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Company Law *The structure and process of international law: essays in legal philosophy doctrine and theory* Company Law *Structures of Judicial Decision Making from Legal Formalism to Critical Theory* **Schemes of Arrangement** **The New Horizon of China's Economic Law Theory** **The Architecture of Law** **The Structure of Liberty: Justice and the Rule of Law** Sociological Approaches to Theories of Law New Private Law Theory **Corporate Governance** **Living Law** **Optional Law** *An Introduction to Comparative Law Theory and Method* **Law's Community** **Social Structure and Law** **Overcoming Law** *Introduction to the Problems of Legal Theory* **Structural Interrelations of Theory and Practice in Islamic Law** Pure Theory of Law *Right, Power, and Faquanism* **Administrative Law Theory and Fundamentals** **Learning Legal Rules** **Law without Force** *Hans Kelsen's Pure Theory of Law* Asking the Law Question **Lawyers Making Meaning** The Choice Theory of Contracts **Legal Naturalism** **Law and Philosophy** *The Economic Structure of Tort Law* *Summary of Raymond Wacks's Philosophy of Law* Closure Or Critique **Legality and Community** *Methodology of Criminal Law Theory: Art, Politics or Science?* The Semiotics of Law in Legal Education Feminist Legal Theory **A Sociological Theory of Law** Prospects of Legal Semiotics **Legal Theory, Political Theory, and Deconstruction**

The structure and process of international law: essays in legal philosophy doctrine and theory Nov 27 2022

Social Structure and Law Sep 13 2021 There is still a good deal of confusion surrounding the sociology of law with regard to the subject and boundaries of the field. Social Structure and Law clarifies some of the central issues. Using his own social structure model, Evan explains the interactions between legal and non-legal institutions and provides some useful theoretical guidelines for ongoing research. Readers will profit from studying this volume which sets forth a rationale for theoretical and empirical contributions to the sociology of law.

Structural Interrelations of Theory and Practice in Islamic Law Jun 10 2021 This volume addresses the structural interrelations of Islamic theoretical and practical legal reasoning, based on an analysis of six works of Islamic jurisprudence by authors who lived in Uzbekistan, Iraq, Syria, Palestine, Egypt, and Algeria between 970 and 1600 CE.

The Economic Structure of Tort Law May 29 2020 Written by a lawyer and an economist, this is the first full-length economic study of tort law--the body of law that governs liability for accidents and for intentional wrongs such as battery and defamation. Landes and Posner propose that tort law is best understood as a system for achieving an efficient allocation of resources to safety--that, on the whole, rules and doctrines of tort law encourage the optimal investment in safety by potential injurers and potential victims. The book contains both a comprehensive description of the major doctrines of tort law and a series of formal economic models used to explore the economic properties of these doctrines. All the formal models are translated into simple commonsense terms so that the "math less" reader can follow the text without difficulty; legal jargon is also avoided, for the sake of economists and other readers not trained in the law. Although the primary focus is on explaining existing doctrines rather than on exploring their implementation by juries, insurance adjusters, and other "real world" actors, the book has obvious pertinence to the ongoing controversies over damage awards, insurance rates and availability, and reform of tort law-in fact it is an essential prerequisite to sound reform. Among other timely topics, the authors discuss punitive damage awards in products liability cases, the evolution of products liability law, and the problem of liability for "mass disaster" torts, such as might be produced by a nuclear accident. More generally, this book is an important contribution to the "law and economics" movement, the most exciting and controversial development in modern legal education and scholarship, and will become an obligatory reference for all who are concerned with the study of tort law.

Schemes of Arrangement Aug 24 2022 Examines schemes of arrangement, which are an invaluable tool for companies in restructuring their capital.

An Introduction to Comparative Law Theory and Method Nov 15 2021 This short book on comparative law theory and method is designed primarily for postgraduate research students whose work involves comparison between legal systems. It is, accordingly, a book on research methods, although it will also be of relevance to all students (undergraduate and postgraduate) taking courses in comparative law and to academics entering the field of comparison. The substance of the book has been developed over many years of teaching general theory of comparative law, primarily on the European Academy of Legal Theory programme in Brussels but also on other programmes in French, Belgian and English universities. It is arguable that there has been to date no single introductory work exclusively devoted to comparative law methodology and thus this present book aims to fill this gap.

