

Cambridge Introductions in Philosophy and Law



# CONTRACT LAW

Rules, Theory, and Context

Brian H. Bix

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# Contract Law Rules Theory And Context Cambridge Introductions To Philosophy And Law

**H Kauffman**



## **Contract Law Rules Theory And Context Cambridge Introductions To Philosophy And Law:**

**Contract Law** Brian Bix, 2012-10-15 This book offers an accessible introduction to American contract law useful to both first year law students and advanced contract scholars University of Chicago Law Review: Volume 81, Number 4 - Fall 2014 University of Chicago Law Review, 2014-12-17 The University of Chicago Law Review's 4th issue of 2014 features articles and essays from recognized legal scholars as well as extensive student research Contents include Articles The Legal Salience of Taxation by Andrew T Hayashi Tax Loss Mechanisms by Jacob Nussim Avraham Tabbach Regulating Systemic Risk in Insurance by Daniel Schwarcz Steven L Schwarcz American Constitutional Exceptionalism Revisited by Mila Versteeg Emily Zackin Comments Bursting the Speech Bubble Toward a More Fitting Perceived Affiliation Standard by Nicholas A Caselli Payments to Not Parent Noncustodial Parents as the Recipients of Child Support by Emma J Cone Roddy Too Small to Fail A New Perspective on Environmental Penalties for Small Businesses by Nicholas S Dufau Understanding Equal Sovereignty by Abigail B Molitor Widespread Uncertainty The Exclusionary Rule in Civil Removal Proceedings by Michael J O'Brien Clogged Conduits A Defendant's Right to Confront His Translated Statements by Casen B Ross Integral Decisionmaking Judicial Interpretation of Predispute Arbitration Agreements Naming the National Arbitration Forum by Daniel A Sita Volume 81 Number 4 also features Review Essays by Lisa Bernstein Avery W Katz and Eyal Zamir analyzing three recent books on contract law and theory

**The Oxford Introductions to U.S. Law** Brian Bix, 2013-03-15 A book about family law is necessarily a book both about family life and the role law can and should take in regulating family life Individually and together these are vast topics American family law is ever changing and affects every facet of our lives The Oxford Introductions to U S Law Family Law provides a critical introduction to the enduring topics in the field including not only an overview of the basic rules but also the history and principles underlying them In this short and accessible volume Brian Bix gives the necessary legal background for understanding current media coverage and political debates in family law He explores the general principles and fundamental themes that currently dominate legislation and case law in the area while marking trends for change Topics covered include same sex marriage divorce reform surrogacy open adoption domestic violence and the standards applied to custody battles Ultimately The Oxford Introductions to U S Law Family Law illuminates our collective struggle to shape the proper role for individuals families and government in U S family life and family law providing an essential introduction to the richness and complexity of the subject Neutrality and Theory of Law Jordi Ferrer Beltrán, José Juan Moreso, Diego M. Papayannis, 2013-04-03 This book brings together twelve of the most important legal philosophers in the Anglo American and Civil Law traditions The book is a collection of the papers these philosophers presented at the Conference on Neutrality and Theory of Law held at the University of Girona in May 2010 The central question that the conference and this collection seek to answer is Can a theory of law be neutral The book covers most of the main jurisprudential debates It presents an overall discussion of the connection between law and morals and the

possibility of determining the content of law without appealing to any normative argument It examines the type of project currently being held by jurisprudential scholarship It studies the different approaches to theorizing about the nature or concept of law the role of conceptual analysis and the essential features of law Moreover it sheds some light on what can be learned from studying the non essential features of law Finally it analyzes the nature of legal statements and their truth values This book takes the reader a step further to understanding law      Enforcing Morality Steven Wall, 2023-11-16 What parts of morality ought the law to enforce What considerations justify its enforcement What is the relationship between the legal and social enforcement of morality Are there principled moral limits that constrain the enforcement of morality How should we think about the pragmatic limits to the effective enforcement of morality These are some of the main questions addressed by Steven Wall in this comprehensive and provocative study of a fundamental debate in jurisprudence and political theory The book defends the practice of ethical environmentalism the deliberate effort to improve the ethical character of the social environment of a society by political legal and other means The presumptive case for ethical environmentalism is presented and then assessed in light of a range of important considerations including fair treatment governmental neutrality the value of personal liberty rights to do wrongs and free expression      **Philosophical Foundations of Children's and Family Law** Elizabeth Brake, Lucinda Ferguson, 2018-02-23 This volume brings together new essays in law and philosophy on a broad range of topics in children's and family law It is the first volume to bring together essays by legal scholars and philosophers for an integrated critical analysis of key issues in this area marking the coming of age of a comparatively new field of family law Debates in children's and family law are at once theoretical and empirical in nature Not only does children's and family law have significant consequences for individuals intimate lives the field's impact on lived experience highlights the socially constructed nature of law Approaching this area of law often involves exploring a legal concept familiar from daily life such as the very notion of marriage or family and examining it within its social economic and historical context The normative basis for law regulating intimate personal and family life extends beyond any narrow legal philosophy or social context to its broader foundations in theories of morality or justice The chapters included bring together a representative and broad range of pieces that engage with long standing and contemporary debates A wide range of perspectives is represented on topics such as same sex marriage polygamy and polyamory alimony unmarried cohabitation gestational surrogacy and assisted reproductive technologies child support parental rights and responsibilities children's rights family immigration religious freedom and the rights of paid caregivers There is also philosophical discussion of concepts such as care intimacy and the nature of family and family law itself      Hans Kelsen in America - Selective Affinities and the Mysteries of Academic Influence D.A. Jeremy Telman, 2016-08-26 This volume explores the reasons for Hans Kelsen's lack of influence in the United States and proposes ways in which Kelsen's approach to law philosophy and political democratic and international relations theory could be relevant to current debates within the U.S. academy in those areas Along the way the volume examines

