About Law An Introduction Clarendon Law Series

The Laws is Plato's last and longest dialogue. Although it has been neglected (compared to such works as the Republic and Symposium), it is beginning to receive a great deal of scholarly attention. Book 10 of the Laws contains Plato's fullest defence of the existence of the gods, and his last word on their nature, as well as a presentation and defence of laws against impiety (e.g. atheism). Plato's primary aim is to defend the idea that the gods exist and that they are good - this latter meaning that they do not neglect human beings and cannot be swayed by prayers and sacrifices to overlook injustice. As such, the Laws is an important text for anyone interested in ancient Greek religion, philosophy, and politics generally, and the later thought of Plato in particular. Robert Mayhew presents a new translation, with commentary, of Book 10 of the Laws . His primary aim in the translation is fidelity to the Greek. His commentary focuses on philosophical issues (broadly understood to include religion and politics), and deals with philological matters only when doing so serves to better explain those issues. Knowledge of Greek is not assumed, and the Greek that does appear has been transliterated. It is the first commentary in English of any kind on Laws 10 for nearly 140 years.

Atiyah's Introduction to the Law of Contract is a well-known text through which thousands of university students have first encountered the law of contract, and the new edition has long been eagerly awaited by university teachers and students. This sixth edition, updated by Stephen Smith, continues to provide readers with an introduction to the theories, policies, and ideas that underlie the law, placing an equal emphasis on the law and critical analysis. In particular, the discussion of recent cases and legislation is centred on why contract law is the way it is, whether it can be justified, and, if not, what should be done to improve it. The sixth edition has been revised to place the law of contract in a modern context and to account for recent developments in the law, as well as those in academic thinking and writing. Addressing European influences and including perspectives from comparative law, this remains a stimulating and authoritative exposition of the modern law of contract.

David Ibbetson exposes the historical layers beneath the modern rules and principles of contract, tort, and unjust enrichment. Small-scale changes caused by lawyers exploiting procedural advantages in their clients' interest are described & analyzed.

The efficient markets hypothesis has been the central proposition in finance for nearly thirty years. It states that securities prices in financial markets must equal fundamental values, either because all investors are rational or because arbitrage eliminates pricing anomalies.This book describes an alternative approach to the study of financial markets: behavioral finance. This approach starts with an observation that the assumptions of investor rationality and perfect arbitrage are overwhelmingly contradicted by both psychological and institutional evidence. In actual financial markets, less than fully rational investors trade against arbitrageurs whose resources are limited by risk aversion, short horizons, and agency problems. The book presents and empiricallyevaluates models of such inefficient markets.Behavioral finance models both explain the available financial data better than does the efficient markets hypothesis and generate new empirical predictions. These models can account for such anomalies as the superior performance of value stocks, the closed end fund puzzle, the high returns on stocks included in market indices, the persistence of stock price bubbles, and even the collapse of several well-known hedge funds in 1998. By summarizing and expanding the research in behavioral finance,the book builds a new theoretical and empirical foundation for the economic analysis of real-world markets.

Here is an introduction to the intellectual challenges presented by law in the western secular tradition. Treating not just British law, but the whole western tradition of law, Professor Honore guides the reader through eleven topics which straddle various branches of the law, including constitutional and criminal law, property, and contracts. He also explores moral and historical aspects of the law, including a discussion of justice and the difference between civil and common law systems. The law, Honore argues, is mainly concerned with the question of obedience to authority, and establishing the situations in which obedience is required and those in which it may be waived ought to be the central concern of all legal theorists.

Susan Sauvé Meyer presents a new translation of Laws, 1 and 2: the opening books of Plato's last work, which discuss legislative theory, moral psychology, and aesthetics. This fluent, readable, and authoritative translation is accompanied by a critical commentary which explores the argument's structure, and the philosophical issues at stake.