Optional Law Dec 16 2021 Spurred by the advances in option theory that have been remaking financial and economic scholarship over the past thirty years, a revolution is taking shape in the way legal scholars conceptualize property and the way it is protected by the law. Ian Ayres's Optional Law explores how option theory is overthrowing many accepted wisdoms and producing tangible new tools for courts in deciding cases. Ayres identifies flaws in the current system and shows how option theory can radically expand and improve the ways that lawmakers structure legal entitlements. An option-based system, Ayres shows, gives parties the option to purchase—or the option to sell—the relevant legal entitlement. Choosing to exercise a legal option forces decisionmakers to reveal information about their own valuation of the entitlement. And, as with auctions, entitlements in option-based law naturally flow to those who value them the most. Seeing legal entitlements through this lens suggests a variety of new entitlement structures from which lawmakers might choose. Optional Law provides a theory for determining which structure is likely to be most effective in harnessing parties' private information. Proposing a practical approach to the foundational question of how to allocate and protect legal rights, Optional Law will be applauded by legal scholars and professionals who continue to seek new and better ways of fostering both equitable and efficient legal rules.

Company Law Dec 28 2022 In the US the use of economics has had a dramatic influence on the study of corporate law. This book is the first in the UK to use economics to discuss company law issues. Company Law: Theory, Structure and Operation addresses a series of important questions which have not been analysed in detail elsewhere

Pure Theory of Law May 09 2021 Kelsen, Hans. Pure Theory of Law. Translation from the Second German Edition by Max Knight. Berkeley: University of California Press, 1967. x, 356 pp. Reprinted 2005 by The Lawbook Exchange, Ltd. ISBN 1-58477-578-5. Paperbound. $36.95 * Second revised and enlarged edition, a complete revision of the first edition published in 1934. A landmark in the development of modern jurisprudence, the pure theory of law defines law as a system of coercive norms created by the state that rests on the validity of a generally accepted Grundnorm, or basic norm, such as the supremacy of the Constitution. Entirely self-supporting, it rejects any concept derived from metaphysics, politics, ethics, sociology, or the natural sciences. Beginning with the medieval reception of Roman law, traditional jurisprudence has maintained a dual system of "subjective" law (the rights of a person) and "objective" law (the system of norms). Throughout history this dualism has been a useful tool for putting the law in the service of politics, especially by rulers or dominant political parties. The pure theory of law destroys this dualism by replacing it with a unitary system of objective positive law that is insulated from political manipulation. Possibly the most influential jurisprudent of the twentieth century, Hans Kelsen [1881-1973] was legal adviser to Austria's last emperor and its first republican government, the founder and permanent advisor of the Supreme Constitutional Court of Austria, and the author of Austria's Constitution, which was enacted in 1920, abolished during the Anschluss, and restored in 1945. The author of more than forty books on law and legal philosophy, he is best known for this work and General Theory of Law and State. Also active as a teacher in Europe

and the United States, he was Dean of the Law Faculty of the University of Vienna and taught at the universities of Cologne and Prague, the Institute of International Studies in Geneva, Harvard, Wellesley, the University of California at Berkeley, and the Naval War College.Also available in cloth.

Law and Philosophy Jun 29 2020 Unknown. 940628 (Unknown).

The New Horizon of China's Economic Law Theory Jul 23 2022 This book presents the development and reformation of economic law in China and explores the "three relationships" between the government and market, between reform and rule of law, and between the constitution and economic law. On this basis, it subsequently focuses on development theory, distribution theory, risk theory and crisis theory. Further, it addresses effective development, fair distribution, and prevention and resolution of related risks and crises, which are important functions of economic law. In order to achieve the above functions and objectives, the book argues, we must vigorously promote the integration of rule of law in economic law, and constantly refine the theory of economic rule of law employed in China.The book demonstrates that no matter how the "three major relationships" are adjusted or the relevant systems are reformed – i.e., regarding the implementation of the concept of coordinated development or the optimization of economic structures; the solution of distribution problems or the improvement of distribution systems; the prevention of risks or the response to crises – any such changes depend on economic rule of law. The above-mentioned theoretical discussion presents a "new horizon" of contemporary Chinese economic law theory, which will be of great value to the future development of economic law theory.

