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KEY=KAMES - SADIE MCLEAN

Lord Kames Legal and Social Theorist Re-establishes the importance of the ideas and legal philosophy of Scottish jurist and philosopher Lord Kames The Scottish jurist, judge, legal historian and philosopher Henry Home (1696-1782) took the title Lord Kames when he was elevated to the bench of the Scottish Court of Session in 1752. In the 18th century, his books were influential and widely read: the educated classes and representatives of the Enlightenment in England, France and in the German states were all familiar with his aesthetic and philosophical writings. Andreas Rahmatian explains Kames' conceptions of legal philosophy, including black-letter law, legal science, legal theory, legal sociology and anthropology in its early stages, setting them in the context of the Scottish Enlightenment. He looks at how Kames came to be one of the forefathers of comparative law, sociology of law, legal psychology and 'legal science' in its proper meaning, as opposed to 'law'. **Lord Kames Legal and Social Theorist** *Edinburgh University Press* Andreas Rahmatian explains Kames' conceptions of legal philosophy, including black-letter law, legal science, legal theory, legal sociology and anthropology in its early stages, setting them in the context of the Scottish Enlightenment. **Lord Kames: Selected Writings** *Andrews UK Limited* The judge, jurist and philosopher Henry Home, Lord Kames (1696-1782) was a polymath and one of the principal personalities of the Scottish Enlightenment. As a teacher and mentor of Adam Smith, Thomas Reid, and David Hume to some extent, he published works on law and legal history, moral philosophy, aesthetics and rhetoric, anthropology and sociology of law, and on the economic and agricultural improvement of Scotland. He saw these disciplines as elements of a philosophical history of man that developed in certain stages, and he considered law as part of all these subjects. Kames was a widely read author in the eighteenth century, and some of his works were translated into French and German at the time. His influence on German men of letters and on some of the Founders of the United States was considerable. This anthology contains characteristic passages from Kames's works, particularly from his *Sketches of the History of Man* (1774), a comprehensive synoptic work which presents Kames's idea of the progress of man, of society, and of the sciences, from the *Essays on the Principles of Morality and Natural Religion* (1751), a critique of Hume and an important work of Scottish Common Sense philosophy, from the *Elements of Criticism* (1762) on aesthetics, rhetoric and literary criticism, and from the *Principles of Equity* (1760) and the *Historical Law-Tracts* (1758) as his main works on law and legal history. **Tracings of Gerald Le Dain's Life in the Law** *McGill-Queen's Press - MQUP* Gerald Le Dain (1924–2007) was appointed to the Supreme Court of Canada in 1984. This collectively written biography traces fifty years of his steady, creative, and conciliatory involvement with military service, the legal academy, legislative reform, university administration, and judicial decision-making. This book assembles contributions from the in-house historian of the law firm where Le Dain first practised, from students and colleagues in the law schools where he taught, from a research associate in his Commission of Inquiry into the non-medical use of drugs, from two of his successors on the Federal Court of Appeal, and from three judicial clerks to Le Dain at the Supreme Court of Canada. Also reproduced here is a transcript of a recent CBC documentary about his 1988 forced resignation from the Supreme Court following a short-term depressive illness, with commentary from Le Dain's family and co-workers. Gerald Le Dain was a tireless worker and a highly respected judge. In a series of essays that cover the different periods and dimensions of his career, *Tracings of Gerald Le Dain's Life in the Law* is an important and compassionate account of one man's commitment to the law in Canada. Contributors include Harry W. Arthurs, G. Blaine Baker, Bonnie Brown, Rosemary Cairns-Way, John M. Evans, Melvyn Green, Bernard J. Hibbitts, Peter W. Hogg, Richard A. Janda, C. Ian Kyer, Andree Lajoie, Gerald E. Le Dain, Allen M. Linden, Roderick A. Macdonald, Louise Rolland, and Stephen A. Scott. **Bentham and the Common Law Tradition** *Clarendon Law* This work explores the relationship between Bentham's utilitarian practical philosophy and his positivist jurisprudence. These theories appear to be in tension because his utilitarian commitment to the sovereignty of utility as a practical decision principle seems inconsistent with his positivist insistence on the sovereignty of the will of the lawmaker. Two themes emerge from the attempt in this work to reconcile these two core elements of Bentham's practical thought. First, Bentham's conception of law does not fit the conventional model of legal positivism. Bentham was not just a utilitarian and a positivist; he was a positivist by virtue of his commitment