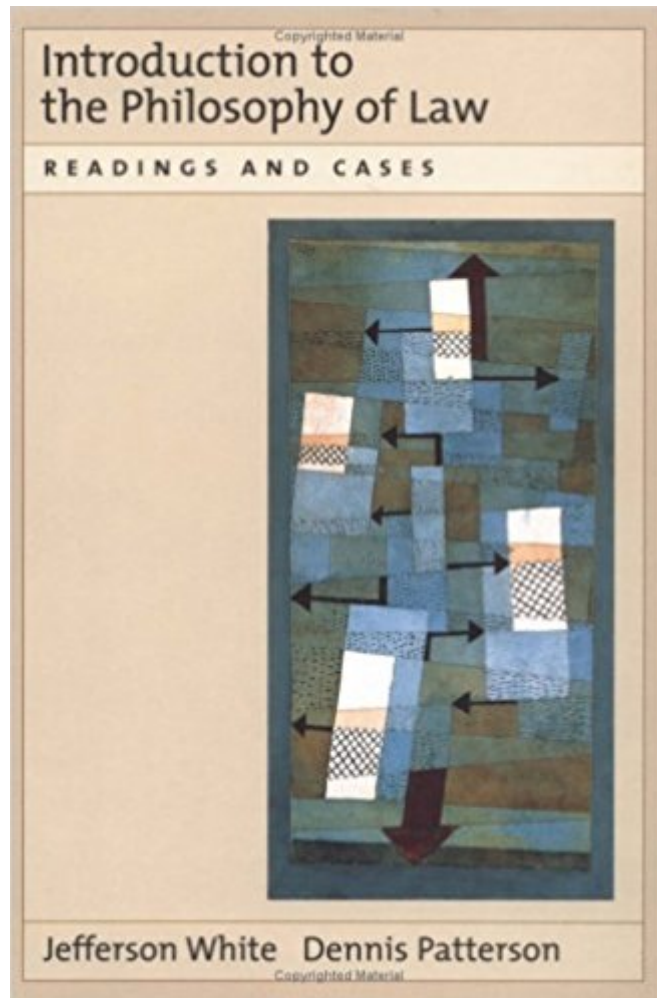




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Introduction To The Philosophy Of Law: Readings And Cases



Synopsis

Introduction to the Philosophy of Law: Readings and Cases employs a combination of case-based and theory-based materials to show novices in the field how the philosophy of law is related to concrete and actual legal practice. Ideal for undergraduates, it engages their curiosity about the law without sacrificing philosophical content. The authors emphasize a command of legal concepts and doctrine as a prelude to philosophical analysis. Designed to acquaint students with the fundamentals of jurisprudence and legal theory, Part I of the book includes readings from influential philosophers representing eight different types of jurisprudence: natural law theory, positivism, constructivism, consequentialism, critical legal studies, feminist theory, practice theory, and new natural law theory. In Part II, the authors present a variety of cases that allow students to apply the theories in Part I to the actual practice of law. Unlike similar texts, which focus primarily on public law, this unique book addresses both private and public law, and includes cases on statutory interpretation, contract law, and tort law. Brief essays precede and discussion questions follow each case. Introduction to the Philosophy of Law: Readings and Cases serves as an exceptional text for courses in the philosophy of law, jurisprudence, and legal theory.

Book Information

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Customer Reviews

"This is the book I've been waiting for! A collaboration between a philosopher (White) and a legal scholar (Patterson), it contains both readings (classical and contemporary) and cases. All of the main theories of the nature of law are represented, from natural law and positivism (the stalwarts) to constructivism (Dworkin), consequentialism (Posner), critical legal studies, and feminist and the

'new' natural-law theory (Finnis), for a total of eight legal philosophies. Unlike other introductory textbooks, this one includes cases in statutory interpretation and private law(contract and tort) as well as public law. Students and instructors will love this book."--Keith Burgess-Jackson, The University of Texas at Arlington"An excellent collection of materials on the single most important question in legal philosophy: What are the criteria by which we can settle the question of whether something is a rule of law? The case materials are also very well chosen."--Ronald Moore, University of Washington

Jefferson White is at University of Maine. Dennis Patterson is at Rutgers University School of Law.

More philosophy of law courses need to be structured like this book. Patterson & White use a case-based approach to show students how the philosophy of law relates to the actual practice of law. This approach is fundamental, for too much traditional jurisprudence reads like armchair reflection on what law might be like rather than what law actually is in the real world, and the latter can only be discovered by actually LEARNING THE LAW -- either through cases or other primary sources. It is only through learning the law first that one may distinguish real jurisprudential issues from ones that lazy philosophers (and this happens all too often) invent of their own accord. Patterson & White's text prepares the student to identify legal-philosophical issues in case studies by first giving them a command of eight major contrasting positions in philosophy of law. Covering private law cases more than public law, brief essays precede and excellent discussion questions follow each case.

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