French The English translation is now being published by Sellier

ELP This work could contribute to the wider European project The part on the guiding principles could be a component of the CFR in the form of black letter model rules or recitals The part on terminology is in itself useful for the elaboration of the final various linguistic versions of the CFR It finds its place within the materials which will accompany the model rules Last but by no means least the revised version of the PECL should be considered by the European institutions as an alternative set of model rules on contract law

The Common Law Constitution John Laws, 2014-07-17 The law is not a science for its purpose is not to find out natural facts It is an art as architecture is an art its function is practical but it is enhanced by such qualities as elegance economy and clarity The law has two practical purposes first to require forbid or penalise forms of conduct between citizen and citizen and citizen and State secondly to provide formal rules for classes of human activity whose fulfilment would otherwise be confused uncertain or ineffective Laws in the former category include every provision for a remedy

The Sovereignty of Law Francis G. Jacobs, 2007-06-14 Author was formerly Advocate General at the European Court of Justice in Luxembourg

Jus et Societas G.M. Wilner, 2012-12-06 When Wolfgang Friedmann died there was a great outpouring of grief affection and admiration from his friends all over the world These deeply felt sentiments were soon channelled into a number of projects to honor him The initiative towards the preparation of this volume in tribute to Wolfgang Friedmann was taken by his colleague Hans Smit of Columbia University who also arranged for its publication Judge Philip C Jessup was the chairman and Professors John N Hazard Louis Henkin Oliver Lissitzyn Willis L M Reese and Hans Smit of Columbia University Law School A A Fatouros of Indiana University Law School Bloomington and Gabriel M

Wilner of the University of Georgia Law School were members of the editorial committee The authors of the essays are a group of distinguished legal scholars from many countries and who hold widely diverse views All of them had many ties with Professor Friedmann including those of friendship and shared interest in problems that were of the greatest concern to him The number of eminent jurists from countries around the world and particularly from the United States who would have wished to participate in this tribute to Wolfgang Friedmann is large however several important considerations made it necessary to limit the number of contributions Thus for example the work of several members of the editorial committee is not represented in the volume

Embracing the Melody of Term: An Psychological Symphony within **Rational Strength Of English Law**

In a world taken by screens and the ceaseless chatter of instantaneous conversation, the melodic beauty and mental symphony developed by the published term often fade in to the back ground, eclipsed by the constant sound and distractions that permeate our lives. Nevertheless, nestled within the pages of **Rational Strength Of English Law** a charming literary value full of fresh thoughts, lies an immersive symphony waiting to be embraced. Constructed by an elegant musician of language, this charming masterpiece conducts viewers on an emotional journey, well unraveling the concealed tunes and profound influence resonating within each carefully crafted phrase. Within the depths with this poignant evaluation, we shall explore the book is main harmonies, analyze its enthralling writing type, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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