

Taking Sides Clashing Views On Legal Issues 15th Edition

Legal Method and the Rule of Law Judges and Adjudication in Constitutional Democracies: A View from Legal Realism Global Perspectives on Income Taxation Law The Concept of Law from a Transnational Perspective Anyone Who Has a View Legal Regulation of Corporate Social Responsibility UGC NET Paper 2 Law Chapterwise Question Bank | Solved Questions with Detailed Explanations | Based on New Exam Pattern The Law Reports Legal and Ethical Perspectives in Health Care American Law The Law Times Law and Politics The Law Magazine and Review Reports of Cases at Law and in Chancery Argued and Determined in the Supreme Court of Illinois Radical Critiques of the Law The American Law Review The Legal Sunday European Legal Cultures in Transition The Albany Law Journal The Law Journal Sebastián Urbina Pierluigi Chiassoni Reuven Avi-Yonah Detlef von Daniels F.H. van Eemeren Mia Mahmudur Rahim Nodia Raymond S. Edge James De Witt Andrews Mauro Zamboni Illinois. Supreme Court Stephen M. Griffin James Trapier Ringgold Åse B. Grødeland

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we cannot see the world as it is because we face it in a contaminated vein that is our conceptual scheme and biological constitution condition our world view the legal normative world we are dealing with has some special features like the primacy of practical reason over theoretical reason and the primacy of the internal

point of view over the external point of view although it is not a feature of all legal traditions legal dogmatics is a privileged way of knowing legal normative object that is our legal orders but we are not undertaking as legal scholars an empiricist enterprise because among other reasons we are not interested in the reality in itself but in the relevant reality at least for us in this respect we do not only depend on theories like physicists but also on legal authoritative sources that is power and legitimacy legal scholars and other participants in the legal life are not neutral observers of their own world trying to discover some hidden truth they are committed experts trying to describe justify and improve the legal order

the book offers contributions to a philosophical and realistic approach to the place of adjudication in contemporary constitutional democracies bringing together scholars from different legal and philosophical backgrounds the book purports to cast light on the roles of judges and the function of judicial interpretation inside of constitutional states from the standpoint of legal realism as a revisited and sophisticated jurisprudential outlook in so doing the book also copes with a few major jurisprudential issues like e.g. determining the ideas that make up the core of legal realism exploring the relation between legal realism and legal positivism identifying the boundaries of judicial interpretation as they appear from a realist standpoint as well as considering some skeptical outlooks on the very claims of contemporary legal realism

in global perspectives on income taxation law reuven avi yonah nicola sartori and omri marian cover basic corporate and international tax law from a comparative perspective the book both supplements readings in us tax law courses and serves as a textbook for a comparative tax law class the book starts with a theoretical analysis of the field of comparative tax law it then follows the usual order of topics covered in a basic tax course as taught in most u.s. law schools and for each topic the authors highlight possible alternatives or policy choices the authors frequently consider the u.s. approach as a benchmark comparing it with approaches used in other countries which form an interesting contrast or a telling similarity they consider the multiple purposes of studying comparative tax law helping to advance successful tax reforms cultural understanding political values legal harmonization and a better understanding of domestic tax laws

this book brings together the fruits of different traditions in legal philosophy and draws on them to develop a systematic thesis on the concept of law the work uses a legal model to explore the underlying question of how the current phenomena of transnational law are best understood in combination with an examination of the traditions of jürgen habermas's critical theory and h.l.a. hart's analytic jurisprudence this leads the author to conclude that the key to a fruitful dialogue and

comprehensive understanding is to appreciate that the concept of law is not state centered and must reflect relationships to other legal systems

this volume of the argumentation library contains a collection of twenty six theoretical contributions to the study of argumentation together they provide an overview of recent developments in the theory of argumentation which does justice to the theoretical variety in the field in anyone who has a view the subject of argumentation is approached from different angles both the formal and informal logical approaches and the rhetorical and communicative approaches are represented in various ways we are convinced that the collection of essays as a whole will be of interest not only to those engaged directly in the study of argumentation but also to scholars from a variety of disciplines who are interested in the recent developments in this field the book opens with an essay by the informal logician robert c pinto for all the differences between them james b freeman harvey siegel ralph h johnson hans v hansen and j anthony blair are also prominent members of that movement some informal logicians either eschew or simply do not use formal methods in their approach to argumentation while others such as david hitchcock use both formal and informal methods erik c w krabbe is a logician who proudly defends a formal dialectical approach to argumentation daniel h cohen frans h van eemeren peter houtlosser fred j kauffeld c scott jacobs christian kock christian plantin sorin stati chris reed douglas n