to a utilitarian understanding of the fundamental task of law. Moreover, his emphasis on the necessary publicity and the systemic character of law, led him to insist on an essential role for utilitarian reasons in the regular public functioning of law. Second, Bentham's radical critique of common law theory and practice convinced him of the necessity to reconcile the need for certainty of law with an equally great need for its flexibility. He eventually developed a constitutional framework for adjudication in the shadow of codified law that accorded to judges discretion to decide particular cases according to their best judgment of the balance of utilities, guaranteeing the accountability and appropriate motivation of judicial decision-making through institutional incentives. The original text of this work, first published in 1986, remains largely unchanged, but an afterword reconsiders and revises some themes in response to criticism. **Commerce and Strangers in Adam Smith** *Springer* This book offers unique insights into how Adam Smith understood globalization, and examines how he incorporated his knowledge of the world and globalization into his classical political economy. Although Smith lived in society that was far from globalized, he experienced the beginning of globalization. Smith considered the most developed society the commercial society: the society that results from people meeting with strangers. Among Enlightenment thinkers, Smith was one of the most important figures with respect to interaction in the world, and it is through his lens that the authors view the impact of the mixing of diverse peoples. Firstly, the book describes how Smith was influenced by information from around the world. Leaving eighteenth-century Europe, including Smith's native Scotland, people travelled, traded, and immigrated to far-flung parts of the globe, sometimes writing books and pamphlets about their travels. Informed by these writers, Smith took into consideration the world beyond Europe and strangers with non-European backgrounds. Against that background, the book reinterprets Smith's moral philosophy. In *The Theory of Moral Sentiments*, Smith developed his moral philosophy, in which he examined how people form opinions through their meetings with strangers. He researched how encounters with strangers created the sharing of social rules. As such, the book studies how Smith believed that people in dissimilar communities come to share common concepts of morality and justice. Lastly, it provides an innovative reading of Smith's political economy. In *The Wealth of Nations*, Smith established the market model of economic society. However, he saw the limitations of that model since it does not consider the impact of money on economy and international trade. He also recognized the limitations of his own equilibrium theory of market, the theory that is still influential today. **How the Scots Invented the Modern World The True Story of How Western Europe's Poorest Nation Created Our World and Everything in It** *Crown* An exciting account of the origins of the modern world Who formed the first literate society? Who invented our modern ideas of democracy and free market capitalism? The Scots. As historian and author Arthur Herman reveals, in the eighteenth and nineteenth centuries Scotland made crucial contributions to science, philosophy, literature, education, medicine, commerce, and politics—contributions that have formed and nurtured the modern West ever since. Herman has charted a fascinating journey across the centuries of Scottish history. Here is the untold story of how John Knox and the Church of Scotland laid the foundation for our modern idea of democracy; how the Scottish Enlightenment helped to inspire both the American Revolution and the U.S. Constitution; and how thousands of Scottish immigrants left their homes to create the American frontier, the Australian outback, and the British Empire in India and Hong Kong. How the Scots Invented the Modern World reveals how Scottish genius for creating the basic ideas and institutions of modern life stamped the lives of a series of remarkable historical figures, from James Watt and Adam Smith to Andrew Carnegie and Arthur Conan Doyle, and how Scottish heroes continue to inspire our contemporary culture, from William “Braveheart” Wallace to James Bond. And no one who takes this incredible historical trek will ever view the Scots—or the modern West—in the same way again. **The Rise of Political Economy in the Scottish Enlightenment** *Routledge* This collection of essays provides a comprehensive view of the economic thought of the Scottish Enlightenment. Organized as a chronological account of the rise and progress of political economy in eighteenth century Scotland, each chapter discusses the way in which the moral and economic improvement of the Scottish nation became a common concern. Contributors not only explore the economic discourses of David Hume, James Steuart and Adam Smith but also consider the neglected economic writings of Andrew Fletcher, Robert Wallace, Francis Hutcheson, William Robertson, John Millar and