Roman Law: An Introduction offers a clear and accessible introduction to Roman law for students of any legal tradition. In the thousand years between the Law of the Twelve Tables and Justinian’s massive Codification, the Romans developed the most sophisticated and comprehensive secular legal system of Antiquity, which remains at the heart of the civil law tradition of Europe, Latin America, and some countries of Asia and Africa. Roman lawyers created new legal concepts, ideas, rules, and mechanisms that most Western legal systems still apply. The study of Roman law thus facilitates understanding among people of different cultures by inspiring a kind of legal common sense and breadth of knowledge. Based on over twenty-five years’ experience teaching Roman law, this volume offers a comprehensive examination of the subject, as well as a historical introduction which contextualizes the Roman legal system for students who have no familiarity with Latin or knowledge of Roman history. More than a compilation of legal facts, the book captures the defining characteristics and principal achievements of Roman legal culture through a millennium of development.

Principles of French Law offers a comprehensive introduction to French law and the French legal system in terms which a common lawyer can understand. The authors give an explanation of the institutions, rules and techniques that characterize the major branches of French law. The chapters provide the reader with a clear sense of the questions that French lawyers see as important and how they would answer them. In the ten years since the publication of the first edition, French law has changed in significant ways. European Union law and the European Convention on Human Rights have had a significant impact, especially on procedural law and family law. There has been a new Commercial Code, major legislation on divorce, succession and criminal law, as well as significant developments in the Constitution. In addition, there have been considerable developments in the case-law and a much discussed proposal for reform of major areas of the law of obligations. The chapters present not only the rules of law, but, where appropriate, the principles and values underlying the system. Considerable use is made of juristic literature and of examples from French case law. The book is designed for students studying French law at both undergraduate and postgraduate level, and as preliminary reading for students about to study in France. It will also serve as an initial point of reference for scholars embarking on a study of French law.

This is a philosophical but non-technical analysis of the very idea of a rule. Although focused somewhat on the role of rules in the legal system, it is also relevant to the place of rules in morality, religion, etiquette, games, language, and family governance. In both explaining the idea of a rule and making the case for taking rules seriously, the book is a departure both in scope and in perspective from anything that now exists.

Like previous editions of this book the third edition Cane's Introduction to Administrative Law provides a clear and relatively short statement of the most important rules concerning judicial control of governmental administrative activity. It also provides a wider framework for understanding those rules. This framework is provided by considering the constitutional context of judicial control, the relationship between judicial control and other mechanisms for checking administrative activity, and the impact of judicial control on the agencies subject to it. What emerges clearly from considering judicial control in this