even though corporate social responsibility csr has become a widely accepted concept promoted by different stakeholders business corporations internal strategies known as corporate self regulation in most of the weak economies respond poorly to this responsibility major laws relating to corporate regulation and responsibilities of these economies do not possess adequate ongoing influence to insist on corporate self regulation to create a socially responsible corporate culture this book describes how the laws relating to csr could contribute to the inclusion of csr principles at the core of the corporate self regulation of these economies in general without being intrusive in normal business practice it formulates a meta regulation approach to law particularly by converging patterns of private ordering and state control in contemporary corporate law from the perspective of a weak economy it proposes that this approach is suitable for alleviating regulators limited access to information and expertise inherent limitations of prescriptive rules ensuring corporate commitment and enhance the self regulatory capacity of companies this book describes various meta regulation strategies for laws to link social values to economic incentives and disincentives and to indirectly influence companies to incorporate csr principles at the core of their self regulation strategies it investigates this phenomenon using bangladesh as a case study

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this new book integrates the legal and ethical aspects of healthcare practice it presents a clear and comprehensive overview of topics relevant to a variety of allied health disciplines

politics and the political discourse occupy a central position in the modern legal theoretical discussion the goal of this book is to reconstruct and to classify according to ideal typical models the different positions taken by the major contemporary legal theories as to whether and how law relates to politics in particular attention is focused on kelsen hart finnis critical legal studies law and economics and legal realisms though reaching different conclusions these major legal theories have some common points of departure as to the law and politics issue law and politics tend to keep the features of being two different phenomena as well as of presenting regions of interaction although with differences as to extent and intensity finally a possible explanation is presented as to why such different legal theories though often reaching diametric results somehow must still begin from these common basic points the explanation for this is found in the specific character of law in the modern state and the welfare state in particular

the past two decades have seen an outpouring of work in legal theory that is self consciously critical of aspects of american law and the institutions of the liberal state in this lively volume eminent scholars in philosophy law and political science respond to this recent scholarship by exploring what constitutes a radical critique of the law examining such theories as critical legal studies feminist theory and theories of difference and critical race theory the authors consider whether the critiques advanced in recent legal theory can truly be called radical and what form a radical critique of american law should take writing at the cutting edge of the critique of critical legal theory they offer insights first on critical legal scholarship then on feminist political and legal theory a third group of contributions questions

the radicalness of these approaches in light of their failure to challenge fundamental aspects of liberalism while a final section focuses on current issues of legal reform through critical views on criminal punishment including observations on rape and hate speech each major essay describes the underlying principles in the development of a radical legal theory and addresses unresolved questions relating to it while accompanying commentaries present conflicting views the resulting dialogue explores wide ranging issues like equity value relativism adversarial and empathic legal advocacy communitarianism and the social contract impartiality and contingency natural law and corrective justice a common thread for many of the articles is a focus on the social dimension of society and law which finds the individualism of prevailing liberal theories too limiting radical critiques of the law is particularly unique in presenting critical and feminist approaches in one volume along with skeptical commentary about just how radical some critiques really are proposing alternative critiques that embody considerably greater promise of being truly radical it offers provocative reading for both philosophers and legal scholars by showing that many claims to radicalism are highly problematic at best

are national legal cultures in europe converging or diverging as a result of the pressures of european legal integration Åse b grødeland and william I miller address this question by exploring the attitudes and perceptions of the general public and law professionals in five european countries england norway bulgaria poland and the ukraine presenting new findings they challenge the established view that ordinary citizens and people working professionally with the law have different legal cultures their research in fact reveals that the attitudes of citizens in eastern and western europe towards law in principle are remarkably similar whereas perceptions of law in practice differ by country and often correlate with gdp per capita and country ranking in rule of law indices grødeland and miller s innovative methodological approach will appeal to both experts and non experts with an interest in legal culture european integration or european elite and public opinion

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