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Agreements

Oliver Black 2012-04-26

A study of agreements which combines the use of philosophical analysis and legal theory.

Just Interpretations

Michael Rosenfield 1998-01-01

"An important contribution to contemporary jurisprudential debate and to legal thought more generally. Just Interpretations is far ahead of currently available work on the subject. Peter Goodrich, author of Codex Lexa "I was struck repeatedly by the clarity of expression throughout the book. Rosenfield presents the material in a clear and logical manner, and the book is an important contribution to the field of jurisprudence.

Spinoza’s Revolutions in Natural Law

Andre Santos Campos 2012-04-05

This very first analysis of Spinoza’s philosophy of law from the viewpoint of his deterministic methodology shows that he revolutionized modern philosophy from within by developing an entirely new natural law theory connecting his ontology to radically democratic political views. The book forms a balanced structure in which the three conceptual pillars of Spinoza’s natural law theory (individuality, law, and power) are first analyzed from the viewpoint of his ontology and then from the viewpoint of his political theory. Spinoza’s revolutionary equivalence of law to power and his major project for creating a new form of society, is first related to a radical critique of modern legal theory and to the meaning of Spinoza’s political project, on a new basis for a philosophy of law.

The law and economics approach is a modern, interdisciplinary approach to the study of law and legal institutions. It is based on the idea that the economic principles of supply and demand, cost and benefit, and profit and loss can be applied to legal institutions in order to understand their functioning and predict their behavior.

Livre rassemble une selection des contributions generales du 20ème Congres general qui traitent des questions actuelles du droit compare. Il s'agit d'une premiere edition de l'ouvrage.

The Transformation of Islamic Law in Global Financial Markets

Jonathan Ebenstein 2015-01-01

This contextual analysis of Islamic financial law challenges our understanding of both Islamic law and global financial markets.

Commercial Law - N. Clarke 2014-07-27

Commercial Law: Text, Cases, and Materials provides students with an extensive and valuable range of extracts from key cases and writings in this most dynamic field of law. The authors' expert commentary and questions enlist each topic within the field for the preparation of this edition.

Realism Discourse and Deconstruction

Jonathan Joseph 2004-05-05

Theories of discourse bring to realism new ideas about how knowledge develops and how representations of reality are influenced. We gain an understanding of the conceptual aspect of social life and the processes by which meaning is produced. By focusing on the construction of meaning, the authors attempt to embed discourse within the structured nature of the reality of the world. Realism can situate language, thought and ideology within context specific, or 'contextually efficacious' circumstances. Realism can help to uncover issues of power, representation, and subjectivity and how discursive and other social practices produce real effects. This can help us understand the manner in which (non-discursive) social structures are reproduced through various forms of discourse and ideology. And by knowing this, we can start to address questions concerning human emancipation and how the world is to be transformed.

Australian journal of legal philosophy - 2006

Developing a realist perspective the different authors attempt to embed discourse within the structured nature of the reality of the world. Realism can situate language, thought and ideology within context specific, or ‘contextually efficacious’ circumstances. Realism can help to uncover issues of power, representation, and subjectivity and how discursive and other social practices produce real effects. This can help us understand the manner in which (non-discursive) social structures are reproduced through various forms of discourse and ideology. And by knowing this, we can start to address questions concerning human emancipation and how the world is to be transformed.

Law and Economics

Markus, Mireille Hildebrandt, Roger Brownsword, Sylvie Delacroix, Lyria Bennet Moses, Ryan Abbott, Jennifer Cobbe, Lily Hands, John Morison, Alex Sarch, and Dilan Thampapillai, as well as a foreword from Frank Poomungko.
Fictional Discourse and the Law - Hans J. Lind 2020-04-14 Drawing on insights from literary theory and analytical philosophy, this book analyzes the intersection of law and literature from the distinct and unique perspective of fictional discourse. Pursuing an empirical approach, and using examples that range from Victorian literature to the current judicial treatment of rap music, the volume challenges the prevailing fact-fiction dichotomy in legal theory and practice by providing a better understanding of the peculiarities of legal fictionality, while also contributing further material to fictional theory’s endeavor to find a transdisciplinary valid criterion for a definition of fictional discourse. Following the basic presumptions of the early law-as-literature movement, past approaches have mainly focused on textuality and narrativity as the common denominators of law and literature, and have largely ignored the topic of fictionality. This volume provides a much needed analysis of this gap. The book will be of interest to scholars of legal theory, jurisprudence and legal writing, along with literature scholars and students of literature and the humanities.

Islam, Liberalism, and Ontology - Joseph J. Kaminski 2021-03-31 This book offers comparative ontologies of both Islam and liberalism as discourses more broadly construed. The author argues that, despite recent efforts to speak of overlapping consensuses and discursive congruence, the fundamental categories that constitute "Islam" and "liberalism" remain very different, and that these differences should be taken seriously. Thus far, no recent scholarly works have explicitly or meticulously broken down where these differences lie. The author rigorously explores questions related to rights, moral epistemologies, the role of religion in the public sphere, and more general approaches to legal discourse, via primary and canonical sources constitutive of both Islam and liberalism. He then goes on to articulate why communitarian modes of thought are better suited for engaging with Islam and contemporary socio-political modes of organization than liberalism is. This book will be of great interest to students and scholars of politics and international relations, Islam, liberalism, and communitarianism.

Renmin Chinese Law Review - Jichun Shi 2017-09-29 Renmin Chinese Law Review, Volume 5 is the fifth work in a series of annual volumes on contemporary Chinese law which bring together the work of recognized scholars from China, offering a window on current legal research in China.

The Early Frankfurt School and Religion - M. Kohlenbach 2004-12-14 Are religions tissues of superstition and repression, or repositories of the highest hopes and aspirations of humanity, or perhaps both at the same time? For many of those thinkers who lived through the horrors and upheavals of the first half of the twentieth-century, this old question acquired a new urgency. This volume examines the ways in which the authors of the early Frankfurt School criticized, adopted and modified traditional forms of religious thought and practice. Focusing on the works of Theodor W. Adorno, Walter Benjamin, Erich Fromm, Max Horkheimer, Otto Kirchheimer and Franz Neumann, it analyses the relevance of religious traditions and of the Enlightenment critique of religion for modern conceptions of emancipatory thought, art, law, and politics.

Public International Law - Peter Macalister-Smith 2006

Commercial Contract Law - Larry A. DiMatteo 2013-01-31 This book focuses on the law of commercial contracts as constructed by the U.S. and UK legal systems. Leading scholars from both sides of the Atlantic provide works of original scholarship focusing on current debates and trends from the two dominant common law systems. The chapters approach the subject areas from a variety of perspectives - doctrinal analysis, law and economic analysis, and social-legal studies, as well as other theoretical perspectives. The book covers the major themes that underlie the key debates relating to commercial contract law: role of consent; normative theories of contract law; contract design and good faith; implied terms and interpretation; policing contract behavior; misrepresentation, breach, and remedies; and the regional and international harmonization of contract law. Contributors provide insights on the many commonalities, but more interestingly, on the key divergences of the United States and United Kingdom’s approaches to numerous areas of contract law. Such a comparative analysis provides a basis for future developments and improvements of commercial contract law in both countries, as well as other countries that are members of the common law systems. At the same time, insights gathered here should also be of interest to scholars and practitioners of the civil law tradition.