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The Dynamics of Law and Morality

A Pluralist Account of Legal Interactionism

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This investigation of the dynamic intertwinement of law and morality argues that theoretical pluralism is better explained once law is accepted as an essentially ambiguous concept. The book develops a robust theory of law that increases our grasp on global legal pluralism and the dynamics of law and also emphasises the theory of legal interactionism. This helps us to understand apparent anomalies of modern law and does justice to the valuable core of truth in natural law and legal positivism.

Contents: Preface; Introduction; **Part I Understanding Theoretical Pluralism:** Two basic models of law and morality; Essentially ambiguous concepts; The debate between Fuller, Hart, and Dworkin; The relations between law and morality; A pluralist framework. **Part II Legal Interactionism:** What is legal interactionism?; Understanding the dynamics of law; Three apparent anomalies in modern law; The necessary and contingent relationship between law and morality; References; Index.

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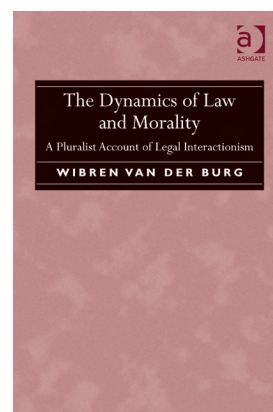
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May 2014

200 pages

Hardback

978-1-4724-3040-3

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As a legal positivist, he insisted on the separation of law and morality. However, he developed a much more sophisticated model than Austin's to explain the nature of law. There are, he argued, two categories of rules, called primary and secondary rules, which, in combination, form the basis of a functioning legal system.