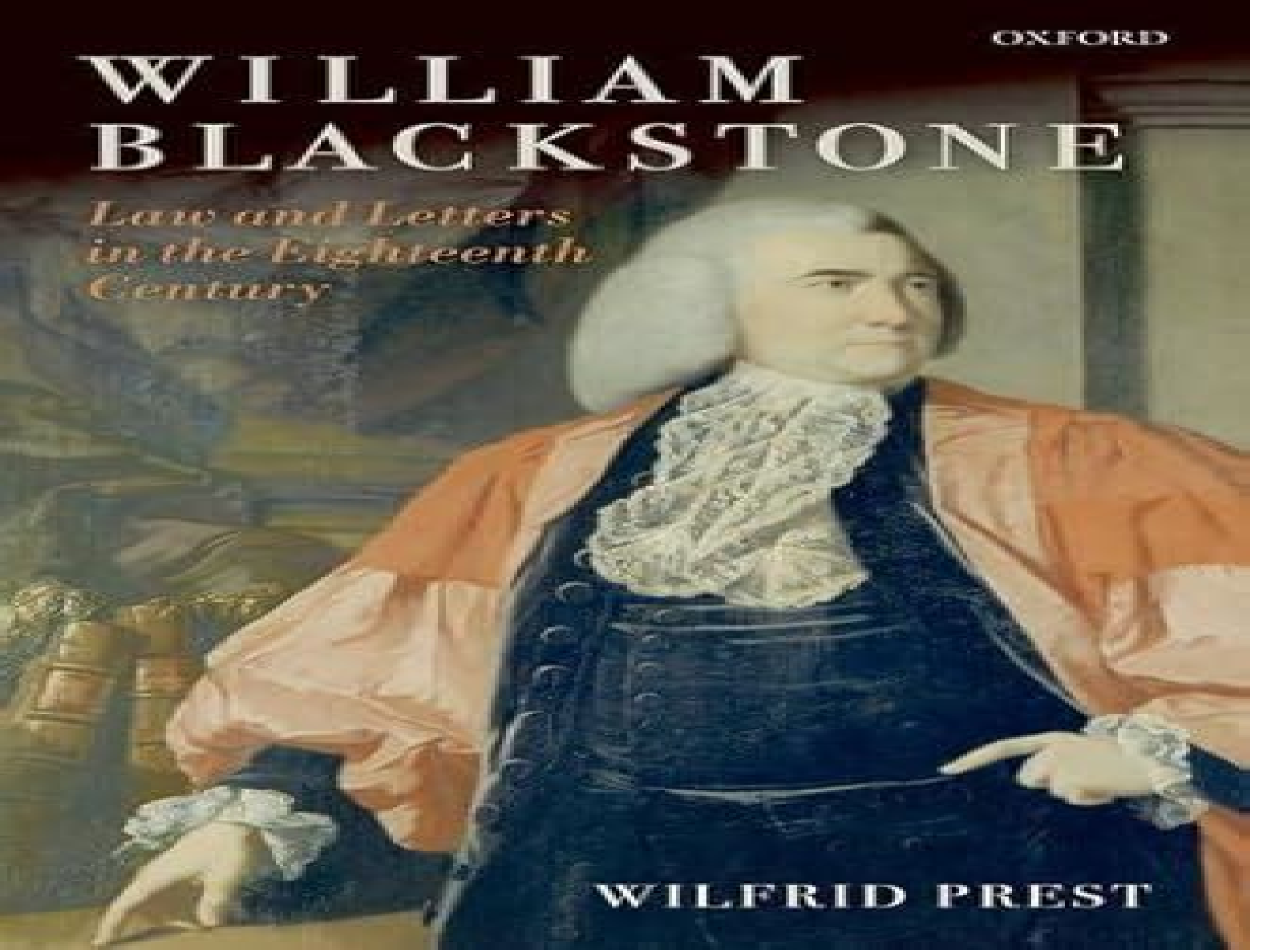


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Re-Interpreting Blackstone's Commentaries Wilfrid Prest, 2014-12-01 This collection explores the remarkable impact and continuing influence of William Blackstone s Commentaries on the Laws of England from the work s original publication in the 1760s down to the present Contributions by cultural and literary scholars and intellectual and legal historians trace the manner in which this truly seminal text has established its authority well beyond the author s native shores or his own limited lifespan In the first section Words and Visions Kathryn Temple Simon Stern Cristina S Martinez and Michael Meehan discuss the Commentaries aesthetic and literary qualities as factors contributing to the work s unique status in Anglo American legal culture The second group of essays traces the nature and dimensions of Blackstone s impact in various jurisdictions outside England namely Quebec Michel Morin Louisiana and the United States more generally John W Cairns and Stephen M Sheppard North Carolina John V Orth and Australasia Wilfrid Prest Finally Horst Dippel Paul Halliday and Ruth Paley examine aspects of Blackstone s influential constitutional and political ideas while Jessie Allen concludes the volume with a personal account of Reading Blackstone in the Twenty First Century and the Twenty First Century through Blackstone This volume is a sequel to the well received collection Blackstone and his Commentaries Biography Law History Hart Publishing 2009 **Handbook of the History of the Philosophy of Law and Social Philosophy** Gianfrancesco Zanetti, Mortimer Sellers, Stephan Kirste, 2023-04-03 This Handbook discusses representative philosophers in the history of the philosophy of law and social philosophy giving clear concise expert definitions and explanations of key personalities and their ideas It provides an essential reference for experts and newcomers alike *History of Universities: Volume XXXV / 1*

