

# Law In Context

The law in context series Law in Context Law in Context Law in Context Law in Context Law in Context Employment Law in Context The Common European Sales Law in Context An Introduction to Law A New Press "law in Context" Series Reader Roman Law in Context The New Press Law in Context Series Rule of Law in Context Law in Context Constitutional Law in Context Law In Context, Fidelity to Context Law in a Business Context Law in Civil Society Private Law in Context Introduction to Business Law Stephen Bottomley Stephen Bottomley Robert Stevens (juriste).) David Cabrelli Gerhard Dannemann Phil Harris David Johnston William Twining Philip Selznick PETER SHEARS AND JILLINDA TILEY BILL COLE Richard Dien Winfield Marc Loth

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a contextual rigorous treatment of employment law featuring a running case example to show exactly how the law works and including extracts from key cases and source materials

European contract law unification projects have recently advanced from the draft common frame of reference 2009 to a European Commission proposal for an optional common European sales law 2011 which is to facilitate cross border marketing this book investigates for the first time how CESL and DCFR rules would interact with various aspects of domestic law represented by English and German law nineteen chapters co-authored by British and German scholars examine such interface issues for eg pre contractual relationships notions of contract formation interpretation and remedies extending to non discrimination third parties transfers or rights aspects of property law and collective proceedings they go beyond a critical analysis of CESL and DCFR rules by

demonstrating where and how cesl rules would interact with neighbouring areas of english and german law before english and german courts how domestic traditions might influence the application which aspects might motivate sellers and buyers to choose or reject cesl and which might serve as model for national legislators the findings are summarized in the final two chapters

roman law in context explains how roman law worked for those who lived by it by viewing it in the light of the society and economy in which it operated the book discusses three main areas of roman law and life the family and inheritance property and the use of land commercial transactions and the management of businesses it also deals with the question of litigation and how readily the roman citizen could assert his or her legal rights in practice in addition it provides an introduction to using the main sources of roman law the book ends with an epilogue discussing the role of roman law in medieval and modern europe a bibliographical essay and a glossary of legal terms the book involves the minimum of legal technicality and is intended to be accessible to students and teachers of roman history as well as interested general readers

the central theme of twining s book is that law is a marvellous subject of study but to do justice to its potential requires an enlargement of vision multiple perspectives and a radical reappraisal of the role culture and practices of law schools treating theory education scholarship publishing and professional practice as complementary activities the author explores the history philosophy and practical problems of attempts to broaden the study of law in a disciplined way he draws upon his personal experience of law schools throughout the common law world and his specialknowledge of jurisprudence evidence torts and legal method to examine a wide range of topics in depth these include for example the nature and tasks of legal theory different kinds of legal literature and access to legal education and the profession this provocative and readable book willappeal to all those with an interest in the roles of legal theory law schools and lawyers in a changing world

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

contemplating the nature practice and study of private law this comprehensive book offers a detailed overview of private law s theoretical dimensions it promotes a reflective attitude towards the topic encouraging the reader to question how private law is practiced and studied what this implies for their own engagement in the field and what kind of private lawyer they want to be marc loth explores the central notion that private law is a multi layered system which can only be fully apprehended in context this thought provoking book draws on examples from a range of legal systems to provide philosophical perspectives on the diverse dimensions of private law chapters examine the concept history language values methods and discipline of private law as well as legal professionalism and the expertise of the private lawyer private law in context will be a key resource for scholars and postgraduate students interested in legal theory legal philosophy law and society and the nature of private law as a system and a practice

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