Introduction to the Problems of Legal Theory Jul 11 2021 Hans Kelsen is considered to be one of the foremost legal theorists and philosophers of the twentieth century. His writing made an important contribution to many areas, especially those of legal theory and international law. Over a number of decades, he developed an important legal theorywhich found its first complete exposition in Reine Rechtslehre, or Pure Theory of Law, the first edition of which was published in Vienna in 1934. This is the first English translation of that work. It covers such topics as law and morality, the legal system and its hierarchical structure, theidentity of law and state, and international law.

Legal Naturalism Jul 31 2020 Legal Naturalism advances a clear and convincing case that Marx's theory of law is a form of natural law jurisprudence. It explicates both Marx's writings and the idea of natural law, and makes a forceful contribution to current debates on the foundations of law. Olufemi Taiwo argues that embedded in the corpus of Marxist writing is a plausible, adequate, and coherent legal theory. He describes Marx's general concept of law, which he calls "legal naturalism." For Marxism, natural law isn't a permanent verity; it refers to the basic law of a given epoch or social formation which is an essential aspect of its mode of production. Capitalist law is thus natural law in a capitalist society and is politically and morally progressive relative to the laws of preceding social formations. Taiwo emphasizes that these formations are dialectical or dynamic, not merely static, so that the law which is naturally appropriate to a capitalist economy will embody tensions and contradictions that replicate the underlying conflicts of that economy. In addition, he discusses the enactment and reform of "positive law"—law established by government institutions—in a Marxian framework.

Overcoming Law Aug 12 2021 Legal theory must become more factual and empirical and less conceptual and polemical, Richard Posner argues in this wide-ranging new book. The topics covered include the structure and behavior of the legal profession; constitutional theory; gender, sex, and race theories; interdisciplinary approaches to law; the nature of legal reasoning; and legal pragmatism. Posner analyzes, in witty and passionate prose, schools of thought as different as social constructionism and institutional economics, and scholars and judges as different as Bruce Ackerman, Robert Bork, Ronald Dworkin, Catharine MacKinnon, Richard Rorty, and Patricia Williams. He also engages challenging issues in legal theory that range from the motivations and behavior of judges and the role of rhetoric and analogy in law to the rationale for privacy and blackmail law and the regulation of employment contracts. Although written by a sitting judge, the book does not avoid controversy; it contains frank appraisals of radical feminist and race theories, the behavior of the German and British judiciaries in wartime, and the excesses of social constructionist theories of sexual behavior. Throughout, the book is unified by Posner's distinctive stance, which is pragmatist in philosophy, economic in methodology, and liberal (in the sense of John Stuart Mill's liberalism) in politics. Brilliantly written, eschewing jargon and technicalities, it will make a major contribution to the debate about the role of law in our society.

The Structure of Liberty: Justice and the Rule of Law May 21 2022 What is liberty, as opposed to license, and why is it so important? When people pursue happiness, peace and prosperity whilst living in society, they confront pervasive problems of knowledge, interest, and power. These problems are dealt with by ensuring the liberty of the people to pursue their own ends, but addressing these problems also requires that liberty be structured by certain rights and procedures associated with the classical liberal conception of justice and the rule of law. In this controversial new work, Barnett examines the serious social problems that are addressed by liberty and the background or 'natural' rights and procedures that distinguish liberty from license. He goes on to outline the constitutional framework that is needed to protect this structure of liberty. This is the only discussion of the liberal conception of justice and the rule of law to draw upon insights from philosophy, economics, political theory, and law. And, although the book is intended to challenge specialists, its clear and accessible prose ensure that it will be of immense value to both scholars and students working in a range of academic disciplines.

Feminist Legal Theory Nov 22 2019 This book offers powerful analyses of the relationship between law and gender and new understandings of the limits of, and opportunities for, legal reform drawn from the experiences of women and from critical perspectives developed within other disciplines.

Asking the Law Question Nov 03 2020 Essential reading for all those who wish to understand why legal theory is important to legal education, and for those who wish to extend their understanding of this dynamic academic discipline. A variety of perspectives are drawn together including social, literary, feminist and postmodernist theories.

