Record Nr. UNINA9910458341303321 Autore Grey Thomas C. Titolo Formalism and pragmatism in American law / / by Thomas C. Grey Pubbl/distr/stampa Leiden, Netherlands:,: Brill,, 2014 ©2014 **ISBN** 90-04-27289-5 Descrizione fisica 1 online resource (270 p.) The Social Sciences of Practice;; Volume 2 Collana Disciplina 340/.1 Soggetti Law - United States - Philosophy Legal positivism Realism Pragmatism Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Preliminary Material -- Introduction -- 1 Do We Have an Unwritten Constitution? -- 2 The Disintegration of Property -- 3 Langdell's Orthodoxy -- 4 Holmes and Legal Pragmatism -- 5 Accidental Torts --Bibliography -- Index of Terms. In Formalism and Pragmatism in American Law Thomas Grey gives a Sommario/riassunto full account of each of these modes of legal thought, with particular attention to the versions of them promulgated by their influential exponents Christopher Columbus Langdell and Oliver Wendell Holmes. Jr. Grey argues that legal pragmatism as understood by Holmes is the best jurisprudential framework for a modern legal system. He enriches his theoretical account with treatments of central issues in three

important areas of law in the United States: constitutional

interpretation, property, and torts.