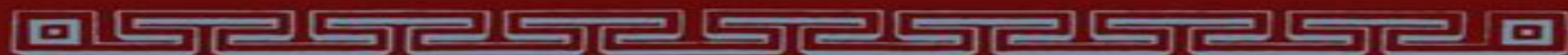




A SHORT HISTORY OF
WESTERN
LEGAL
THEORY



J. M. KELLY



Short History Of Western Legal Theory

Åke Frändberg



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A Companion to Western Legal Traditions, 2023-12-28 This volume offers an extensive introduction to Western legal traditions from antiquity to the twentieth century Drawing from a variety of scholarly writings both in English and in translation thirteen leading scholars present the current state of western legal history research and pave the way for new debates and future study This is the ideal sourcebook for graduate students as it enables them to approach the key questions of the field in an accessible way Contributors are Aniceto Masferrer C H Remco van Rhee Se n P Donlan Stephan Dusil Gerald Schwedler Jean Louis Halp rin Jan Hallebeek Agust n Parise Heikki Pihlajam ki Dirk Heirbaut Bernd Kannowski Adolfo Giuliani Olivier Mor teau and Jacques Vanderlinden

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versus federal organization pluralism versus intolerance by analyzing different models of constitutional government through a historical perspective The approach is chronological constitutionalism is explained as the result of many centuries of trial and error through a narrative that begins in the early Middle Ages and concludes with contemporary debates focusing on Europe the United States and the Soviet Union *Introduction to Critical Legal Theory* Ian Ward,2012-10-02 Introduction to Critical Legal Theory provides an accessible introduction to the study of law and legal theory It covers all the seminal movements in classical modern and postmodern legal thought engaging the reader with the ideas of jurists as diverse as Aristotle Hobbes and Kant Marx Foucault and Dworkin At the same time it impresses the interdisciplinary nature of critical legal thought introducing the reader to the philosophy the economics and the politics of law This new edition focuses even more intently upon the narrative aspect of critical legal thinking and the re emergence of a distinctive legal humanism as well as the various related challenges posed by our new world order Introduction to Critical Theory is a comprehensive text for both students and teachers of legal theory jurisprudence and related subjects Judging from Experience Jeanne Gaakeer,2018-12-19 Combining her expertise in legal theory and judicial practice in a continental European civil law system Jeanne Gaakeer explores the intertwinement of legal theory and practice to develop a humanities inspired methodology for both the academic interdisciplinary study of law and literature and for legal practice This volume addresses judgment and interpretation as a central concern within the field of law literature and humanities It is not only a study of law as praxis that combines academic legal theory with judicial practice but proposes both as central to humanistic jurisprudence and as a training in the conduct of public life Drawing extensively on philosophical and legal scholarship and through analysis of literary works from Gustave Flaubert Robert Musil Gertrude Achterberg Ian McEwan Michel Houellebecq and Juli Zeh Jeanna Gaakeer proposes a perspective on law as part of the humanities that will inspire legal professionals scholars and advanced students of law alike *Globalisation and the Western Legal Tradition* David B. Goldman,2008-02-07 What can globalisation teach us about law in the Western tradition This important new work seeks to explore that question by analysing key ideas and events in the Western legal tradition including the Papal Revolution the Protestant Reformations and the Enlightenment Addressing the role of law morality and politics it looks at the creation of orders which offer the possibility for global harmony in particular the United Nations and the European Union It also considers the unification of international commercial laws in the attempt to understand Western law in a time of accelerating cultural interconnections The title will appeal to scholars of legal history and globalisation as well as students of jurisprudence and all those trying to understand globalisation and the Western dynamic of law and authority **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

Creon's Ghost Law Justice and the Humanities Tomain,2009-02-16 Creon s Ghost examines the enduring problem of the relationship between man s law and a higher law from the perspective of core humanities texts and through discussion of hotly debated contemporary legal conundrums Today such issues as intelligent design in school curricula same sex marriage and faith based government grants are all examples of the interaction between man s law and some other set of moral principles As these debates are considered in this book the author uses texts such as Antigone and Plato s Republic and pairs them with the most important jurisprudence texts of the 20th century to explore different approaches to the contemporary conflict or court ruling under consideration Creon s Ghost demonstrates that the humanities can both illuminate our understanding of contemporary problems and that classic texts can be read alongside jurisprudential texts thus enriching our understanding of and appreciation for law

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