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Jurisprudence and Legal TheoryCentral Issues in JurisprudenceA Systematic View of the

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la 4e de couverture indique central issues in jurisprudence is a clear introduction to the major theories and arguments which currently dominate discussion in jurisprudence the work enables readers to read the original writers with a real understanding of how the theories relate to each other and how these theories cluster around certain fundamental issues combining lucid exposition with commentary the author provides a penetrating analysis of each theory examined and a deep understanding of the problems addressed

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the book that launched the german historical school of jurisprudence written in the wake of the napoleonic wars and the congress of vienna the vocation proposed a common legal code for the newly liberated german states and attacked thibaut s advocacy of a code based on natural law though he aimed in part to improve the administration of justice savigny hoped that a common legal system would promote a larger goal a spirit of unity among germans frederick carl von savigny 1779 1861 was an

important german jurist and scholar of roman law a principal member of the historical school of jurisprudence he had a keen interest in its role in the subsequent development of european law he is known for the influential von savigny s treatise on possession or the jus possessionis of the civil law 1803 and his system of modern roman law 1840 1849 an eight volume study of contemporary legal systems derived on roman law contents i introduction ii origin of positive law iii legislative provisions and law books iv roman law v civil law in germany vi our vocation for legislation vii the three new codes viii what we are to do where there are no codes ix what is to be done where codes exist already x general observations xi thibaut s proposal xii conclusion appendix i appendix ii

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title on spine the principles of jurisprudence

this book establishes legisprudence in contrast to jurisprudence as a legal theory of rational law making it suggests that by rejecting the common wisdom about the nature of political law making legislation could be improved and streamlined using the methods theoretical insights and tools of current legal theory and philosophy of law in a new way the book suggests the creation of law by legislators rather than government raising new questions and problems of the validity of norms the book opens a new perspective on legitimacy of norms their meaning and the structure of the legal system in distinguishing legitimacy and legitimation of law the book ventures into the philosophical roots of legal theory and suggests the articulation of a new conception of sovereignty in shifting the emphasis to the position of the legislator and legislation this book opens a number of new insights into the relationship between legislative problems and legal theory its main claim is that legislation should be justified by the legislator

jurisprudence is the basis of all law jurisprudence is the living science of law jurisprudence deals with the knowledge of the law and legal principles as it is the basis of law it is necessary to reach students it is solid foundation of knowledge and it also includes critical understanding jurisprudence and legal theory author has taught jurisprudence for many years author has tried to reach students in easy language

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