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Aside from these core chapters, the book begins with a historical overview of German legal philosophy, and a second chapter that surveys other philosophies that don't meet all three



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criteria (e.g., Kantian, Aristotelian, law and economics, integrative jurisprudence, etc.); it concludes with a very interesting chapter highlighting what the ...

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Montgomery. t. Abstract This  
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between modern jurisprudence  
(philosophy of law) and

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contemporary theology. Our thesis is that remarkably similar developmental patterns exist in

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Herget was the author of several books and numerous legal articles. In a review of his book "Contemporary German Legal Philosophy," Donald P. Kommers of the University of Notre Dame wrote: "Herget has scoured

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University of Pennsylvania  
Press, 1996. - 155 p. 10.

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(1996). Hastings Int'l & Comp. L. Rev. out what the law is, frequently even before it is tackled by a court. U.S.-style legal scholarship is often considered very alien, and law and ...

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Lampe, Ernst-Joachim,  
Rechtsanthropologie Heute  
(Legal Anthropology Today),  
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Sozialanthropologie (Special Edition 44) 222, 232 (1991),  
quoted in Herget, James E.,  
Contemporary German Legal  
Philosophy (Univ. Pa. Press  
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Contemporary German Legal Philosophy makes the major schools of thought in German legal scholarship since World War II available to an English-speaking audience.

This book presents the

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theory of the validity of legal norms, aimed at the practice of law, in particular the jurisdiction of the constitutional courts. The postpositivist concept of the validity of statutory law, grounded on a

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critical analysis of the basic theories of legal validity elaborated up to now, is introduced. In the first part of the book a contemporary German nonpositivist conception of law developed by Ralf Dreier

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legal validity and an  
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juristic presumption of the  
validity of legal norms, are  
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Herbert James,  
postpositivist, detached  
point of view.

A Treatise of Legal  
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philosophy and general jurisprudence, from both a theoretical and a historical perspective. The work is aimed at jurists as well as legal and practical philosophers. Edited by the renowned theorist Enrico



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Pattaro and his team, this book is a classical reference work that would be of great interest to legal and practical philosophers as well as to jurists and legal scholar at all levels. The work is divided in two

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parts. The theoretical part (published in 2005), consisting of five volumes, covers the main topics of the contemporary debate; the historical part, consisting of six volumes (Volumes 6–8 published in 2007; Volumes 9

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and 10, published in 2009;  
Volume 11 published in 2011  
and Volume 12 forthcoming in  
2016), accounts for the  
development of legal thought  
from ancient Greek times  
through the twentieth  
century. Volume 12 Legal

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Philosophy in the Twentieth  
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Jurisprudence, titled Legal  
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Herbert James  
Postema's volume 11 (titled  
Legal Philosophy in the  
Twentieth Century: The  
Common Law World), and it  
offers the first  
comprehensive account of the  
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Legal philosophy has undergone in continental Europe and Latin America since 1900. In this volume, leading international scholars from the different language areas making up the civil-law world give an

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account of the way legal philosophy has evolved in these areas in the 20th century, the outcome being an overall mosaic of civil-law legal philosophy in this arc of time. Further, specialists in the field

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Describe the development that legal philosophy has undergone in the 20th century by focusing on three of its main subjects—namely, legal positivism, natural-law theory, and the theory of legal reasoning—and



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discussing the different conceptions that have been put forward under these labels. The layout of the volume is meant to frame historical analysis with a view to the contemporary theoretical debate, thus

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What does it mean when civil lawyers and common lawyers think differently? In *Charting the Divide between Common and Civil Law*, Thomas Lundmark provides a comprehensive introduction

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to the uses, purposes, and  
approaches to studying civil  
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Superbly organized and  
exhaustively written, this  
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jurisdictions of Germany,

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Herzog, James  
Sweden, England and Wales,  
and the United States, and  
includes a discussion of  
each country's legal issues,  
structure, and general  
rules. Students of  
international law,  
comparative law, social

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philosophy, and legal theory  
will find this volume a  
valuable introduction and  
companion to their courses.

Based on a symposium held at

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New College, Oxford in  
September 2008.

This book critically engages  
Jürgen Habermas's  
comprehensive vision of  
constitutional democracy in  
the European Union. John P.

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McCormick draws on the writings of Max Weber (and Habermas's own critique of them) to confront the difficulty of theorizing progressive politics during moments of radical state transformation. Both



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theorists employ normative and empirical categories, drawn from earlier historical epochs, to analyze contemporary structural transformations: Weber evaluated the emergence of the Sozialstaat

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with antedated categories derived from nineteenth-century and premodern historical examples; while Habermas understands the EU almost exclusively in terms of the liberal (Rechtsstaat) and welfare state

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(Sozialstaat) paradigms.  
Largely forsaking the focus  
on structural transformation  
that characterized his early  
work, Habermas  
conceptualizes the EU as a  
territorially expanded  
nation-state. McCormick

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demonstrates the deficiencies of such an approach and outlines a more appropriate normative-empirical model, the supranational Sektoralstaat, for evaluating prospects for constitutional and social

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democracy in the EU.

The nature and role of positive law has largely been neglected in recent Protestant theology and social ethics. Modern Protestantism and Positive

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Herget James and  
critically summarizes a  
tradition in Continental  
Protestant thought about  
human law, drawing on  
writings of Barth, Brunner,  
Ellul, Thielicke, Wolf,  
Pannenberg, Huber, and Kreß,

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Many of which have not been translated into English. The book argues that law is an essential political and social institution within developed societies, one that is normative and dependent on an encompassing

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vision of justice but that also necessarily reflects the contemporary pluralism of those societies. Modern Protestantism and Positive Law argues that theological and ethical perspectives on positive law developed by



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Protestant thinkers have a place in reflection on positive law, provided they are conceived and expressed in a manner appropriately respectful of the diversity of contemporary opinion regarding the expression of

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religious perspectives in  
the public arena.

New Private Law Theory opens  
a new pathway to private law  
theory through a pluralistic  
approach. Such a theory  
needs a broad and stable

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foundation, which the authors have built here through a canon of nearly seventy texts of reference. This book brings these different texts from different disciplines into conversation with each

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other, grouping them around central questions of private law and at the same time integrating them with the legal doctrinal analysis of example cases. This book will be accessible to both experienced and early career

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scholars working on private  
law.

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Wood presents his ground  
breaking history of Islamic  
revivalist thought in

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Islamic legal consciousness during the nineteenth and early twentieth centuries. It tells the story of the rapid displacement of local Egyptian and Islamic law by transplanted European codes and details the evolution of

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resultant movements to  
revive Islamic law. Islamic  
legal revivalist movements  
strove to develop a modern  
version of Islamic law that  
could be codified and would  
replace newly imposed  
European laws. Wood explains



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in unparalleled depth and with nuance how cutting-edge trends in European legal scholarship inspired influential revivalists and informed their methods in legal thought. Timely and provocative, Islamic Legal

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Herget tells of the rich achievements of legal experts in Egypt who disrupted tradition in Islamic jurisprudence and created new approaches to Islamic law that were distinctively responsive to

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