Legal Theory, Political Theory, and Deconstruction Aug 20 2019

Structures of Judicial Decision Making from Legal Formalism to Critical Theory Sep 25 2022 This is a general book on jurisprudence designed for both the novice and more experienced student, which makes it suitable for first-year law students. It is the first book to distinguish and connect traditional theories of judicial decision-making (e.g., legal formalism, textualism, legal realism, and legal process) with “critical process” (which is critical theory transformed from a theory of legal criticism into a theory of judicial decision-making). Brooks breaks new ground on several other fronts as well — he employs an innovative framework that divides judicial decision-making models into the “logical method” and the “policy method;” offers a more nuanced conceptualization of judicial policy-formulation in which judges are seen as not only making policy, but also (and more typically) as discovering and vindicating policy; redefines “ policy-making” in a manner that is different from our traditional understanding of the term; and synthesizes critical process into three judicial models: symmetrical, asymmetrical, and hybrid. The book is written in two parts. Part 1 (Traditional Process) discusses five major traditional judicial models, each reflective of either the logical method or the policy method. Part 1 ends with a synthesis of the traditional models (dividing them into three categories), which judges who have used the book find to be most useful. Part 2 (Critical Process) begins with a discussion of critical theory's central theme and operating elements and then transforms these features into a theory of outsider-oriented judicial decision making, something judges can actually use in deciding cases. Critical theory is thus transformed into “critical process.”

Legality and Community Feb 24 2020 Twenty-three essays from the fields of sociology, legal theory, social theory, and moral philosophy consider the role of basic moral and social commitments, the ideal of legality, the sociology of institutions, and the search for community. Questions surrounding the need for responsive law and governance, the development of humane institutions, and the balance between freedom and communal life are expressly considered. Annotation copyrighted by Book News, Inc., Portland, OR

Corporate Governance Feb 18 2022 This anthology of recent scholarship on corporate governance has been extensively revised and updated. It explores the application of legal doctrine and theory to topical policy issues such as corporate social responsibility, executive compensation, corporate criminality, federalism, and ethical rules for corporate

lawyers. It contains materials on recent developments, including the 2008 financial collapse. The book puts into current context long-running debates on fundamental corporate law issues, such as shareholders' ownership of the corporation, director independence, and management's focus on maximizing share price. The new edition contains a new chapter on creditors and bankruptcy. The book is organized around policy issues rather than the doctrinal areas of the basic law school course. It presents diverse views on each issue through various approaches to analyzing corporate law and incorporating doctrine, law and economics, empirical work; history; and organizational behavior. The book is designed for use as the primary text in a course or seminar in corporate governance, but could also serve as supplemental reading in the basic law school corporations course. It includes questions for classroom discussion or self-directed study. The edited selections are generally longer than in a standard law anthology in order to provide a deeper treatment of the issues.

Living Law Jan 17 2022 Living Law presents a comprehensive overview of relationships between legal and social theory, and of current approaches to the sociological study of legal ideas. It explores the nature of legal theory and sociolegal studies today as teaching and research fields, and the work of many of the major sociolegal theorists. In addition, it sets out the author's distinctive approach to sociological analysis of law, applying this in a range of studies in specific legal fields, such as the law of contract, property and trusts, constitutional analysis, and comparative law.

A Sociological Theory of Law Oct 22 2019 Sociological Approaches to Theories of Law Apr 20 2022 Sociological Approaches to Theories of Law applies empirical insights to examine theories of law proffered by analytical jurisprudents. The topics covered include artifact legal theory, law as a social construction, idealized accounts of the function of law, the dis-embeddeness of legal systems, the purported guidance function of law, the false social efficacy thesis, missteps in the quest to answer 'What is law?', and the relationship between empiricism and analytical jurisprudence. The analysis shows that on a number of central issues analytical jurisprudents assert positions inconsistent with the social reality of law. Woven throughout the text, the author presents a theoretically and empirically informed account of law as a social institution. The overarching theme is that philosophical claims about the nature of law can be tested and improved through greater empirical input.

