

# What About Law

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## What Makes Law

This advanced introduction to central questions in legal philosophy attempts to breathe new life into stalled research.

## The Law Says What?

What is law? This question has preoccupied philosophers from Plato to Thomas Hobbes to H. L. A. Hart. Yet many others find it perplexing. How could we possibly know how to answer such an abstract question? And what would be the point of doing so? In *Legality*, Scott Shapiro argues that the question is not only meaningful but vitally important. In fact, many of the most pressing puzzles that lawyers confront—including who has legal authority over us and how we should interpret constitutions, statutes, and cases—will remain elusive until this grand philosophical question is resolved. Shapiro draws on recent work in the philosophy of action to develop an original and compelling answer to this age-old question. Breaking

with a long tradition in jurisprudence, he argues that the law cannot be understood simply in terms of rules. Legal systems are best understood as highly complex and sophisticated tools for creating and applying plans. Shifting the focus of jurisprudence in this way—from rules to plans—not only resolves many of the most vexing puzzles about the nature of law but has profound implications for legal practice as well. Written in clear, jargon-free language, and presupposing no legal or philosophical background, *Legality* is both a groundbreaking new theory of law and an excellent introduction to and defense of classical jurisprudence.

## **Legality**

Amoral, cunning, ruthless, and instructive, this multi-million-copy New York Times bestseller is the definitive manual for anyone interested in gaining, observing, or defending against ultimate control – from the author of *The Laws of Human Nature*. In the book that *People* magazine proclaimed “beguiling” and “fascinating,” Robert Greene and Joost Elffers have distilled three thousand years of the history of power into 48 essential laws by drawing from the philosophies of Machiavelli, Sun Tzu, and Carl Von Clausewitz and also from the lives of figures ranging from Henry Kissinger to P.T. Barnum. Some laws teach the need for prudence (“Law 1: Never Outshine the Master”), others teach the value of confidence (“Law 28: Enter Action with Boldness”), and many recommend absolute self-preservation (“Law 15: Crush Your Enemy Totally”). Every law, though, has one thing in common: an interest in total domination. In a bold and arresting two-color package, *The 48 Laws of Power* is ideal whether your aim is conquest, self-defense, or simply to understand the rules of the game.

## **The 48 Laws of Power**

'David Howarth's *Law as Engineering* is a profound contribution to the law. Evoking the level of originality associated with pioneering contributions to law and economics half a century ago, Howarth's book aligns law, not on economics, but on engineering styles of thought and problem solving. His analysis sheds deep light on a 21st century world where the work of transactional and legislative lawyers, who design and build social structures and devices much as engineers do physical ones, is becoming ever more important and complex, with far-reaching implications for both legal ethics and legal education.' – Scott Boorman, Yale university, US 'This is a brilliant, highly original analysis of what lawyers actually do and what they ought to do in order to protect their clients and the public. It will rescue lawyers from the kinds of behaviour that contributed to the financial crash. It also points legal education and research in important new directions.' – Sir Bob Hepple, Professor, QC FBA 'This book brings an important new perspective to a consideration of what lawyers do, and of what they are for. The implications explored in the book are an immensely valuable contribution to thinking on the future development of legal education and training. It should be read by everyone responsible for recruiting or training others for the law, whether in the public or the private sector.' – Sir Stephen Laws KCB, QC(Hon), LLD(Hon), First Parliamentary Counsel *Law as Engineering* proposes a radically new way of thinking about law, as a profession and discipline concerned with design rather than with litigation, and having much in common with engineering in the way it produces devices useful for its clients. It uses that comparison to propose ways of improving legal design, to advocate a transformation of legal ethics so that the profession learns from its role in the crash of 2008, and to reform legal education and research. Offering a totally new perspective, this book will be a fascinating read for law students and prospective law students, legal academics across all sub-fields, lawyers in government, especially those engaged in drafting legislation, and policymakers.

## **Law As Engineering**

Top US legal scholars and political scientists examine how the law shapes judges' behavior and decisions, and what it means for society at large. Although there is a growing consensus among legal scholars and political scientists, significant points of divergence remain. Contributors to *What's Law Got to Do with It?* explore ways to reach greater accord on the complexity and nuance of judicial decision making and judicial elections, while acknowledging that agreement on what judges do is not likely to occur any time soon. As the

first forum in which political scientists and legal scholars engage with one another on these hot button issues, this volume strives to establish a true interdisciplinary conversation. The inclusion of reactions from practicing judges puts into high relief the deep-seated and opposing beliefs about the roles of law and politics in judicial work. Praise for *What's Law Got to Do with It?* “Geyh (associate dean for research and John F. Kimberling professor of law, Indiana Univ. School of Law) is well qualified to edit this reader about the interaction of law and politics in contemporary society. The contributors . . . are among the very best scholars in the legal and political science realm . . . . The writing is lively and easy to follow for the somewhat sophisticated reader . . . . Highly recommended.” —Choice “Readers will find these essays fascinating, thoughtful and sometimes infuriating, as conventional disciplinary wisdom is defended, modified and refuted. The result is a terrific text for all students of the legal process.” —Mark A. Graber, University of Maryland “This volume pulls together an excellent cast to examine one of the most intriguing and most difficult questions in the study of law and politics today—what role does law play in the job of judging? There is a lot to learn in these pages, and this book does a fine job of pushing the conversation forward.” —Keith Whittington, Princeton University