Dugald Stewart. This book addresses the question of how these economic writings interacted with the moral, political and historical arguments of the time and shows how contemporary issues related to the union with England, natural jurisprudence, classical republicanism and manners and civilization all contained an economic dimension. Key chapters include: The ancient modern controversy in the Scottish Enlightenment The 'Scottish Triangle' in the shaping of political economy: David Hume, Sir James Steuart and Adam Smith Civilization and history in Lord Kames and William Robertson Adam Smith in Japan This view of the origin of economic science in Britain is markedly different from traditional accounts and will be of interest to economic, political and social historians. **A History of Private Law in Scotland: Introduction and property** *Oxford University Press on Demand* This work is a detailed study of the field of private law. It takes key topics from the law of obligations and the law of property and traces their historical development. **Henry Home, Lord Kames, and the Scottish Enlightenment: A Study in National Character and in the History of Ideas** *Springer* The purpose of the present study is to present the life and work and thought of a remarkable pioneering figure on the Scottish scene over the middle half, broadly, of the eighteenth century, in their dynamic relations with that most extraordinary intellectual awakening and scientific, educational, literary and religious development of his time generally known as the "Scottish Enlightenment." That movement in thought and culture was indeed in more ways than one a unique phenomenon in the history of western culture, comparable, in its own manner and measure, as we shall attempt to point out later, with such history-making movements or epochs as the Age of Pericles in Greece, the Augustan Age in Rome, the Renaissance movement in Italy and Western Europe generally, the up-surge both in science and in letters in England in the seventeenth century, and the contemporary movement in France associated with the Encyclopedists. This Scottish Enlightenment, often also spoken of as the "Awakening of Scotland," was of course more than a movement merely on the intellectual and cultural level. It had also political bearings and was rather directly conditioned by events and changes in the political arena, beginning with the Union with England in 1707; and even more directly was it accompanied and conditioned by social and economic changes which were in a short span of time to transform the face of this far-northern country almost beyond recognition. **Rethinking Thomas Jefferson's Writings on Slavery and Race "[God's] Justice Cannot Sleep Forever"** *Cambridge Scholars Publishing* Revisionism has been the historical vogue for well over two decades concerning Jeffersonian scholarship. This movement has been an attempt to neutralize the avowed "hagiographical" scholarship on Jefferson by aiming to offer an all-too-human Thomas Jefferson. The regrettable result has been a depiction, iterated and reiterated uncritically by scholars, of a less-than-human Jefferson, presenting him as an inveterate hypocrite and racist. Thus, Jeffersonian scholarship, as argued here, has become an exercise in useless, fatuous repetition of the same claims that has impeded attempts by serious scholars to gain fresh insights into the mind of one of the greatest Americans. This book offers a stimulating, provocative challenge to the stale revisionist claims on Jefferson concerning his hypocrisy and racism. It will appeal to mavens of Jefferson, as well as scholars intent on moving forward with Jeffersonian scholarship. The book will also appeal to those persons who believe it is time to resituate Jefferson on his little mountain. **The Problems and Promise of Commercial Society Adam Smith's Response to Rousseau** *Penn State Press* Adam Smith is popularly regarded as the ideological forefather of laissez-faire capitalism, while Rousseau is seen as the passionate advocate of the life of virtue in small, harmonious communities and as a sharp critic of the ills of commercial society. But, in fact, Smith had many of the same worries about commercial society that Rousseau did and was strongly influenced by his critique. In this first

book-length comparative study of these leading eighteenth-century thinkers, Dennis Rasmussen highlights Smith's sympathy with Rousseau's concerns and analyzes in depth the ways in which Smith crafted his arguments to defend commercial society against these charges. These arguments, Rasmussen emphasizes, were pragmatic in nature, not ideological: it was Smith's view that, all things considered, commercial society offered more benefits than the alternatives. Just because of this pragmatic orientation, Smith's approach can be useful to us in assessing the pros and cons of commercial society today and thus contributes to a debate that is too much dominated by both dogmatic critics and doctrinaire champions of our modern commercial society. **Smith, Marx, & After Ten Essays in the Development of Economic Thought** Springer **Just