Lawyers Making Meaning Oct 02 2020 This book present a structure for understanding and exploring the semiotic character of law and law systems. Cultivating a deep understanding for the ways in which lawyers make meaning—the way in which they help make the world and are made, in turn by the world they create —can provide a basis for consciously engaging in the work of the law and in the production of meaning. The book first introduces the reader to the idea of semiotics in general and legal semiotics in particular, as well as to the major actors and shapers of the field, and to the heart of the matter: signs. The second part studies the development of the strains of thinking that together now define semiotics, with attention being paid to the pragmatics, psychology and language of legal semiotics. A third part examines the link between legal theory and semiotics, the practice of law, the critical legal studies movement in the USA, the semiotics of politics and structuralism. The last part of the book ties the different strands of legal semiotics together, and closely looks at semiotics in the lawyer’s toolkit—such as: text, name and meaning.

Summary of Raymond Wacks's Philosophy of Law Apr 27 2020 Please note: This is a companion version & not the original book. Sample Book Insights: #1 Moral questions pervade our lives, and they are the basis of political and legal debate. The revival of natural law theory suggests that we have not come any closer to resolving ethical problems over the centuries. #2 Natural Law and Natural Rights are two different things. Natural Law is the philosophy of natural law, and it is the most comprehensive expression of Christian doctrine on the subject. It was developed by the Romans, and it was largely developed by the Catholic Church. #3 The idea that laws must be in line with natural or divine law is known as lex iniusta non est lex. It was first stated by St. Augustine, and was popularized by Aquinas. It states that a law that fails to conform to natural or divine law is not a law at all. #4 Aquinas is associated with a conservative view of natural law. However, the principles of natural law have been used to justify revolutions, especially the American and French, on the grounds that the law infringed individuals’ natural rights.

Closure Or Critique Mar 27 2020 "Can law be understood as a closed, self-sustaining system of rules? Can it claim a measure of autonomy from broader social political and economic forces or is it always reducible to such forces? Is any claim to autonomy false, perhaps designed to legitimise the existing social order? Is law based upon moral foundations or are ethical considerations deeply disruptive of it? Questions of legal and moral closure and of the critique of law's foundations and possibilities lie at the heart of crucial claims about the nature and value of law in modern Western societies. Closure or Critique addresses them from a variety of Modern and Postmodern positions central to current legal thought with a ground-breaking collection of essays from leading academics. Bringing together a variety of diverse perspectives, and encouraging a dialogue between approaches to law that are frequently seen as simply at odds with each other, Closure or Critique will be of interest both to the advanced reader seeking new work at the cutting edge, and to the first time student requiring an overview of legal theory today."--BOOK JACKET.Title Summary field provided by Blackwell North America, Inc. All Rights Reserved

Law's Community Oct 14 2021 Law's Community offers a distinctive analysis of law, identifying political and moral problems that are fundamental to contemporary legal theory. It portrays contemporary law as institutionalized doctrine, emphasizing ways in which legal modes of thought influence wider currents ofunderstanding and belief in contemporary Western societies. Exploring relationships between law and sociology as contrasting and competing fields of knowledge, Law's Community develops ideas from social theory to identify key problems for legal development; in particular, those of restoring moralauthority to law and of elaborating a concept of community that can guide legal regulation. The analysis leads to radical conclusions: among them, that law's functions need reconsideration at the most general level, that a unitary state legal system as portrayed in traditional kinds of legal theorymay no longer be adequate in complex contemporary societies, and that law should be reconceptualized as a diverse but co-ordinated plurality of systems, sites, and forms of regulation.

The Architecture of Law Jun 22 2022 This book argues that classical natural law jurisprudence provides a superior answer to the questions “What is law?” and “How should law be made?” rather than those provided by legal positivism and “new” natural law theories. What is law? How should law be made? Using St. Thomas Aquinas’s analogy of God as an architect, Brian McCall argues that classical natural law jurisprudence provides an answer to these questions far superior to those provided by legal positivism or the “new” natural law theories. The Architecture of Law explores the metaphor of law as an architectural building project, with eternal law as the foundation, natural law as the frame, divine law as the guidance provided by the architect, and human law as the provider of the defining details and ornamentation. Classical jurisprudence is presented as a synthesis of the work of the greatest minds of antiquity and the medieval period, including Cicero, Artistotle, Gratian, Augustine, and Aquinas; the significant texts of each receive detailed exposition in these pages. Along with McCall’s development of the architectural image, he raises a question that becomes a running theme throughout the book: To what extent does one need to know God to accept and understand natural law jurisprudence, given its foundational premise that all authority comes from God? The separation of the study of law from knowledge of theology and morality, McCall argues, only results in the impoverishment of our understanding of law. He concludes that they must be reunited in order for jurisprudence to flourish. This book will appeal to academics, students in law, philosophy, and theology, and to all those interested in legal or political philosophy.