Mordechai Feingold, 2022 This special edition of History of Universities Volume XXXV 1 studies and reappraises the often ignored history of eighteenth century Oxford caught as it is between the upheavals of the Stuart century and the reformation of the Victorian era

The Profession of Ecclesiastical Lawyers R. H. Helmholz, 2019-05-09 Historians of the English legal profession have written comparatively little about the lawyers who served in the courts of the Church This volume fills a gap it investigates the law by which they were governed and discusses their careers in legal practice Using sources drawn from the Roman and canon laws and also from manuscripts found in local archives R H Helmholz brings together previously published work and new evidence about the professional careers of these men His book covers the careers of many lesser known ecclesiastical lawyers dealing with their education in law their reaction to the coming of the Reformation and their relationship with English common lawyers on the eve of the Civil War Making connections with the European *ius commune* this volume will be of special interest to English and Continental legal historians as well as to students of the relationship between law and religion

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Nineteenth-Century Crime and Punishment Victor Bailey, 2021-07-25 This four volume collection looks at the essential issues concerning crime and punishment in the long nineteenth century Through the presentation of primary

source documents it explores the development of a modern pattern of crime and a modern system of penal policy and practice illustrating the shift from eighteenth century patterns of crime including the clash between rural custom and law and punishment unsystematic selective public and body centred to nineteenth century patterns of crime urban increasing and a metaphor for social instability and moral decay before a remarkable late century crime decline and punishment reform minded soul centred penetrative uniform and private in application The first two volumes focus on crime itself and illustrate the role of the criminal courts the rise and fall of crime the causes of crime as understood by contemporary investigators the police ways of knowing the criminal the role of moral panics and the definition of the criminal classes and habitual offenders The final two volumes explore means of punishment and look at the shift from public and bodily punishments to transportation the rise of the penitentiary the convict prison system and the late century decline in the prison population and loss of faith in the prison

Lord Mansfield Norman S. Poser, 2013-09-01 The life and times of the great eighteenth century judge and statesman whose legacy continues to influence Anglo American law and society

A Political Biography of Samuel Johnson Nicholas Hudson, 2015-10-06 Johnson rose from obscure origins to become a major literary figure of the eighteenth century Through a detailed survey of his major works and political journalism Hudson constructs a complex picture of Johnson as a moralist forced to accept the realistic nature of politics during an era of revolutionary transition

The Oxford Handbook of Legal History Markus D. Dubber, Christopher Tomlins, 2018-07-26 Some of the most exciting and innovative legal scholarship has been driven by historical curiosity Legal history today comes in a fascinating array of shapes and sizes from microhistory to global intellectual history Legal history has expanded beyond traditional parochial boundaries to become increasingly international and comparative in scope and orientation Drawing on scholarship from around the world and representing a variety of methodological approaches areas of expertise and research agendas this timely compendium takes stock of legal history and methodology and reflects on the various modes of the historical analysis of law past present and future Part I explores the relationship between legal history and other disciplinary perspectives including economic philosophical comparative literary and rhetorical analysis of law Part II considers various approaches to legal history including legal history as doctrinal intellectual or social history Part III focuses on the interrelation between legal history and jurisprudence by investigating the role and conception of historical inquiry in various models schools and movements of legal thought Part IV traces the place and pursuit of historical analysis in various legal systems and traditions across time cultures and space Finally Part V narrows the Handbooks focus to explore several examples of legal history in action including its use in various legal doctrinal contexts

The Oxford Encyclopedia of American Political and Legal History, 2012-04-17 The Oxford Encyclopedia of American Political and Legal History brings together in one authoritative reference work an unparalleled wealth of information about the laws institutions and actors that have governed America throughout its history Embracing the interconnectedness of politics and law The Encyclopedia addresses all aspects of both

spheres from presidents and Supreme Court justices to specifics of policy history critical legislation and party formation Entries capture the unique nature of the nation s founding principles embodied in the Constitution the expansive nature of American democracy political conflict and compromise and the emergence of the modern welfare and regulatory state all of which evince the tensions contradictions and possibilities manifest throughout America s history Clearly demonstrating how US politics and law have evolved since the colonial era The Encyclopedia encourages readers to anticipate further changes With over 450 articles by expert scholars each signed entry features numerous cross references and discussion of political and legal history as well as additional sources for further study This two volume A to Z compendium is a reference work of unparalleled depth and scope and will introduce a new generation of readers to the complexities of this dynamic field of study It also features extensive cross referencing a topical outline and a subject index