Property Volume Two: Enlightenment, Revolution, and History** Oxford University Press Property remains the bedrock of the societies we all inhabit. It underpins our core institutions - including families, states and economies - and it is the medium through which the intensifying politics of inequality is played out. There is plenty of evidence that its importance is increasing in a world of growing wealth inequality and depletion of natural resources. Volume Two of Just Property traces the development of ideas about property in the Western world from the early eighteenth century, through the Enlightenment and the experience of the French Revolution, to the critical stance of socialists and anarchists in the nineteenth century. It ranges across the thought of Bernard Mandeville, David Hume, Adam Smith, Voltaire, Rousseau, Kant, Hegel, the Abbe de Sieyès, Burke, Wollstonecraft, Charles Fourier, Karl Marx, Proudhon and Peter Kropotkin. Many themes persist from an earlier period, as does the influence of Christianity and the Roman Law but there are also many innovations. In general, the authority of God and the natural law recedes and the themes of utility and securing general welfare become more prominent. In the wake of Locke, labour, though sometimes in the form of 'past labour', that is capital, attains a new prominence. For its admirers, a newly-unfettered private property is the means of securing personal freedom, constraining authoritarian governments, promoting the arts and sciences, and delivering an unprecedented improvement in the material condition of the whole population. For its critics, private property is the central component in a new political economy of systemic and unlimited class exploitation. It penetrates everywhere and corrupts everything that it touches. With these arguments, we are clearly on the terrain of modernity, witnessing a set of arguments and counter-arguments with which we all still struggle. **Advances in the History of Rhetoric The First Six Years** Parlor Press LLC Advances in the History of Rhetoric: The First Six Years is a comprehensive collection of 29 scholarly essays published during the first phase of the journal's history. Research from prominent and developing scholars that was once difficult to acquire is now offered in a coherent and comprehensive collection that is complemented by a detailed index and unified bibliography. This collection covers a range of periods and topics in the history of rhetoric, including Greek and Roman rhetoric, rhetoric and religion, women in the history of rhetoric, rhetoric and science, Renaissance and British rhetorical theory, rhetoric and culture, and the development of American rhetoric and composition. The editors, Richard Leo Enos and David E. Beard, provide a preface and afterword that synthesize the mission and meaning of this work for students and scholars of the history of rhetoric. **The Cambridge History of Eighteenth-century Philosophy** Cambridge University Press This two-volume set presents a comprehensive and up-to-date history of eighteenth-century philosophy. The subject is treated systematically by topic, not by individual thinker, school, or movement, thus enabling a much more historically nuanced picture of the period to be painted. **A Preface to American Political Theory** Donald Lutz begins A Preface to American Political Theory by explaining what the book doesn't do. It doesn't begin with a panegyric to the American founding. It doesn't answer the following questions: "What are the basic principles in the U.S. Constitution? What were the intentions of the founders with respect to (fill in your own topic)? What is the meaning of pluralism, or separation of powers, or democracy, or (fill in your own concept)?" In short, it doesn't provide an overview of the content, development, or major conclusions of American political theory. What it does do is provide "a pre-theoretical analysis of how to go about studying questions like the ones above-how to conceptualize the project, how to proceed in looking for answers, how to avoid the logical traps peculiar to the study of American political theory." Lutz sets out to emancipate American political theorists from empiricism and inappropriate European theories and methodologies. The end result is to establish the foundation for the systematic study of American behavior, institutions, and ideas; to provide a general introduction to the study of American political theory; and to illustrate how textual analysis, history, empirical research, and analytic philosophy are all part of the enterprise. Designed for students and scholars in all disciplines, including political science, history, and legal studies, A Preface to American Political Theory doesn't provide answers to central continuing issues in American political theory. Rather, it provides an effective, sophisticated entree into the study of American political theory. Readers will be armed with the intellectual tools to engage in systematic study and makes them aware of the pitfalls they will inevitably encounter. **The Theory, Principles and Management of Taxation An introduction** Routledge