

J. W. Harris

Legal Philosophies

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James William Harris



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two topics is on the common law world where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since John Austin's 1828 lecture *The Uses and the Study of Jurisprudence*. These first two parts offer a selection of the most important papers including surveys as well as pedagogical viewpoints and particular course descriptions from analytical critical feminist law and literature and global perspectives. The last three decades have seen just as many changes for legal scholarship and comparative law. These changes such as the rise of empirical legal scholarship have often attracted the attention of legal theorists. Within comparative law the last thirty years have witnessed intense methodological reflection within the discipline; the results of these reflections are themselves properly recognised as legal theoretical contributions. The volume collects the key papers including those by Neil MacCormick, Mark Van Hoecke, Andrew Halpin, William Ewald and Geoffrey Samuel.

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Animal Lives Matter Raymond Wacks, 2024-02-13. *Animal Lives Matter* provides a comprehensive analysis of the legal, philosophical and ethical aspects of animal rights. It argues that the subject extends beyond the matter of our obligations towards animals to include our wider responsibilities for protecting the environment. Drawing on numerous moral, political, legal, religious and philosophical theories including utilitarianism, deontology, rights theory, social contractarianism and the capabilities approach, the author meticulously examines the questions of sentience, speciesism, personhood and human exceptionalism. Lucid, nuanced and academically rigorous, this important book will be an essential resource for scholars of law, politics, philosophy, ethics as well as policy makers and the general reader.

Analysis of Dis/agreement - with particular reference to Law and Legal Theory S. Eng, 2013-03-09. In order to determine whether two participants in a discussion are in real dis-agreement, one must compare their propositions. Comparison presupposes yardsticks in common. Analysis of Dis-agreement thematises such yardsticks in that it demonstrates the existence, content and factual significance of a relatively well delimited set of proposition types and proposition patterns with their accompanying tenability criteria and motivating interests. The book is a work in the field of legal theory by virtue of

its demonstrating how lawyers power of judgement is constituted in and through these yardsticks The book is interdisciplinary by virtue of its demonstrating how the same yardsticks come into play more generally in argumentation formulated in everyday language i e independently of law And the book is a work in the field of philosophy by virtue of its demonstrating the existence and factual significance of language and argumentation actions with a certain independence in relation to the level of controversial fundamental philosophical positions

The Blackwell Guide to the Philosophy of Law and Legal Theory Martin P. Golding, William A. Edmundson, 2008-04-15 The Blackwell Guide to the Philosophy of Law and Legal Theory is a handy guide to the state of play in contemporary philosophy of law and legal theory Comprises 23 essays critical essays on the central themes and issues of the philosophy of law today written by an international assembly of distinguished philosophers and legal theorists Each essay incorporates essential background material on the history and logic of the topic as well as advancing the arguments Represents a wide variety of perspectives on current legal theory

Islamic Jurisprudence - 3rd Edition Imran Ahsan Khan Nyazee, 2019-08-29 Islamic jurisprudence or *usul al fiqh* provides the foundation for any meaningful study of Islamic law The present book has been in the field for more than a decade and has received a positive response from many quarters It is used as a textbook in a number of university courses Over the years however students have shown an eagerness to know more They have raised many questions whose answers the book did not provide A catalogue of the questions asked and those not asked gave rise to the need to revise the book The present third edition of the book has therefore been revised and three chapters at the end have been completely rewritten

Environmental Principles and the Evolution of Environmental Law Eloise Scotford, 2017-02-09 Environmental principles from the polluter pays and precautionary principles to the principles of integration and sustainability proliferate in domestic and international legal and policy discourse reflecting key goals of environmental protection and sustainable development on which there is apparent political consensus Environmental principles also have a high profile in environmental law beyond their popularity as policy and political concepts as ideas that might unify the subject and provide it with conceptual foundations or boost its delivery of environmental outcomes However environmental principles are elusive legal concepts This book deepens the legal understanding of environmental principles in light of recent legal developments It analyses the increasing legal effects of environmental principles in different jurisdictions and demonstrates how they are shaping and revealing innovative and evolving bodies of environmental law This analysis is a step forward in understanding a key feature of modern environmental law and presents a robust methodology for dealing with novel legal concepts in the subject It also makes a contribution to environmental policy debates and discussions internationally that rely heavily on environmental principles including their supposed legal effects