wider context is that the role of the courts in adjudicating complaints about governmental administrative action is not that of mutual arbiter but that of active participant in the public decision-making process.
This book provides students and their teachers with a concise but critical analysis of the law. Reviews of previous editions: "An extremely useful and thought-provoking book." Public Law "Cane's book, the most recent in the Clarendon Law Series, maintains the highest standards of its predecessor. It provides the newcomer to administrative law with a clear coherent review of the subject. It is a flowing and well-written text and as an introduction Cane's book admirably fulfills his purpose." Cambridge Law Journal "Mr Cane has clarity and a sense of proportion isolating the structure of the subject such as it is bringing out important underlying themes and discussing the major controversies with critical insights. It deserves to be widely read. It sets the beginner firmly upon the right track and contains ideas and insights which would stimulate even the most hard-bitten veteran." Law Quarterly Review.
Written by one of the foremost experts in the area, Paul Davies' Introduction to Company Law provides a comprehensive conceptual introduction, giving readers a clear framework with which to navigate the intricacies of company law. The five core features of company law - separate legal personality, limited liability, centralized management, shareholder control, and transferability of shares - are clearly laid out and examined, then these features are used to provide an organisation structure for the conduct of business. It also discusses legal strategies that can be used to deal with arising problems, the regulation of relationships between the parties, and the trade-offs that have been made in British company law to address some of the conflicting issues that have arisen. Fully revised to take into account the Companies Act 2006, and including a new chapter on international law which considers the role of European Community Law, this new edition in the renowned Clarendon Law Series offers a concise and stimulating introduction to company law.
Administrative Law provides a sophisticated but highly accessible account of a complex area of law of great contemporary relevance and increasing importance. Written in a clear and flowing style, the text has been radically reorganized and extensively rewritten to present administrative law as a framework for public administration. After an exploration of the nature, province, and sources of administrative law as well as the concept of administrative justice, the book briefly discusses the institutional framework of public administration. The second part of the book deals with the normative framework of public administration, starting with a general discussion of administrative tasks and functions and then examining in some detail norms relating to administrative procedure and openness, decision-makers' reasoning processes and the substance of administrative decisions. The next topic is the private law framework provided by the law of tort, contract, and restitution. The third part of the book provides an account of institutions and mechanisms of accountability by which the framework of public administration is policed and enforced: judicial review and appeals by courts and tribunals, bureaucratic and parliamentary oversight, and investigations by ombudsmen. This part ends by considering how these various mechanisms fit into the administrative justice system. The final part of the book explores the functions of administrative law and its impact on administration.
“'What About Law?' succeeds where so many legal guidebooks fail ... [it] skilfully demystifies the law and ably proves its argument. The law is, indeed, all around us - and this book will whet your appetite to find out how and why.” – Alex Wade, The Times (of the previous edition) Law is one of the few subjects that the school leaver, choosing a degree course, will have very little real understanding of. This book comes to the rescue by clearly setting out what a prospective law student can expect and why a student should choose to study law. This new edition is updated to reflect the reality of studying law today, highlighting changes due to Brexit and reforms to constitutional law. The book covers the compulsory subjects every law student has to study: contract, criminal, property and trusts law, and brings them up to date. With a clear core structure and approach it takes a case from each of these subjects to illustrate legal issues and methodology. The writing style is accessible and has the audience – novices to law – firmly in mind. What About Law? shows how the study of law can be fun, intellectually stimulating and challenging. It introduces prospective students to the legal system, legal reasoning, critical thinking and argument. Written by a team of experienced teachers, this book should be read by every student about to embark on the study of law.
Questions about the nature of law, its relationship with custom, and the distinctive form of legal rules, categories, and reasoning, are placed at the centre of this introduction to the anthropology of law. It brings empirical scholarship within the scope of legal philosophy, while suggesting new avenues of inquiry for the anthropologist. Going beyond the functional and instrumental aspects of law that underlie traditional ethnographic studies of order and conflict resolution, The Anthropology of Law considers contemporary debates on human rights and new forms of property, but also delves into the rich corpus of texts and codes studied by legal historians, classicists, and orientalist scholars. Studies of the great legal systems of ancient China, India, and the Islamic world, unjustly neglected by anthropologists, are examined alongside forms of law created on their peripheries. The coutumes of medieval Europe, the codes drawn up by tribal groups in Tibet and the Yemen, village laws on both sides of the Mediterranean, and the intricate codes of saga in Iceland provide rich empirical detail for the author's analysis of the cross-cultural importance of the form of law, as text or rule, and the relative marginality of its functions as an instrument of government or foundation of social order. Carefully-selected examples shed new light upon the interrelations and distinctions between law, custom, and justice. Gradually an argument unfolds concerning the tensions between legalistic thought and argument, and the ideological or aspirational claims to embody justice, morality, and religious truth which lie at the heart of what we think of as law.
Clarendon Reconsidered reassesses a figure of major importance in seventeenth-century British politics, constitutional history and literature. Despite his influence in these and other fields, Edward Hyde, first Earl of Clarendon (1609–1674) remains comparatively neglected. However, the recent surge of interest in royalists and royalism, and the new theoretical strategies it has employed, make this a propitious moment to re-examine his influencecontribution. Chancellor of the Exchequer, Lord Chancellor and author of the History of the Rebellion (1702–1704), then and for long afterwards the most sophisticated history written in English, his long career in the service of the Caroline court spanned the English Revolution and Restoration. The original essays in this interdisciplinary collection shine a torch on key aspects of Clarendon’s life and works: his role as a political propagandist, his family and friendship networks, his religious and philosophical inclinations, his history- and essay-writing, his influence on other forms of writing, and the personal, political and literary repercussions of his two long exiles. Pushing the boundaries of the new royalist scholarship, this fresh account of Clarendon reveals a multifaceted man who challenges as often as he justifies traditional characterisations of detached historian and secular statesman.
About LawAn IntroductionOxford University Press
What role does gender play in shaping the law and legal thinking? This book provides an answer to this question, examining the historical role of gender in law and the relevance of gender to modern jurisprudence. It presents a clear, concise introduction to thinking about gender issues for lawyers and law students.
Adrian Briggs' invaluable introduction to the study of the conflict of laws provides a survey and analysis of the rules of private international law as they apply in England. The volume covers general principles, jurisdiction, and the effect of foreign judgments; choice of law for contractual and non-contractual obligations, the private international law of

