

On the History of the Idea of Law

Shirley Robin Letwin

Edited By

Noel B. Reynolds



CAMBRIDGE
UNIVERSITY PRESS

Contents

<i>Editor's preface</i>	<i>page vii</i>
Introduction: The idea of law	1
Part I Law anchored to a cosmic order	
1 Plato	9
2 Aristotle	21
3 Cicero	42
Part II The Christian revision	
4 St. Augustine	59
5 St. Thomas Aquinas	69
Part III The modern quest	
6 Thomas Hobbes	91
7 John Locke	108
8 Immanuel Kant	135
9 Jeremy Bentham	153
Part IV The significance of rules	
10 From historical jurisprudence to Realism: Savigny, Jhering, Duguit, Holmes, Gray, Frank	185
11 The defense of rules: Edward Levi, Hans Kelsen, H. L. A. Hart	200

Part V The idea of law repudiated

12	Marxist theories	221
13	Political jurisprudence I: From Realism to feminist jurisprudence	247
14	Political jurisprudence II: Ronald Dworkin	276

Part VI New foundations

15	A skeptical jurisprudence: Michael Oakeshott	307
16	Postscript: Morality, individualism, and law	326
	<i>Index</i>	347