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Perhaps the most striking characteristic of the common law is the tension between its two conflicting attitudes to legal generalizations: on the one hand, there is the cautious case by case approach, which in tendency limits the generalization to the instant case; and on the other hand, there is the attitude towards precedent expressed in the doctrine of stare decisis, the principle of ...

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Addressing both public and private law, this book shows how the philosophy of law is related to concrete and actual legal practice. Part One consists of readings from philosophers representing eight influential types of jurisprudence: natural law theory, positivism, constructivism, consequentialism, critical legal studies, feminist theory, practice theory, and 'new' natural law theory.

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