property, of persons, and of corporations. It does so in a manner which explains and illuminates the principles which underpin the subject in a clear and coherent fashion, as the wealth of literature, case law, and legislation often obscures the architecture of the subject and unnecessarily complicates study. This new edition organizes its material in light of European legislation on private international law, reflecting the shift towards understanding private international law as European law with a common law background instead of common law with European legislative influences. The author's approach is focused on the law and avoids the more abstract theory; as the theory of the conflict of laws is actually to be found in and by applying the legislation and jurisprudence to the cases and issues which arise in private international litigation and legal advice.

"It covers all the main areas of International Law, such as International Economic Law, International Environmental Law, and the ways International Law deals with different types of armed conflict. It also concludes with a short chapter examining the prospects for International Law."--BOOK JACKET.

What makes an argument in a law case good or bad? Can legal decisions be justified by purely rational argument or are they ultimately determined by more subjective influences? These questions are central to the study of jurisprudence, and are thoroughly and critically examined in Legal Reasoning and Legal Theory, now with a new and up-to-date foreword. Its clarity of explanation and argument make this classic legal text readily accessible to lawyers, philosophers, and any general reader interested in legal processes, human reasoning, or practical logic.

4. A Federal Europe?

The last edition of this book saw a major restructuring of the whole work, and in particular, to stress the resurgence of freedom of contract ideology, and to introduce some basic economic issues in contract law. In this edition, the general shape and structure of the book have been left untouched, although as with previous editions, the whole work has been completely updated and modernized by replacing old and outdated examples with more modern questions with which the student may be assumed to be more familiar. The aims of the book remain unchanged: to supply a basic introduction, not merely to the law of contract, but also to theories and policies and ideas underlying the subject. In addition, the author has constantly resorted to a modern historical approach, giving the student some sense of how the law has developed over the past 100 years or so. widely recognized as one of the most interesting and innovative books to have been published in the last 25 years, An Introduction to the Law of Contract remains as popular today with students and their teachers as it was when it was first published.

The second edition of An Introduction to Tort Law offers a clear exposition to the rapidly developing law of tort in Britain. For those coming to the subject for the first time it provides a succinct and thoughtful overview; ideal as an introduction, it will also be of use and interest to those engaged in the course or completing it, for it pulls themes together, illustrates important distinctions and provokes reflection on what has already been learnt. Many of the areas subjected to analysis and discussion are highly topical, such as the invasion of the privacy of celebrities, and liability for medical mishaps and industrial diseases. On these and many other subjects of relevance in modern society, Weir's comments act as a springboard for further study and reflection, as well as presenting an authoritative overview, enlivened by a fascinating and critical commentary, of the present situation and how we reached it. The second edition naturally includes recent developments in tort law, the most significant of which is doubtless the incorporation into English law of the European Convention on Human Rights. This has not only affected the outcome in a number of cases, but also brought about changes in our vocabulary, interpretation of enactments, and treatment of precedent, which are rather less easily documented.

Since the financial crisis of 2007 to 2009 the role of the company in society, especially the role of publicly traded companies, has acquired a political salience that was largely absent in the decades before the crisis. This concern has been reflected in both enhanced reporting requirements and in the latest version of the Corporate Governance and Stewardship Codes applicable to the largest companies. This books analyses these developments in full, as well as the more fundamental proposals for reform of corporate law that have been advanced outside official circles. The book also examines the functions of the five core features of company law-separate legal personality, limited liability, centralized management, shareholder control, and transferability of shares. It finally analyses the legal strategies available for moderating the frictions that these core features nevertheless generate for those providing the necessary inputs for a company's business. Written by one of the field's foremost experts, Paul Davies' Introduction to Company Law provides a comprehensive conceptual introduction to the subject, giving readers a clear framework with which to navigate the intricacies of company law.