Administrative Law Theory and Fundamentals Mar 07 2021 CasebookPlus Hardbound - New, hardbound print book includes lifetime digital access to an eBook, with the ability to highlight and take notes, and 12-month access to a digital Learning Library that includes self-assessment quizzes tied to this book, leading study aids, an outline starter, and Gilbert Law Dictionary.

Learning Legal Rules Feb 06 2021 Among the many new skills law students have to acquire, using legal method and solving legal problems are possibly the most important. Yet all too often these legal skills are ignored, and it is assumed that students will acquire them as they progress through their course. Learning Legal Rules brings together the theory, structure, and practice of legal reasoning in a readily accessible style. The book explains how to uncover and exploit the mysteries of legal

materials. This is then used to draw the student into the techniques of legal analysis and argument and the operation of precedent and statutory interpretation. Throughout the book the authors also examine the importance of human rights and the permeating influence of EC. Online Resource Centre Lecturer resources Test bank - a ready-made electronic testing resource which can be customised to your teaching needs feedback Seminar problems - additional seminar exercises to support teaching VLE Content Student resources Gudiance on answering legal problems - working examples of how a lawyer has to approach the material available Guidance on essay writing - supplements the materials available in chapters 2 and 3 Self-test questions - enables students to test their knowledge of issues covered in the book Web links - links to other useful websites Guidance notes on statutory interpretation and case law analysis - an exercise combining elements of case law analysis, reading statutes and statutory interpretation

Law without Force Jan 05 2021 Law Without Force is a landmark in political and social philosophy. It proposes nothing less than a completely new basis for international law. As relevant today as when it was first published nearly sixty years ago, it commands the attention of all concerned with what the future may bring to the law of nations. The great scope of Niemeyer's undertaking draws respect even from those who disagree with his challenging analysis of the historical past and his suggestions for the future of international law. In his new introduction, Michael Henry observes that Law Without Force provides us with a foundation of Niemeyer's thinking. Published in 1941, when Hitler was swallowing up Europe, this volume shows how a first-rate mind grappled with a legal, historical, social, and ultimately metaphysical problem. It provides in detail the reasoning behind Niemeyer's rejection of a foreign policy based on morality and his distinction between authoritarian and totalitarian governments; and it provides us with the first stage of his lengthy and prodigious effort to understand "this terrible century." It is a book that no serious student of Niemeyer can afford to ignore. At the very heart of the author's vigorous discussion may be found his rejection of a moral basis for international law and his suggestion that a functional basis should be substituted for it. The book incisively reviews the relation between traditional international law and the changing structure of international politics concluding that the traditional system of law has operated as an agency of disharmony and conflict. After an investigation of the traditional legal system, the author then asks, "What type of law fits the social structure of this modern world?" The answers are presented in the last part of the book, as Neimeyer offers his case for a functional system of law, divorced from moral exhortations or appeals to shattered authority. Philosophy, sociology, and legal theory are brilliantly interwoven in this volume, which will engage serious readers interested in political and social theory.

Company Law Oct 26 2022 This book advances a real entity theory of company law, in which the company is a legal entity which acts autonomously in law, and company law establishes procedures facilitating autonomous organisational decision-making. The theory builds on the insight that organisations or firms are a social phenomenon outside of the law and that these are autonomous actors in their own right. They are more than the sum of the contributions of their participants and they act independently of the views and interests of their participants. This occurs because human beings change their behaviour when they act as members of a group or an organisation; in a group we tend to develop and conform to a shared standard, and when we act in organisations habits, routines, processes, and procedures form and a culture emerges. These take on a life of their own affecting the behaviour of the participants. Participants can affect organisational behaviour but this takes time and effort. Company law finds this phenomenon and supplies it with a structure supporting autonomous action by organisations. The real entity theory advanced in this book explains company law as it stands at a positive level. Legal personality overcomes the problems that organisations are social rather than brute facts and that there is no unique physical manifestation permanently associated with an organisation. The corporate constitution is not a contract - it is best characterised as an instrument adopted on a statutory basis through private action. Shareholders cannot limit the capacity of companies or the authority of the board to bind the company in contract and companies are liable in tort and crime. The statute creates roles for shareholders, directors, a company secretary, and auditors and so facilitates a process leading to organisational action. The law also integrates the interests of creditors and stakeholders.

