

In The Name Of The Law Collapse Of Criminal Justice

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The Failure of Labor Law--a Betrayal of American Workers
Juristic Concept of the Validity of Statutory Law
Politics, Postmodernity, and Critical Legal Studies
Chinese Legal Family
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The Law Times
A History of English Law
The American Who's who in Law
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United States. Congress. House. Committee on Education and Labor. Subcommittee on Labor-Management Relations
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this book is a large scale historical reconstruction of liberal legalism from its inception in the mid nineteenth century the moment in which the jurists forged the alliance between political liberalism and legal expertise embodied in classical private law doctrine to the contemporary anxiety about the possibility of both a liberal solution to the problem of political justification and of law as a respectable form of expert knowledge each stage in the history is a moment of synthesis between a

substantive and a methodological idea the former is the liberal political theory of the period purporting to provide a solution to the problem of political justification the latter is a conception of legal method or science supposedly vindicating the access of the expert to the political choices embodied in the law thus each moment in the history of liberal legalism integrates a political theory with a jurisprudential conception although it reaches the unsettling conclusion that liberal legalism has largely failed by its own standards the book urges us to avoid quietism scepticism or cynicism in the hope that a deeper understanding of the fragility of our values and institutions inspires a more thoughtful broadminded and nurtured citizenship

this book presents the 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 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 and robert alexy is analysed in order to answer the question whether the juristic concept of legal validity should include moral standards or criteria in the second part a postpositivist concept of legal validity and an innovative model of validity discourse based on the juristic presumption of the validity of legal norms are proposed the book is a work on analytical legal theory written from a postpositivist detached point of view

this is a unique guide to one of the most exciting developments within contemporary jurisprudence it systematically applies a critical philosophy to the substance of common law overviewing its politics and cultural significance

this book primarily focuses on the origin essence characteristics and fundamental content of the chinese legal family the development of the laws as they were instituted in china and other countries in the chinese legal family such as japan korea and vietnam the impact and the historical status of the chinese legal family the present version is the english translation completed under the translation project of chinese academic works sponsored by the chinese fund for the humanities and social sciences with some sections abbreviated the book s target audience primarily falls into two categories those interested in traditional chinese legal culture and the legal cultures of east asian countries such as japan korea and vietnam and those who wish to conduct further in depth research on the legal concepts legal systems legal institutions legal procedures legal education and legal research of china and east asian countries as well as their characteristics and essence

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law course ph d studium language english abstract in this thesis a comprehensive discussion of the current immigration and deportation systems of both japan and austria provides the basis for qualitative and quantitative comparisons the first section explains the basic methodology the idea of comparative public law and respective international regimes that influence the alien law in either or both countries in the second part the immigration system of both austria and japan are explained in considerable detail introducing only high profile case law though including new legislation introduced in most recent years the system of residence titles in both countries is discussed with reference to particular group of immigrants such as family members of already residing foreign nationals work related immigration short term and long term visitors an overview of the respective organization of the immigration control administration is provided before the last chapter of part two compares the immigration laws of both countries the quantitative comparison employs extends and adjusts the quantitative index for the integration of immigrants by h waldrauch associated also with the work of prof u davey part three is extensively discusses the system of termination of stay in both countries this also includes the newly introduced 2004 revocation of residence titles zairyō shikaku no torikeshi and the departure order shukkoku meirei on the japanese side and the new system of residence bans aufenthaltsverbote etc on the austrian side 2005 this part also features 1 detailed case law on both systems for japan particularly in regard to the special residence permit 2 a short explanation of detention facilities and detention related problems 3 a discussion of problems inhe

law in civil society advances a new and comprehensive theory of how legal institutions should be reformed to uphold the property family and economic rights of individuals in civil society in so doing it offers a powerful challenge to the dominant legal theories and practices espoused by liberalism positivism natural law and critical legal thought winfield argues against the prevailing assumptions of legal philosophers who dogmatically embrace formal or historical conceptions of law true law he contends must be constructed within the context of the different spheres of rights and ultimately can only exist within a civil society committed to self determination and community working from these fundamental premises he analyzes in detail a rich array of important legal issues fair access to legal representation the rationale for jury trials appropriate distinctions between civil and criminal legal procedures the controversies pitting common law versus codification and adversarial versus inquisitorial systems of trial and the relationship between civil society and the state much inspired by hegel s philosophy of right winfield s study offers the most convincing critique yet of that renowned philosopher s work and in the process provides a more complete and coherent conception of law than hegel

himself articulated provocative and highly instructive the book should attract scholars teachers and students in legal and political philosophy and anyone else with an abiding interest in the foundations of western law

in a wide ranging study based on legal history political theory and philosophical ideas going all the way back to plato and roman law robert clinton challenges current faith in an activist judiciary claiming that a human centered constitution leads to government by reductive moral theory and illegitimate judicial review he advocates a return to traditional jurisprudence and a god centered constitution grounded in english common law and its precedents

this excellent collection of topically organized articles with chapter introductions cases for further reflection and end of chapter glossaries provides an accessible yet philosophically honest and balanced introduction to the philosophy of law

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