This book is both an examination of, and a contribution to, our understanding of the theoretical foundations of the common law of contract. Focusing on contemporary debates in contract theory, Contract Theory aims to help readers better understand the nature and justification of the general idea of contractual obligation, as well as the nature and justification of the particular rules that make up the law of contract. The book is in three parts. Part I introduces the idea of 'contract theory', and presents a framework for identifying, classifying, and evaluating contract theories. Part II describes and evaluates the most important general theories of contract; examples include promissory theories, reliance-based theories, and economic theories. In Part III, the theoretical issues raised by the various specific doctrines that make up the law of contract (e.g., offer and acceptance, consideration, mistake, remedies, etc.) are examined in separate chapters. The legal focus of the book is the common law of the United Kingdom, but the theoretical literature discussed is international in origin; the arguments discussed are thus relevant to understanding the law of other common law jurisdictions and, in many instances, to understanding the law of civil law jurisdictions as well.

This new edition of Unjust Enrichment by the editor of the Clarendon Law Series, is a fully updated, clear and concise account of the law of unjust enrichment. It attempts to move

away from the use of obscure terminology inherited from the past. This text is the first book to insist on the switch from restitution to unjust enrichment, from response to event. It organises modern law around five simple questions: Was the defendant enriched? If so, was it at the claimant's expense? If so, was it unjust? The fourth question is then what kind of right the claimant has, and the fifth is whether the defendant has any defences. This second edition was revised and updated by Peter Birks before his death from cancer on 6 July 2004 at the age of 62. It represents the final thinking of the world's leading authority on the subject.

A comprehensive, stimulating introduction to trusts law, which provides readers with a clear conceptual framework to aid understanding of this challenging area of the law. Aimed at readers studying trusts at an undergraduate level, it provides a succinct and enlightening account of this area of the law. Concise and clear, this book also identifies and discusses many analytical perspectives, encouraging a deeper understanding of the issues at hand. It offers an outstanding treatment of specific areas, in particular remedial constructive trusts and trusts of family homes. Ideal for providing a broad background to the issues before embarking on an in-depth study of trusts, it can also be used to help the reader to develop their understanding. For those looking to challenge themselves, detailed footnotes highlight further issues and point the direction for future reading. Fully revised to take into account the Charities Act 2006, judicial developments through case law, and recent academic work in this area, this new edition in the renowned Clarendon Law Series offers a well-written, careful, and insightful introduction to the law of trusts.

Substantially revised and updated, this edition reexamines, in the light of renewed support for the ideology of freedom of contract, many of the arguments formerly levelled against this concept.

Written in the well-established tradition of the Clarendon Law Series, Public Law offers a stimulating re-interpretation of the central themes and problems of English constitutional law. It offers full consideration of the historical development of public law. This book is an introduction that will be especially appealing to the enquiring student who is looking to reflect critically on the assumptions underpinning the standard presentation of the subject. Written throughout in an engaging and accessible style, Public Law examines the issues of power and accountability that are central to constitutional and administrative law. Among the topics considered are the unwritten nature of the constitution, the changing relationship between the law and the politics of the constitution, the separation of powers, the enduring influence of the crown, the role and functions of Parliament, questions of responsible government, and the law of judicial review and human rights.

This new edition of a landmark study of the law of restitution has been substantially revised and updated. Concentrating on structural principles rather than detailed rules, the book is an invaluable guide to this difficult area of law.

Fifty years on from its original publication, HLA Hart's The Concept of Law is widely recognized as the most important work of legal philosophy published in the twentieth century, and remains the starting point for most students coming to the subject for the first time. In this third edition, Leslie Green provides a new introduction that sets the book in the context of subsequent developments in social and political philosophy, clarifying misunderstandings of Hart's project and highlighting central tensions and problems in the work.

Written by the Law Commissioner responsible for land law, this second edition is an invaluable resource for students new to the subject. It provides a clear overview of the subject, details key cases, and offers both a clear explanation of how the law works and insights into how property lawyers think.