## **What's Law Got to Do With It?**

\“The definitive guide to studying law at university, *Letters to a Law Student* is an indispensable guide for any law student, at any point in their undergraduate degree. It is packed full of practical advice and helpful answers to the most common questions about studying law at university across every stage of taking, or thinking about taking, a law degree.\”--

## **Letters to a Law Student**

This brief book is designed to prepare students for their first year of law school, thereby decreasing their anxiety and increasing their chances of achieving academic success. Also appropriate for non-J.D. students, including LLM students from foreign countries and graduate students outside law school. Features: Gives student basic grounding in discrete non-legal topics that are important to the contemporary study of law Includes and “Test Your Understanding” boxes to allow students to use what they are learning Friendly writing style Images and graphics help students remember material

## **What Every Law Student Really Needs to Know**

This text offers an original and scholarly introduction to a number of key topics which lie at the heart of modern international law. Based upon the author's highly acclaimed Hague Academy lectures, the book introduces the student to a series of pressing problems which help reveal the complex relationship between legal norms and policy objectives which define contemporary international law.

## **Problems and Process**

Recent high-profile corporate scandals—such as those involving Enron in the United States, Yukos in Russia, and Livedoor in Japan—demonstrate challenges to legal regulation of business practices in capitalist economies. Setting forth a new analytic framework for understanding these problems, *Law and Capitalism* examines such contemporary corporate governance crises in six countries, to shed light on the interaction of legal systems and economic change. This provocative book debunks the simplistic view of law’s instrumental function for financial market development and economic growth. Using comparative case studies that address the United States, China, Germany, Japan, Korea, and Russia, Curtis J. Milhaupt and Katharina Pistor argue that a disparate blend of legal and nonlegal mechanisms have supported economic growth around the world. Their groundbreaking findings show that law and markets evolve together in a “rolling relationship,” and legal systems, including those of the most successful economies, therefore differ significantly in their organizational characteristics. Innovative and insightful, *Law and Capitalism* will change the way lawyers, economists, policy makers, and business leaders think about legal regulation in an increasingly global market

for capital and corporate governance.

## **Law & Capitalism**

Offers an accessible discussion of conceptual and moral questions on international law and advances the debate on many of these topics.

## **Philosophy and International Law**

Provides an accessible, balanced, and nuanced introduction to public international law, with examples of how the law applies in practice.

## **The Concept of Law**

There are two kinds of knowledge law school teaches: legal rules on the one hand, and tools for thinking about legal problems on the other. Although the tools are far more interesting and useful than the rules, they tend to be neglected in favor of other aspects of the curriculum. In *The Legal Analyst*, Ward Farnsworth brings together in one place all of the most powerful of those tools for thinking about law. From classic ideas in game theory such as the “Prisoner’s Dilemma” and the “Stag Hunt” to psychological principles such as hindsight bias and framing effects, from ideas in jurisprudence such as the slippery slope to more than two dozen other such principles, Farnsworth’s guide leads readers through the fascinating world of legal thought. Each chapter introduces a single tool and shows how it can be used to solve different types of problems. The explanations are written in clear, lively language and illustrated with a wide range of examples. *The Legal Analyst* is an indispensable user’s manual for law students, experienced practitioners seeking a one-stop guide to legal principles, or anyone else with an interest in the law.

## **An Introduction to Public International Law**

This friendly and accessible guide is one that you’ll want to have on hand at every stage of the journey when starting your own law firm. From initial planning and choosing the right structure, overcoming teething problems, to expansion and beyond, in this book you’ll find the practical guidance you need to set up and manage a law firm. Written by experienced practitioners who manage their own firms, *How to Start a Law Firm* includes guidance and advice on regulations, client care, staffing and managing finances, and new technology including AI. It offers lessons in how to develop the mindset of a business owner and a detailed study of how law firms have responded to the coronavirus pandemic.

## **The Legal Analyst**

As the first single-authored general account of the international law of energy, written by a leading authority and covering all the main rules, processes and institutions, this book will be of significant interest to undergraduate and graduate students, researchers and practitioners of international law, international relations and energy policy.

