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Altri autori (Persone)	ChristodoulidisEmilios A FarmerLindsay <1963-> VeitchScott
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Nota di contenuto	Cover; Title; Copyright; Dedication; Contents; Acknowledgements and attributions; Notes on contributors; Abbreviations; Introduction; PART I: LAW AND POLITICS; 1 General themes; 1.1 Introduction to the relationship between law and politics; On power - political power and legal power; Elements of the constitutional state; Jurisdiction, state and legal system; 1.2 Sovereignty; Sovereignty: a contested concept; Attributing sovereignty - to whom or what?; Post-sovereignty?; 1.3 The rule of law and the 'inner morality of law'; The rule of law - meaning and value; Challenges to the rule of law An inner morality of law1.4 Rights; Civil, political and social rights; Politicising law - legalising politics; The indivisibility of rights?; Rights in international and global context; 1.5 Identifying valid law; Hart's concept of law; Kelsen's pure theory of law; Legality and validity; Injustice and invalidity; 2 Advanced topics; 2.1 Justice; Introduction; Utilitarianism versus libertarianism; Liberalism: Rawls's justice as

fairness; Socialism; 2.2 Constitutionalism and citizenship; The paradox of constitutionalism; Representation and foundation; Constitutional 'moments'

Citizenship: liberal and republican
2.3 Law, politics and globalisation; Globalisation and the reconfigured State; Sovereignty after globalisation; Constitutionalism beyond the State; 2.4 Law and the state of emergency; Emergency, derogation and the 'war' on terror; Carl Schmitt: Sovereignty and the exception; 2.5 The rule of law in political transitions; Dilemmas of the rule of law; Difficulties in establishing accountability and responsibility; Forms of justice; Tutorials; PART II: LEGAL REASONING; 1 General themes; 1.1 Introduction to legal reasoning; 1.2 Legal formalism; What is formalism?

The 'pure theory of law' and the notion of self-containment
Formalism and deduction; The promise of formalism; 1.3 American Legal Realism; 'The Path of the Law': law as prophecy; Rule-scepticism; Fact-scepticism; The faith in science; 1.4 Rules, 'open texture' and the limits of discretion; HLA Hart and the 'open texture' of Legal language; Neil MacCormick: the defence of an 'extended formalism'; 1.5 Law as a practice of interpretation; Dworkin on 'hard' cases; The 'right answer': law as integrity; 1.6 Critical Legal Studies; 2 Advanced topics
2.1 Justice, natural law and the limits of rule-following
Moral reason and hard cases; John Finnis and the morality of the law; 2.2 Equality, difference and domination: feminist critiques of adjudication; Initial challenges; Critiquing the form of legal reasoning; Comparing approaches; 2.3 Trials, facts and narratives; The legacy of fact-scepticism; Trials and perceptions of fact: language and narrative in the courtroom; Trials, regulation and justice; 2.4 Judging in an unjust society; 2.5 Law and deconstruction; Tutorials; PART III: LAW AND MODERNITY; 1 General themes

1.1 The advent of modernity

Sommario/riassunto

<P>Jurisprudence: Themes and Concepts offers an original introduction to, and critical analysis of, the central themes studied in jurisprudence courses. The book is presented in three parts each of which contains General Themes, Advanced Topics, tutorial questions and guidance on further reading:</P><P></P><P>Law and Politics, locating the place of law within the study of institutions of government <P></P><P>Legal Reasoning, examining the contested nature of the application of law<P></P><P>Law in Modernity, exploring the social forces that shape legal development.</L