The Semiotics of Law in Legal Education Dec 24 2019 This book offers educational experiences, including reflections and the resulting essays, from the Roberta Kevelson Seminar on Law and Semiotics held during 2008 – 2011 at Penn State University’s Dickinson School of Law. The texts address educational aspects of law that require attention and that also are issues in traditional jurisprudence and legal theory. The book introduces education in legal semiotics as it evolves in a legal curriculum. Specific semiotic concepts, such as “sign”, “symbol” or “legal language,” demonstrate how a lawyer’s professionally important tasks of name-giving and meaning-giving are seldom completely understood by lawyers or laypeople. These concepts require analyses of considerable depth to understand the expressiveness of these legal names and meanings, and to understand how lawyers can “say the law,” or urge such a saying correctly and effectively in the context of a natural language that is understandable to all of us. The book brings together the structure of the Seminar, its foundational philosophical problems, the specifics of legal history, and the semiotics of the legal system with specific themes such as gender, family law, and business law.

Hans Kelsen's Pure Theory of Law Dec 04 2020 By showing how Kelsen's theory of law works alongside his political philosophy, the book shows the Pure Theory to be part of a wider attempt to understand how political power can be legitimately exercised in pluralist societies.

Methodology of Criminal Law Theory: Art, Politics or Science? Jan 25 2020 In dem Band wird erörtert, ob die Strafrechtstheorie (bzw. die allgemeine Rechtstheorie) als ein Zweig der Wissenschaft angesehen werden kann. Dabei werden folgende Fragen behandelt: In welchem Sinne ist die Strafrechtslehre eine Form der Wissenschaft? Kann es systemische Entwicklungen in der Strafrechtstheorie geben? Die Frage nach dem Wesen der strafrechtlichen Erkenntnis ist eng verknüpft mit der Frage, was Rechtswissenschaft im Allgemeinen ausmacht. Eine Diskussion im Bereich des Strafrechts kann einen Beitrag zur allgemeinen Diskussion in der Rechtstheorie leisten und deutlich machen, wo die Strafrechtstheorie steht, wenn die juristische Forschung mit den Herausforderungen der Interdisziplinarität konfrontiert wird. Mit Beiträgen von Petter Asp, Thomas Elholm, Liang Genlin, Luís Greco, Eric Hilgendorf, Jørn Jacobsen, Heike Jung, Massimiliano Lanzi, Shin Matsuzawa, Kimmo Nuotio und Michael Pawlik.

Prospects of Legal Semiotics Sep 20 2019 This book examines the progress to date in the many facets – conceptual, epistemological and methodological - of the field of legal semiotics. It reflects the fulfilment of the promise of legal semiotics when used to explore the law, its processes and interpretation. This study in Legal Semiotics brings together the theory, structure and practise of legal semiotics in an accessible style. The book introduces the concepts of legal semiotics and offers an insight in contemporary and future directions which the semiotics of law is going to take. A theoretical and practical oriented synthesis of the historical, contemporary and most recent ideas pertaining to legal semiotics, the book will be of interest to scholars and researchers in law and social sciences , as well as those who are interested in the interdisciplinary dynamics of law and semiotics.

The Choice Theory of Contracts Sep 01 2020 The Choice Theory of Contracts is an engaging landmark that shows, for the first time, how freedom matters to contract.

Right, Power, and Faquanism Apr 08 2021 In Right, Power, and Faquanism, Tong Zhiwei proposes that right and power are ultimately a unified entity named faquan, and that the purpose of law should be to establish a balanced faquan structure and to promote its preservation and proliferation.

New Private Law Theory Mar 19 2022 New Private Law Theory is pluralist, comparative, application-oriented, transnational and reflects critical approaches.