## **How to Start a Law Firm**

Law school can be a terrifying experience if you don’t know what you’re getting yourself into. For students who don’t have their career paths or pedagogic goals mapped out, law school is even more terrifying. There are so many questions that accompany the decision to apply to law school: Is it worth the money? Is it worth the time? Is this the right time to go? Will I do well? How can I do well? How do I find a job? What kind of job is right for me? Is law school like college? And if you decide to go to law school, there are even more questions: What is an outline? How is an exam structured? How do I get a job at a big firm? What is a legal

fraternity? What is the bar exam and when do I take it? This book is a firsthand account of trudging through law school without the answers to any of these questions. Three students offer a completely candid student perspective on every aspect of law school, from classmates to bar review, and outlines to studying abroad. While other law school preparation books are helpful, this account is a true story of how things really work, from the ground up. We are not law school experts, we are law school students: just like you. If you've ever wanted to know the real story on law school, this is it. \"What the L? is a fine gift to any aspiring lawyer.\" -- Midwest Book Review

## **The International Law of Energy**

This book takes the reader on a sweeping tour of the international legal field to reveal some of the patterns of difference, dominance, and disruption that belie international law's claim to universality. Pulling back the curtain on the \"divisible college of international lawyers,\" Anthea Roberts shows how international lawyers in different states, regions, and geopolitical groupings are often subject to distinct incoming influences and outgoing spheres of influence in ways that reflect and reinforce differences in how they understand and approach international law. These divisions manifest themselves in contemporary controversies, such as debates about Crimea and the South China Sea. Not all approaches to international law are created equal, however. Using case studies and visual representations, the author demonstrates how actors and materials from some states and groups have come to dominate certain transnational flows and forums in ways that make them disproportionately influential in constructing the \"international.\" This point holds true for Western actors, materials, and approaches in general, and for Anglo-American (and sometimes French) ones in particular. However, these patterns are set for disruption. As the world moves past an era of Western dominance and toward greater multipolarity, it is imperative for international lawyers to understand the perspectives and approaches of those coming from diverse backgrounds. By taking readers on a comparative tour of different international law academies and textbooks, the author encourages them to see the world through the eyes of others -- an essential skill in this fast changing world of shifting power dynamics and rising nationalism.

## **What the L?**

The struggle for Palestinian sovereignty has been a quest for inclusion in--and recognition from--a world order that left them behind. Sovereignty has become a trap for Palestinians and getting out is a matter of political vision and will. The law does not determine any particular outcome, it only promises the contest over one. While Jewish and Palestinian sovereignty are incommensurable, their belonging is not. The law is not just and justice is not rule-based.

## **Is International Law International?**

Eve Was Framed offers an impassioned, personal critique of the British legal system. Helena Kennedy focuses on the treatment of women in our courts - at the prejudices of judges, the misconceptions of jurors, the labyrinths of court procedures and the influence of the media. But the inequities she uncovers could apply equally to any disadvantaged group - to those whose cases are subtly affected by race, class poverty or politics, or who are burdened, even before they appear in court, by misleading stereotypes.

## **Justice for Some**

The authors look at the connection between democracy and efficiency as they investigate the meaning of law and order. The authors argue that only through a democratically accountable police service can we hope to build up relationships within the inner city.

## **Eve Was Framed**

\\"Packed with insights from over 1,000 law students, this book offers practical wisdom to help law students find a sense of purpose. An indispensable companion for law students, prospective law students, and law professors and scholars\\"--

## **What Is to Be Done About Law and Order?**

Fifteen law schools have been sued for allegedly reporting misleading employment data. For years, almost all law schools claimed to have a 90% or better overall employment rate. Since 2012, we now know that at many ABA-accredited schools less than 50% of their graduates find long-term, full-time jobs that require passage of the bar exam--the actual attorney jobs. Many schools also have relatively low bar-exam passage rates and high attrition rates (i.e., high percentages of students who flunk out or drop out). Professor Johnson demonstrates how to find relevant data about a law school and how to analyze over twenty different criteria in assessing whether the school has sufficiently satisfactory outcomes and is, therefore, worth attending. Such a thorough analysis will help prospective students avoid getting \\"vanity degrees\\"--the diplomas that look lovely in a picture frame but that may not make one employable as an attorney.

## **How to Be Sort of Happy in Law School**

Hart's *The Concept of Law* is widely recognized as the most important work of legal philosophy published in the twentieth century. It is a classic book in the field of legal scholarship and remains the starting point for most students coming to the subject for the first time. Known as Hart's most famous work, *The Concept of Law* emerged from a set of lectures that Hart began to deliver in 1952 in which he developed a sophisticated view of legal positivism. Hart revolutionized the methods of jurisprudence and the philosophy of law in the English-speaking world by bringing the tools of analytic, and especially linguistic, philosophy to bear on the central problems of legal theory. It remains a must-read for anyone interested in the great thinkers of the 20th century.

## **Is a Law Degree Still Worth the Price?**

*Learning the Law* is unique among law books. It does not say what the laws is; rather, it aims to be a Guide, Philosopher and Friend to the reader at every stage of his legal studies.

## **The Concept of Law**

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## **Learning the Law**

This book attempts to explain why and how information technology will radically alter the practice of law and the administration of justice. The author is a leading expert on the subject of computers and the law.

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