There are many practical textbooks explaining how taxation is applied and calculated but few ever deal thoroughly with the theory behind the practice. This book concisely addresses the principles and theories behind taxation in an accessible and internationally relevant way. It encourages readers to think through and develop an understanding of why taxation is imposed, the different means by which it is imposed and the nature of the problems inherent in this imposition. It addresses background issues, fundamental principles and emerging topics such as: the philosophy and history of taxation; types of taxation; and international issues, including double taxation treaties, residence and transfer prices. This text is essential reading for students of taxation and provides a valuable introduction for students of business, finance and accounting. **Social Anthropology** Routledge Social Anthropology explains and illustrates the methods of modern anthropology, tracing its development from pre-nineteenth-century philosophical speculations and the empirical work of explorers, missionaries and colonial servants, up to the second half of the twentieth century. First published in 1951. **The Postcolonial Enlightenment Eighteenth-Century Colonialism and Postcolonial Theory** OUP Oxford Over the last thirty years, postcolonial critiques of European imperial practices have transformed our understanding of colonial ideology, resistance, and cultural contact. The Enlightenment has played a complex but often unacknowledged role in this discussion, alternately reviled and venerated as the harbinger of colonial dominion and avatar of liberation, as target and shield, as shadow and light. This volume brings together two arenas - eighteenth-century studies and postcolonial theory - in order to interrogate the role and reputation of Enlightenment in the context of early European colonial ambitions and postcolonial interrogations of Western imperial aspirations. With essays by leading scholars in the field, Postcolonial Enlightenment address issues central not only to literature and philosophy but also to natural history, religion, law, and the emerging sciences of man. The contributors situate a range of writers - from Hobbes and Herder, Behn and Burke, to Defoe and Diderot - in relation both to eighteenth-century colonial practices and to key concepts within current postcolonial theory concerning race, globalization, human rights, sovereignty, and national and personal identity. By enlarging the temporal and geographic framework through which we read, the essays in this volume open up alternate genealogies for categories, events and ideas central to the emergence of global modernity. **Reconstructing History The Emergence of a New Historical Society** Psychology Press First published in 1999. Routledge is an imprint of Taylor & Francis, an informa company. **The Economic Thought of Sir James Steuart First Economist of the Scottish Enlightenment** Routledge James Steuart published An Inquiry into the Principles of Political Economy in 1767, the first systematic treatise on economics, nine years before Adam Smith's Wealth of Nations. Traditional historiography has tended to disregard and even deny Steuart's oeuvre, categorizing him as the last, outdated advocate of mercantilist policies in Britain. A clear portrait of a modernizing and enlightened Steuart emerges from this book, opening up an alternative approach to many key developments in economic theory. This book brings together a diverse international team of experts to overturn the "advocate of mercantilism" myth and explore different interpretations of Steuart's work within the context of the writings of other contemporary authors. A diverse range of specialists - historians, economists, political scientist, and sociologists - reflecting the diversity of James Steuart's work explore various aspects of the life, works, and influence of James Steuart, including his links to other authors who conceive - as Steuart did - the economic system of "natural liberty" as an artificial creation. The portrait of a demarginalized, modernizing, and enlightened Steuart emerges clearly in this book. This book is not reduced to old authors whose ideas would be at the Museum of Dead Ideas, it has a very contemporary resonance. The subjects and the way Steuart tackles them could have a big influence on future authors who recognized some advantages of an alternative approach to many key developments in economic theory. This will also be of interest to scholars of history of economic thought, intellectual history, and 18th century history. **Social Theory of the Scottish Enlightenment** Edinburgh University Press David Hume, Adam Smith, William Robertson, Adam Ferguson, Lord Kames, John Millar, James Dunbar and Gilbert Stuart were at the heart of Scottish Enlightenment thought. This introductory survey offers the student a clear, accessible interpretation and synthesis of the social thought of these historically significant thinkers. Organised thematically, it takes the student through their accounts of social institutions, their critique of