Record Nr. UNINA9910810376403321 Autore Ross Hamish Titolo Law as a social institution / / Hamish Ross Pubbl/distr/stampa Oxford;; Portland, Oregon:,: Hart Publishing,, 2001 **ISBN** 1-84113-231-4 1-4725-6235-6 1-280-80125-5 9786610801251 1-84731-240-3 Edizione [1st ed.] 1 online resource (192 p.) Descrizione fisica Collana Legal theory today Disciplina 340/.115 Critical legal studies Soggetti Social action Sociological jurisprudence 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 Half Title Page; Half Title verso; Title Page; Title verso; General Editor's Preface: Preface and Acknowledgements: Contents: Note on Abbreviations: 1. An Opportunity to Reflect: 2. Max Weber's Science of Social Action; 3. Hart's Nucleic Expository Theory; 4. Three Gordian Knots; 5. Perspectives Redefined; 6. ""Reductionism"" Reassessed; 7. Relationality Reconsidered; 8. Towards a Critical Legal Positivism; Index "This book develops the rudiments of a sociological perspective on Sommario/riassunto state law and legal theory. It outlines a distinctive approach to theoretical enquiry that offers an improved understanding of law as a social and institutional phenomenon. The book draws upon Max Weber's sociological and juristic writings as a context in which to explore themes arising or selectively developed from a critical reassessment of key aspects of H.L.A. Hart's theory of law. The discussion initially centres around three problematical areas or 'Gordian Knots': essentially weaknesses in the analytical nucleus of The Concept of Law, matters of misplaced emphasis and other elements that, it is argued, have obscured fundamental aspects of a perceived social

reality. Using the critique as a point of departure the book explores key

issues that Hart merely touched upon or seemingly passed over: the role of the (sociologically inclined) jurist, the defensibility of an 'institutional insider's' perspective, the institutional behavioural dimension of the legal world, and the relational and social power dynamics of law-affected human behaviour."--Bloomsbury Publishing.