

LAWD20004: Jurisprudence

Seminar 1

View Online



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

Carbado, D. W. (2011). Critical What What. *Connecticut Law Review*, 43(5), 1593–1644.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/conlr43&id=1611>

Cornell, D. (1994). Loyalty and the Limits of Kantian Impartiality. *Harvard Law Review*, 107(8), 2081–2094.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/hlr107&id=2101>

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

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

Crenshaw, 'Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics'. (n.d.).
<http://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1052&context=uclf>

Crenshaw, K. (2011). Twenty Years of Critical Race Theory: Looking back to Move Forward. *Connecticut Law Review*, 43(5), 1253–1354.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/conlr43&id=1611>

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

David Andrew Price. (1989). Taking Rights Cynically: A Review of Critical Legal Studies. *The Cambridge Law Journal*, 48(2), 271–301.
https://www.jstor.org/stable/4507287?seq=1#page_scan_tab_contents

Denise Meyerson. (n.d.). Three Versions of Liberal Tolerance: Dworkin, Rawls, Raz. *Jurisprudence*.
<http://www.tandfonline.com/doi/abs/10.1080/20403313.2012.11423535?src=recsys>

Donal Coffey. (n.d.). Custom and Living Law. *Jurisprudence*.

<http://www.tandfonline.com/doi/abs/10.1080/20403313.2012.11423536>

Dworkin, R. (1998). Conventionalism. In *Law's empire* (pp. 114–150). Hart.

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

<https://heinonline-org.bris.idm.oclc.org/HOL/Page?public=false&handle=hein.journals/caljp24&id=409>

Feinberg, 'The Nature and Value of Rights'. (n.d.).

<https://link.springer.com/content/pdf/10.1007/BF00137935.pdf>

Finnis, J. (2011). Evaluation and the description of law. In *Natural law and natural rights: Vol. Clarendon law series* (2nd ed, pp. 3–22). Oxford University Press.

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

<https://newleftreview.org/l/126/g-a-cohen-freedom-justice-and-capitalism>

Gardner, J. (2001). Legal Positivism: 5 1/2 Myths. *American Journal of Jurisprudence*, 46, 199–228. <https://heinonline-org.bris.idm.oclc.org/HOL/P?h=hein.journals/ajj46&i=203>

Gewirth, A. (1986). Why Rights are Indispensable. *Mind*, XCV(379), 329–344.

<https://doi.org/10.1093/mind/XCV.379.329>

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

<http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=20780215&site=ehost-live>

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

<http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1891&context=californialawreview>

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

Hart, H. L. A. (1955). Are There Any Natural Rights? *The Philosophical Review*, 64(2).

<https://doi.org/10.2307/2182586>

Hart, H. L. A. (2012). Law as the Union of Primary and Secondary Rules. In *The concept of law: Vol. Clarendon law series* (3rd ed, pp. 79–99). Oxford University Press.

Hart, Positivism and the Separation of Law and Morals. (n.d.).

<http://www.umiacs.umd.edu/~horty/courses/readings/hart-1958-positivism-separation.pdf>

Ireland, P. (2002). History, Critical Legal Studies and the Mysterious Disappearance of Capitalism. *The Modern Law Review*, 65(1), 120–140.

<https://doi.org/10.1111/1468-2230.00371>

Kline, M. (1989). Race, Racism, and Feminist Legal Theory. *Harvard Women's Law Journal*, 12, 115–150.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/hwlj12&id=125>

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

L. Green 'General Jurisprudence: A 25th Anniversary Essay'. (2005). *Oxford Journal of Legal Studies*.
<http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=19525091&site=ehost-live>

'Law, State and Class Struggle' by Alan Hunt, *Marxism Today*, June 1976 - UNZ.org. (n.d.).
<http://www.unz.org/Pub/MarxismToday-1976jun-00178>

Lon L. Fuller. (n.d.-a). 'The Case of the Speluncean Explorers'.
<https://turtletalk.files.wordpress.com/2012/08/the-speluncean-explorers.pdf>

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

MacCormick, N. (1982). Children's rights: a test case for theories of right. In *Legal right and social democracy: essays in legal and political philosophy* (pp. 154–166). Clarendon Press.
<https://doi.org/10.1093/acprof:oso/9780198255024.003.0008>

Manifesto of the Communist Party. (n.d.).
<https://www.marxists.org/archive/marx/works/download/pdf/Manifesto.pdf>

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), 61–86.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/jled38&id=73>

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

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

Nussbaum, 'Rawls's Political Liberalism: A Reassessment'. (n.d.).
<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9337.2010.00471.x/epdf>

Oliver Wendell Holmes, Jr., *The Path of the Law*. (n.d.).
http://www.constitution.org/lrev/owh/path_law.htm

Paulson, S. (2001). Continental Normativism and its British Counterpart: How different are they? In *Lloyd's introduction to jurisprudence* (7th ed, pp. 314–328). Sweet and Maxwell.

Perry, 'Hart's Methodological Positivism'. (n.d.).
http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=2133&context=faculty_scholarship

- R. Kent Greenawalt. (n.d.-b). 'How Persuasive is Natural Law Theory?'
<http://scholarship.law.nd.edu/cgi/viewcontent.cgi?article=1614&context=ndlr>
- Raz, J. J. (1984). Legal Rights. *Oxford Journal of Legal Studies*, 4(1), 1-21.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/oxfjls4&id=7>
- Scott J. Shapiro. (n.d.-c). 'The Hart-Dworkin Debate: A Short Guide for the Perplexed'.
https://law.yale.edu/system/files/documents/pdf/Faculty/Shapiro_Hart_Dworkin_Debate.pdf
- Simmonds, Gur, Crowe, Rosler and Rundle. (n.d.). Review Symposium: Freedom, Responsible Agency and Law. *Jurisprudence*.
<http://www.tandfonline.com/doi/abs/10.5235/20403313.5.1.75>
- Simmonds, S. (2013). Utilitarianism. In *Central issues in jurisprudence: justice, law and rights* (4th ed, pp. 17-46). Sweet & Maxwell.
- Simpson, A. W. B. (1973). *Common Law and Legal Theory, The*. In *Oxford essays in jurisprudence: second series* (pp. 77-99). Clarendon Press.
- Tamanaha, B. Z. (1995). An Analytical Map of Social Scientific Approaches to the Concept of Law. *Oxford Journal of Legal Studies*, 15(4), 501-535.
<https://doi.org/10.1093/ojls/15.4.501>
- Tushnet, M. (1991). *Critical Legal Studies: A Political History*. *Yale Law Journal*, 100(5), 1515-1544.
<http://heinonline.org/HOL/Page?public=false&handle=hein.journals/ylr100&id=1529>
- Vinx, L. (2011). Austin, Kelsen, and the Model of Sovereignty. *Canadian Journal of Law and Jurisprudence*, 24(2), 473-492.
<https://heinonline-org.bris.idm.oclc.org/HOL/P?h=hein.journals/caljp24&i=471>
- Waluchow, 'Authority and the Practical Difference Thesis: A Defence of Inclusive Legal Positivism'. (n.d.).
https://www.cambridge.org/core/services/aop-cambridge-core/content/view/034F507ECC20FF415AF6AAF2D461CF56/S1352325200061024a.pdf/authority_and_the_practical_difference_thesis.pdf