Kelsen's relationship and often hidden influences on other members of the mid century Central European migr community whose work helped shape twentieth century social science in the United States The book includes major contributions to the history of ideas and to the sociology of the professions in the U S academy in the twentieth century Each section of the volume explores a different aspect of the puzzle of the neglect of Kelsen's work in various disciplinary and national settings Part I provides reconstructions of Kelsen's legal theory and defends that theory against negative assessments in Anglo American jurisprudence Part II focuses both on Kelsen's theoretical views on international law and his practical involvement in the post war development of international criminal law Part III addresses Kelsen's theories of democracy and justice while placing him in dialogue with other major twentieth century thinkers including two fellow migr scholars Leo Strauss and Albert Ehrenzweig Part IV explores Kelsen's intellectual legacies through European and American perspectives on the interaction of Kelsen's theoretical approach to law and national legal traditions in the United States and Germany Each contribution features a particular applications of Kelsen's approach to doctrinal and interpretive issues currently of interest in the legal academy The volume concludes with two chapters on the nature of Kelsen's legal theory as an instance of modernism

**Law as an Artifact** Luka Burazin, Kenneth Einar Himma, Corrado Roversi, 2018-07-26 This volume assembles leading scholars to examine how their respective theoretical positions relate to the artifactual nature of law It offers a complete analysis of what is ontologically entailed by the claim that law including legal systems legal norms and legal institutions is an artifact and what consequences if any this claim has for philosophical accounts of law Examining the artifactual nature of law draws attention to the role that intention function and action play in the ontological structure of law and how these attributes interact with rules It puts the role of author and authorship at the center of its analysis of legal ontology and widens the scope that functional analysis can legitimately have in legal theory emphasizing how the content of law depends on how it is used Furthermore the appeal to artifacts brings to the fore questions about the significance of concepts for the existence of law and makes available new tools for legal interpretation The notion of artifactuality offers a starting point from which to approach the basic dilemma of whether it is meaningful to search for essential necessary and sufficient features of law a question that in current legal theory is put when deciding what kind of enterprise legal theory is from a methodological point of view namely whether it is descriptive or prescriptive This volume unearths insights and observations of value to all those looking to deepen their understanding of how the law is understood and experienced

*Families by Agreement* Brian H. Bix, 2023-08-17 In this highly original work renowned family and contract law expert Brian H Bix explores the increasing legal recognition of private ordering in American family law Today individuals can alter the terms of a marriage and divorce through agreements and courts sometimes allow individuals to create waive and alter parental rights by way of surrogacy open adoption and co parenting agreements among other mechanisms But when is such private ordering beneficial to all and when should it be regulated or prohibited *Families by Agreement* explores these

questions in accessible detail to provide an important resource for those who litigate in these areas and for those who want to be thoughtful participants in these moral and policy debates Sovereignty Conflicts and International Law and Politics

Jorge E. Núñez, 2017-05-12 Many ongoing conflicts throughout the world can be characterised as sovereignty conflicts in which two States claim exclusive sovereign rights for different reasons over the same piece of land Drawing on the work of John Rawls this book considers how distributive justice theories can be in tune with the concept of sovereignty and explores the possibility of a solution for sovereignty conflicts based on Rawlsian methodology Jorge E N ez explores a solution of egalitarian shared sovereignty evaluating what sorts of institutions and arrangements could and would best realise shared sovereignty and how it might be applied to territory population government and law **The Nature and Enforcement of**

