LAWD20004: Jurisprudence

Seminar 1



[1]

Borowski, M. 2011. Discourse, Principles, and the Problem of Law and Morality: Robert Alexy's Three Main Works. Jurisprudence. 2, 2 (Dec. 2011), 575–595. DOI:https://doi.org/10.5235/204033211798716899.

[2]

Carbado, D. W. 2011. Critical What What. Connecticut Law Review. 43, 5 (2011), 1593–1644.

[3]

Cornell, D. 1994. Loyalty and the Limits of Kantian Impartiality. Harvard Law Review. 107, 8 (1994), 2081–2094.

[4]

Cotterrell, R. 2014. Why Jurisprudence Is Not Legal Philosophy. Jurisprudence. 5, 1 (Jul. 2014), 41–55. DOI:https://doi.org/10.5235/20403313.5.1.41.

[5]

Cotterrell, R. 1998. Why Must Legal Ideas Be Interpreted Sociologically? Journal of Law and Society. 25, 2 (Jun. 1998), 171–192. DOI:https://doi.org/10.1111/1467-6478.00086.

[6]

Crenshaw, K. 2011. Twenty Years of Critical Race Theory: Looking back to Move Forward.

Connecticut Law Review. 43, 5 (2011), 1253-1354.

[7]

Crowe, J. 2011. Natural Law Beyond Finnis. Jurisprudence. 2, 2 (Dec. 2011), 293–308. DOI:https://doi.org/10.5235/204033211798716871.

[8]

David Andrew Price 1989. Taking Rights Cynically: A Review of Critical Legal Studies. The Cambridge Law Journal. 48, 2 (1989), 271–301.

[9]

Denise Meyerson Three Versions of Liberal Tolerance: Dworkin, Rawls, Raz. Jurisprudence.

[10]

Donal Coffey Custom and Living Law. Jurisprudence.

[11]

Dworkin, R. 1998. Conventionalism. Law's empire. Hart. 114-150.

[12]

Dyzenhaus, D. 2011. Austin, Hobbes, and Dicey. Canadian Journal of Law and Jurisprudence. 24, 2 (2011), 411–430.

[13]

Finnis, J. 2011. Evaluation and the description of law. Natural law and natural rights. Oxford University Press. 3–22.

[14]

G. A. Cohen 1981. Freedom, Justice and Capitalism. New Left Review. 126, (1981).

[15]

Gardner, J. 2001. Legal Positivism: 5 1/2 Myths. American Journal of Jurisprudence. 46 (2001), 199–228.

[16]

Gewirth, A. 1986. Why Rights are Indispensable. Mind. XCV, 379 (1986), 329–344. DOI:https://doi.org/10.1093/mind/XCV.379.329.

[17]

Gustav Radbruch 2006. Statutory Lawlessness and Supra-Statutory Law (1946). Oxford Journal of Legal Studies. (2006).

[18]

Harris, A.P. 1990. Race and Essentialism in Feminist Legal Theory. Stanford Law Review. 42, 3 (Feb. 1990). DOI:https://doi.org/10.2307/1228886.

[19]

Hart, H.L.A. 1955. Are There Any Natural Rights? The Philosophical Review. 64, 2 (Apr. 1955). DOI:https://doi.org/10.2307/2182586.

[20]

Hart, H.L.A. 2012. Law as the Union of Primary and Secondary Rules. The concept of law. Oxford University Press. 79–99.

[21]

Ireland, P. 2002. History, Critical Legal Studies and the Mysterious Disappearance of Capitalism. The Modern Law Review. 65, 1 (Jan. 2002), 120–140. DOI:https://doi.org/10.1111/1468-2230.00371.

[22]

Kline, M. 1989. Race, Racism, and Feminist Legal Theory. Harvard Women's Law Journal. 12 (1989), 115–150.

[23]

Kymlicka, W. and Donaldson, S. 2014. Animals and the Frontiers of Citizenship. Oxford Journal of Legal Studies. 34, 2 (Jun. 2014), 201–219. DOI:https://doi.org/10.1093/ojls/gqu001.

[24]

'Law, State and Class Struggle' by Alan Hunt, Marxism Today, June 1976 - UNZ.org: http://www.unz.org/Pub/MarxismToday-1976jun-00178.

[25]

Lon L. Fuller 'The Case of the Speluncean Explorers'.

[26]

Lyons, D. 1982. New Indian Claims and Original Rights to Land. Reading Nozick: essays on Anarchy, state and Utopia. Blackwell. 355–379.

[27]

MacCormick, N. 1982. Children's rights: a test case for theories of right. Legal right and social democracy: essays in legal and political philosophy. Clarendon Press. 154–166.

[28]

Menkel-Meadow, C. 1988. Feminist Legal Theory, Critical Legal Studies, and Legal Education Or the Fem-Crits Go to Law School. Journal of Legal Education. 38, 1 (1988), 61–86.

[29]

Nozick, R. 1974. Distributive justice (section I). Anarchy, state, and utopia. Blackwell. 149–174.

[30]

Nozick, R. 1974. Distributive justice (section II). Anarchy, state, and utopia. Blackwell. 228–231.

[31]

Oliver Wendell Holmes, Jr., The Path of the Law: http://www.constitution.org/lrev/owh/path law.htm.

[32]

Paulson, S. 2001. Continental Normativism and its British Counterpart: How different are they? Lloyd's introduction to jurisprudence. Sweet and Maxwell. 314–328.

[33]

Perry, 'Hart's Methodological Positivism':

http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=2133&context=faculty_scholarship.

[34]

R. Kent Greenawalt 'How Persuasive is Natural Law Theory?'

[35]

Raz, J. J. 1984. Legal Rights. Oxford Journal of Legal Studies. 4, 1 (1984), 1-21.

[36]

Scott J. Shapiro 'The Hart-Dworkin Debate: A Short Guide for the Perplexed'.

[37]

Simmonds, Gur, Crowe, Rosler and Rundle Review Symposium: Freedom, Responsible Agency and Law. Jurisprudence.

[38]

Simmonds, S. 2013. Utilitarianism. Central issues in jurisprudence: justice, law and rights. Sweet & Maxwell. 17–46.

[39]

Simpson, A.W.B. 1973. Common Law and Legal Theory, The. Oxford essays in jurisprudence: second series. Clarendon Press. 77–99.

[40]

Tamanaha, B.Z. 1995. An Analytical Map of Social Scientific Approaches to the Concept of Law. Oxford Journal of Legal Studies. 15, 4 (1995), 501–535. DOI:https://doi.org/10.1093/ojls/15.4.501.

[41]

Tushnet, M. 1991. Critical Legal Studies: A Political History. Yale Law Journal. 100, 5 (1991), 1515–1544.

[42]

Vinx, L. 2011. Austin, Kelsen, and the Model of Sovereignty. Canadian Journal of Law and Jurisprudence. 24, 2 (2011), 473–492.

[43]

Crenshaw, 'Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics'.

[44]

Feinberg, 'The Nature and Value of Rights'.

[45]

Harold Berman, 'Toward an Integrative Jurisprudence: politics, morality, history' (1988) 76 Calif. Law Rev. 779-802.

[46]

Hart, Positivism and the Separation of Law and Morals.

[47]

2005. L. Green 'General Jurisprudence: A 25th Anniversary Essay'. Oxford Journal of Legal Studies. (2005).

[48]

Manifesto of the Communist Party.

[49]

Nussbaum, 'Rawls's Political Liberalism: A Reassessment'.

[50]

Waluchow, 'Authority and the Practical Difference Thesis: A Defence of Inclusive Legal Positivism'.