



DANIEL J. BOORSTIN

The Mysterious Science of the Law

An Essay on Blackstone's Commentaries

WITH A NEW FOREWORD

Mysterious Science Of The Law An Essay On Blackstones Commentaries

Daniel Joseph Boorstin



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Referred to as the bible of American lawyers Blackstone's Commentaries on the Laws of England shaped the principles of law in both England and America when its first volume appeared in 1765 For the next century that law remained what Blackstone made of it Daniel J Boorstin examines why Commentaries became the most essential knowledge that any lawyer needed to acquire Set against the intellectual values of the eighteenth century and the notions of Reason Nature and the Sublime Commentaries is at last fitted into its social setting Boorstin has provided a concise intellectual history of the time illustrating all the elegance social values and internal contradictions of the Age of Reason **Law's History** David M. Rabban, 2012-11-30 This is a study of the central role of history in late nineteenth century American legal thought In the decades following the Civil War the founding generation of professional legal scholars in the United States drew from the evolutionary social thought that pervaded Western intellectual life on both sides of the Atlantic Their historical analysis of law as an inductive science rejected deductive theories and supported moderate legal reform conclusions that challenge conventional accounts of legal formalism Unprecedented in its coverage and its innovative conclusions about major American legal thinkers from the Civil War to the present the book combines transatlantic intellectual history legal history the history of legal thought historiography jurisprudence constitutional theory and the history of higher education *The History of Legal Education in the United States* Steve Sheppard, 2007 An invaluable and fascinating resource this carefully edited anthology presents recent writings by leading legal historians many commissioned for this book along with a wealth of related primary sources by John Adams James Barr Ames Thomas Jefferson Christopher C Langdell Karl N Llewellyn Roscoe Pound Tapping Reeve Theodore Roosevelt Joseph Story John Henry Wigmore and other distinguished contributors to American law It is divided into nine sections Teaching Books and Methods in the Lecture Hall Examinations and Evaluations Skills Courses Students Faculty Scholarship Deans and Administration Accreditation and Association and Technology and the Future Contributors to this volume include Morris Cohen Daniel R Coquillette Michael Hoeflich John H Langbein William P LaPiana and Fred R Shapiro Steve Sheppard is the William Enfield Professor of Law University of Arkansas School of Law

Printers and Press Freedom Jeffery A. Smith, 1990-05-24 In the United States the press has sometimes been described as an unofficial fourth branch of government a branch that serves as a check on the other three and provides the information necessary for a democracy to function Freedom of the press guaranteed but not defined by the First Amendment of the Constitution can be fully understood only when examined in the context of the political and intellectual experiences of 18th century America Here Jeffery A Smith explores how Madison Franklin Jefferson and their contemporaries came to see liberty of the press as a natural and vital part of a democratic republic Drawing on sources ranging from political philosophers to court records and newspaper essayists *Printers and Press Freedom* traces the development of a widespread conception of the press as necessarily exempt from all government restrictions but still liable for the defamation of individuals Smith carefully analyzes libertarian press theory and practice in the context of republican ideology and Enlightenment thought paying particular attention to the cases of Benjamin Franklin and his relatives and associates in the printing business and concludes that the generation that produced the First Amendment believed that government should not be trusted and that the press needed the broadest possible protection in order to serve as a check on the misuse of power **Justice Curtis in the Civil War Era** Stuart Streichler, 2005 This book presents a constitutional history of the Civil War era by focusing on Justice Benjamin Robbins Curtis 1809 1874 pref **Law, Life, and Government at Red River, Volume 2** Dale Gibson, 2015-06-01 Inhabited by a diverse population of First Nations peoples Métis Scots Upper and Lower Canadians and Americans and dominated by the commercial and governmental activities of the Hudson's Bay Company Red River now Winnipeg was a challenging settlement to oversee This illuminating account presents the story of the unique legal and governmental system that attempted to do so and the mixed success it encountered culminating in the 1869-70 Red River Rebellion and confederation with Canada in 1870 In *Law Life and Government at Red River* Dale Gibson provides rich revealing glimpses into the community and its complex relations with the Hudson's Bay the colony's owner and primary employer Volume 2 provides a complete annotated and never before published transcription of testimony from Red River's courts presenting hundreds of vignettes of frontier life the cases that were brought before the courts and the ways in which the courts resolved conflicts A vivid look into early settler life *Law Life and Government at Red River* offers insights into the political commercial and legal circumstances that unfolded during western expansion *John Marshall and the Heroic Age of the Supreme Court* R. Kent Newmyer, 2007-04-01 John Marshall 1755 1835 was arguably the most important judicial figure in American history As the fourth chief justice of the United States Supreme Court serving from 1801 to 1835 he helped move the Court from the fringes of power to the epicenter of constitutional government His great opinions in cases like *Marbury v Madison* and *McCulloch v Maryland* are still part of the working discourse of constitutional law in America Drawing on a new and definitive edition of Marshall's papers R Kent Newmyer combines engaging narrative with new historiographical insights in a fresh interpretation of John Marshall's life in the law More than the summation of Marshall's legal and institutional

accomplishments Newmyer's impressive study captures the nuanced texture of the justice's reasoning the complexity of his mature jurisprudence and the affinities and tensions between his system of law and the transformative age in which he lived It substantiates Oliver Wendell Holmes Jr's view of Marshall as the most representative figure in American law **To Break Our Chains** Jerome Braun, 2010-12-07 These essays are a distillation of Jerome Braun's work in interdisciplinary social science and especially sociology Thus they exemplify pragmatic critical theory by dealing with culture and personality cohesiveness and nihilism in modern societies and the relation between community and democracy [Alienation and the Carnivalization of Society](#) Jerome Braun, Lauren Langman, 2012-04-23 This book examines alienation from both a sociological and psychoanalytic perspective revisiting classic treatments of the topic Marx Simmel Weber and exploring its relevance to understanding post modern consumer society It examines the escapist potentials for good and for ill in modern society those fostered by commercial interests and those maintained by individuals and groups as their form of resisting alienation

Judicial Rhapsodies Doug Coulson, 2023-02-28 All judges legitimize their decisions in writing but US Supreme Court justices depend on public acceptance to a unique degree Previous studies of judicial opinions have explored rhetorical strategies that produce legitimacy but none have examined the laudatory even operative forms of writing Supreme Court justices have used to justify fundamental rights decisions Doug Coulson demonstrates that such judicial rhapsodies are not an aberration but a central feature of judicial discourse First examining the classical origins of divisions between law and rhetoric Coulson tracks what he calls an epideictic register highly affective forms of expression that utilize hyperbole amplification and vocabularies of praise through a surprising number of landmark Supreme Court opinions Judicial Rhapsodies recovers and revalues these instances as significant to establishing and maintaining shared perspectives that form the basis for common experience and cooperation Judicial Rhapsodies is both compelling and important Coulson brings his well developed knowledge of rhetoric to bear on one of the most central and most democratically fraught means of governance in the United States the Supreme Court opinion He demonstrates that the epideictic far from being a dispensable or detestable element of judicial rhetoric is an essential feature of how the Court operates and seeks to persuade Keith Bybee Syracuse University **Philosophy of Law** John Finnis, 2011-04-07 This volume of John Finnis's collected essays shows the full range and power of his contributions to the philosophy of law The volume collects over 20 papers on the foundations of law's authority major theories and theorists of law legal reasoning revolutions rights and law and much more

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