Comparative Law in a Global Context Werner F. Menski, 2006-03-30 Now in its second edition this textbook presents a critical rethinking of the study of comparative law and legal theory in a globalising world and proposes an alternative model It highlights the inadequacies of current Western theoretical approaches

in comparative law international law legal theory and jurisprudence especially for studying Asian and African laws arguing that they are too parochial and eurocentric to meet global challenges Menski argues for combining modern natural law theories with positivist and socio legal traditions building an interactive triangular concept of legal pluralism Advocated as the fourth major approach to legal theory this model is applied in analysing the historical and conceptual development of Hindu law Muslim law African laws and Chinese law An African Criminal Court Dominique Mystris,2020-11-30 In An African Criminal Court Dominique Mystris explores the potential contribution of a regional criminal court to international criminal law and justice across the continent As set out in the Malabo Protocol the court s approach to international core crimes builds on from the current international system Yet the additional crimes and region centric approach reflect the continental concerns To fully realise the court s contribution the African Union s institutional objectives and approach to justice peace and security the author argues for the inclusion of the court within the African Peace and Security Architecture By adopting such a holistic understanding of the Malabo Protocol court within the AU structure a more accurate depiction of the potential of an African criminal court emerges *The Social Contract Rediscovered* Wenwei Guan,2025-06-30 The Social Contract Rediscovered conducts a critical analysis of the historical evolution of legitimacy tracing its development from natural law to positive law and finally to post modern critiques It fills a scholarly gap by addressing the overlooked aspect of the consent process The book begins with a recap of the historical development of social contract theory It draws from a broad base of jurisprudential and social theories to think through how social contract s rise and fall forms an integral part of legitimacy s modernization process from the Enlightenment driven Industrial Revolution s global proliferation to the end of the 20th century It then integrates discussion of consensus construction at three levels private contract legitimacy national development consensus and global modern exchange mechanism in the late 20th century Rather than ask how state legitimacy is constructed in social contract theory the book asks what role an individual plays in the process of consensual legitimacy construction This individual oriented perspective calls for a jurisprudential construction of process legitimacy and consensual legitimacy s onto epistemological integrity Providing a new perspective on the social contract this book will interest scholars of private law international trade and development law International Relations Theory and International Law Adriana Sinclair,2010-10-28 International law is playing an increasingly important role in international politics However international relations theorists have thus far failed to conceptualise adequately the role that law plays in politics Instead IR theorists have tended to operate with a limited conception of law An understanding of jurisprudence and legal methodology is a crucial step towards achieving a better account of international law in IR theory But many of the flaws in IR s idea of law stem also from the theoretical foundations of constructivism the school of thought which engages most frequently with law In this book Adriana Sinclair rehabilitates IR theory s understanding of law using cases studies from American English and international law to critically examine contemporary constructivist approaches to IR and show how a gap in their

understanding of law has led to inadequate theorisation Jurisprudence Wayne Morrison, 2016-04-08 This challenging book on jurisprudence begins by posing questions in the post modern context and then seeks to bridge the gap between our traditions and contemporary situation It offers a narrative encompassing the birth of western philosophy in the Greeks and moves through medieval Christendom Hobbes the defence of the common law with David Hume the beginnings of utilitarianism in Adam Smith Bentham and John Stuart Mill the hope for enlightenment with Kant Rousseau Hegel and Marx onto the more pessimistic warnings of Weber and Nietzsche It defends the work of Austin against the reductionism of HLA Hart analyses the period of high modernity in the writings of Kelsen Hart and Fuller and compares the different approaches to justice of Rawls and Nozick The liberal defence of legality in Ronald Dworkin is contrasted with the more disillusioned accounts of the critical legal studies movement and the personalised accounts of prominent feminist writers **Thinking Critically About Law** Amy R Codling, 2018-01-31 So you've arrived at university you've read the course handbook and you're ready to learn the law But is knowing the law enough to get you the very best marks And what do your lecturers mean when they say you need to develop critical and analytical skills When is it right to put your own views forward What are examiners looking for when they give feedback to say that your work is too descriptive This book explores what it means to think critically and offers practical tips and advice for students to develop the process skill and ability of thinking critically while studying law The book investigates the big questions such as What is law and What is thinking critically How can I use critical thinking to get better grades in assessments What is the role of critical thinking in the work place These questions and more are explored in Thinking Critically About Law Whether you have limited prior experience of critical thinking or are looking to improve your performance in assessments this book is the ideal tool to help you enhance your capacity to question challenge reflect and problematize what you learn about the law throughout your studies and beyond

Harris Legal Philosophies Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has become much more apparent than ever. Its power to stir emotions, provoke thought, and instigate transformation is truly remarkable. This extraordinary book, aptly titled "**Harris Legal Philosophies**," published by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound effect on our existence. Throughout this critique, we will delve to the book's central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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