**Choice of Court Agreements** Mukarrum Ahmed, 2017-10-05 PRAISE FOR THE BOOK This constitutes a work of impressive scholarship that will become a major reference point for future discourse on choice of court agreements Dr Ahmed advances a firm thesis in a lucid manner that will satisfy both academics and practitioners The discussion is supported by a monumental foundation of underpinning research Ahmed s monograph throughout shows clear understanding of underlying substantive laws and in Chapter 11 displays a refreshing willingness to engage in intelligent speculation on the implications of Brexit Professor David Milman University of Lancaster The book is an excellent attempt to understand the theoretical underpinnings of choice of court agreements in private international law Anyone with an interest in the theory and practice of choice of court agreements in particular in mechanisms for their enforcement should read this book They will find much of value by doing so Professor Paul Beaumont University of Aberdeen from the Series Editor s Preface This book examines the fundamental juridical nature classification and enforcement of choice of court agreements in international commercial litigation It is the first full length attempt to integrate the comparative and doctrinal analysis of choice of court agreements under the Brussels I Recast Regulation the Hague Convention on Choice of Court Agreements Hague Convention and the English common law jurisdictional regime into a theoretical framework In this regard the book analyses the impact of a multilateral and regulatory conception of private international law on the private law enforcement of choice of court agreements before the English courts In the process it both pre empts and offers innovative solutions to issues that may arise under the jurisprudence of the emergent Brussels I Recast Regulation and the Hague Convention The need to understand the nature and enforcement of choice of court agreements before the English courts from the perspective of the EU private international law regime and the Hague Convention cannot be understated This important new study aims to fill an existing gap in the literature in relation to an account of choice of court agreements which explores and reconnects arguments drawn from international legal theory with legal practice However the scope of the work remains most relevant for cross border commercial lawyers interested in crafting pragmatic solutions to the conflicts of jurisdictions The Philosopher's Index

, 2008 Vols for 1969 include a section of abstracts Contract Law '89 , 1989 **Bulletin of the Atomic Scientists**

,1955-04 The Bulletin of the Atomic Scientists is the premier public resource on scientific and technological developments that impact global security Founded by Manhattan Project Scientists the Bulletin s iconic Doomsday Clock stimulates solutions for a safer world      **The Politics of Judicial Co-operation in the EU** Hans-W. Micklitz,2005-07 Three case studies look into judicial co operation between Member States and the ECJ      **Rules, Norms, and Decisions** Friedrich V. Kratochwil,1991-04-26 This book assesses the impact of norms on decision making It argues that norms influence choices not by being causes for actions but by providing reasons Consequently it approaches the problem via an investigation of the reasoning process in which norms play a decisive role Kratochwil argues that depending upon the strictness the guidance norms provide in arriving at a decision different styles of reasoning with norms can be distinguished While the focus in this book is largely analytical the argument is developed through the interpretation of the classic thinkers in international law Grotius Vattel Pufendorf Rousseau Hume Habermas      Justice as Friendship Seow Hon Tan,2016-03-09 This book explores the question of justification of law It examines some perennial jurisprudential debates and suggests that law must find its justification in morality Drawing upon the Aristotelian inspiration that friends have no need for justice in ideal friendship we behave justly Seow Hon Tan develops a theory of law based on the universal phenomenon of friendship Friendships and legal relations attract rights and obligations by virtue of the manner in which parties are situated Friendship teaches us that how parties are situated gives rise to legitimate expectations it attests to the intrinsic worth of each person The methodology for deciphering norms within and moral lessons from friendship can be transposed to law resulting in an inter subjectively agreeable and rich conception of justice In determining the content of legal rights and obligations we can and should draw upon such determination in friendship Justice as Friendship aims to provide a vision for law s development and invites the practitioner to advance its central claims in their area of expertise In dealing with selected legal doctrines the book draws upon illustrative cases from the United States the United Kingdom and the Commonwealth The book traverses the fields of jurisprudence philosophy ethics political theory contract law and tort law      Forthcoming Books Rose Arny,2004

**Transformations in Criminal Jurisdiction** Micheál Ó Floinn,Lindsay Farmer,Julia Hörnle,David Ormerod KC,2023-08-24 Can traditional approaches to criminal jurisdiction adapt to the new global reality of the digital era In this innovative book leading experts in criminal international and internet law unite to address this fundamental question They consider how jurisdictional regimes are orientated around concepts of territoriality and extraterritoriality how these categories are increasingly blurred in the digital era and how a range of jurisdictional transformations are occurring in the process Part I presents novel doctrinal empirical and theoretical perspectives on criminal jurisdiction exploring how states are shaping and reimagining jurisdictional concepts in the crafting and interpretation of criminal offences and the ramifications of increasing jurisdictional concurrency in state practice Part II focuses on the investigative and enforcement powers of the state to assess how these issues are transforming traditional understandings of jurisdictional rules and

boundaries the challenges and opportunities that these present for law enforcement authorities and the sorts of constraints and safeguards that may be necessary as a result The picture that emerges is a world of jurisdictional rules in a state of flux which demands the diversity of legal perspectives presented in this book for documenting rationalising and moving beyond the transformations that are taking shape in modern statecraft      Subject Guide to Books in Print ,1996



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