The Tree of Legal Knowledge John V. Orth, 2023-03-01 This book restores to view a masterpiece of beauty and legal scholarship which has been lost for almost two hundred years Produced anonymously in 1838 The Tree of Legal Knowledge is an elaborate visualization in five large colored plates of the law as stated in Sir William Blackstone s Commentaries on the Laws of England Intended as an assistant for students in the study of law the study aid was not a simple diagram but a beautiful tree with each branch and twig labeled with legal terms and concepts from the Commentaries Not for law students only the original was also intended to be of use to the practicing attorney and educated gentleman in consolidating his learning and forming an instructive and ornamental appendage to an office Although Blackstone s Commentaries had been first published eighty years earlier it remained the primary source for knowledge of English law and required reading for American law students The Commentaries remain relevant today and are frequently cited by the U S Supreme Court as a source for the original understanding of legal rights and obligations at the time of American Independence Despite its artistic beauty and academic significance The Tree of Legal Knowledge had seemingly disappeared shortly after its publication It is not included in the collection of any library including the Library of Congress or in Yale University s Blackstone Collection the largest in the world It is not listed in the comprehensive Bibliographical Catalog of William Blackstone edited by Ann Jordan Laeuchli published for the Yale Law Library in 2015 The present volume reproduces the only extant copy of The Tree of Legal Knowledge It includes an introduction by the editor that places The Tree in historical context and identifies the anonymous author an otherwise unknown lawyer In addition it reprints the original author s introduction and explanation of the branches both extensively annotated This book restores this lost masterpiece to its proper place in legal history The Tree is a beautiful and accurate depiction of English law as expounded in Blackstone s Commentaries the single most important book in the history of the common law

The Formation and Transmission of Western Legal Culture Serge Dauchy, Georges Martyn, Anthony Musson, Heikki Pihlajamäki, Alain Wijffels, 2016-12-01 This volume surveys 150 law books of fundamental importance in the history of Western legal literature and culture The entries are organized in three sections the first dealing with the

transitional period of fifteenth century editions of medieval authorities the second spanning the early modern period from the sixteenth to the eighteenth century and the third focusing on the nineteenth and twentieth centuries The contributors are scholars from all over the world Each old book is analyzed by a recognized specialist in the specific field of interest Individual entries give a short biography of the author and discuss the significance of the works in the time and setting of their publication and in their broader influence on the development of law worldwide Introductory essays explore the development of Western legal traditions especially the influence of the English common law and of Roman and canon law on legal writers and the borrowings and interaction between them The book goes beyond the study of institutions and traditions of individual countries to chart a broader perspective on the transmission of legal concepts across legal political and geographical boundaries Examining the branches of this genealogical tree of books makes clear their pervasive influence on modern legal systems including attempts at rationalizing custom or creating new hybrid systems by transplanting Western legal concepts into other jurisdictions

Common Law and Natural Law in America Andrew Forsyth, 2019-04-11 Presents an ambitious narrative and fresh re assessment of common law and natural law s varied interactions in America 1630 to 1930

The Language of Law and the Foundations of American Constitutionalism Gary L. McDowell, 2010-06-28 For much of its history the interpretation of the United States Constitution presupposed judges seeking the meaning of the text and the original intentions behind that text a process that was deemed by Chief Justice John Marshall to be the most sacred rule of interpretation Since the end of the nineteenth century a radically new understanding has developed in which the moral intuition of the judges is allowed to supplant the Constitution s original meaning as the foundation of interpretation The Founders Constitution of fixed and permanent meaning has been replaced by the idea of a living or evolving constitution Gary L McDowell refutes this new understanding recovering the theoretical grounds of the original Constitution as understood by those who framed and ratified it It was he argues the intention of the Founders that the judiciary must be bound by the original meaning of the Constitution when interpreting it

Thomas Jefferson, Legal History, and the Art of Recollection Matthew Crow, 2017-03-17 In this innovative book historian Matthew Crow unpacks the legal and political thought of Thomas Jefferson as a tool for thinking about constitutional transformation settler colonialism and race and civic identity in the era of the American Revolution Thomas Jefferson s practices of reading writing and collecting legal history grew out of broader histories of early modern empire and political thought As a result of the peculiar ways in which he theorized and experienced the imperial crisis and revolutionary constitutionalism Jefferson came to understand a republican constitution as requiring a textual material culture of law shared by citizens with the cultivated capacity to participate in such a culture At the center of the story in *Thomas Jefferson Legal History and the Art of Recollection* Crow concludes we find legal history as a mode of organizing and governing collective memory and as a way of instituting a particular form of legal subjectivity

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