individualism, their methodology, their views of progress and of moral and cultural values. By taking human sociality as their premise, the book shows how they produced important analyses of historical change, politics and morality, together with an assessment of their own commercial society. **Catalogue of the Books in the Library of the Faculty of Procurators in Glasgow Alphabetically Arranged with Index of Subjects** The Cambridge Companion to the Scottish Enlightenment Cambridge University Press The Cambridge Companion to the Scottish Enlightenment offers a philosophical perspective on an eighteenth-century movement that has been profoundly influential on western culture. A distinguished team of contributors examines the writings of David Hume, Adam Smith, Thomas Reid, Adam Ferguson, Colin Maclaurin and other Scottish thinkers, in fields including philosophy, natural theology, economics, anthropology, natural science and law. In addition, the contributors relate the Scottish Enlightenment to its historical context and assess its impact and legacy in Europe, America and beyond. The result is a comprehensive and accessible volume that illuminates the richness, the intellectual variety and the underlying unity of this important movement. It will be of interest to a wide range of readers in philosophy, theology, literature and the history of ideas. **The Scottish Enlightenment A Social History** Routledge Originally published in 1976, this book discusses the relationship of the age of intellectual enlightenment in Scotland to the age of economic improvement and analyses the Scottish Enlightenment from a more sociological point of view. It describes the intense period of high intellectual endeavour and activity that took place in the resorts of the cultural social Scottish elite in 18th and early 19th Century Scotland. It discusses the crucial place of lawyers in 18th Century Scottish society and examines the intellectual features of the Scottish university system, charting the rise of the societies, clubs and other institutions such as the Encyclopaedia Britannica and The Edinburgh Review. **The Province of Legislation Determined Legal Theory in Eighteenth-century Britain** A comprehensive account of English legal thought in the age of Blackstone and Bentham for nearly a century, The Province of Legislation Determined advances an ambitious reinterpretation of eighteenth-century attitudes to social change and law reform. Professor Lieberman's bold synthesis rests on a wide survey of legal materials and on a detailed discussion of Blackstone's Commentaries, the jurisprudence of Lord Kames and the Scottish Enlightenment, the chief justiceship of Lord Mansfield, the penal theories of Eden and Romilly, and the legislative science of Jeremy Bentham. The study relates legal developments to the broader fabric of eighteenth-century social and political theory, and offers a novel assessment of the character of the common law tradition and of Bentham's contribution to the ideology of reform. **From Positivism to Idealism A Study of the Moral Dimensions of Legality** Ashgate Publishing, Ltd. Illuminating the idea of legality by a consideration of its moral nature, this book explores the emergence and development of two rival traditions of legal thought (those of 'positivism' and 'idealism') which together define the structure of modern juridical thought. In doing so, it consciously departs from many of the tendencies and working assumptions that define modern legal philosophy. The book examines the shifts in thinking about the rule of law and the wider significance of law, brought about by changing conceptions of the nature of law: from an understanding of law in which the primary focus is on rights, to an articulation of the legal order as a body of deliberately posited rules, and finally to the present understanding of law as a systematic body of rules and principles underpinned by an abiding concern with individual rights. By exposing the historical and metaphysical underpinnings of these theoretical traditions, the book imparts an idea of their limitations and moves beyond the understandings offered within them of the nature of legality. **The History and Philosophy of Social Science** Routledge First published in 1993. Routledge is an imprint of Taylor & Francis, an informa company. **Elements of Criticism Epistles On Women and Other Works** Broadview Press Henry James wrote of Lucy Aikin: "Clever, sagacious, shrewd ... and an accomplished writer, one wonders why her vigorous intellectual temperament has not attracted independent notice." The most important long poem by a woman from the British Romantic era, Aikin's Epistles on Women (1810) is the first text in English to re-write the entire history of western culture, from the creation story of Genesis through the eighteenth century, from a feminist perspective. Responding to Alexander Pope's misogynistic "Epistle to a Lady," Aikin argues that men's degradation of women has hindered the growth of civilization, and provides historical and literary evidence for her claim that "man cannot degrade woman without degrading himself." In addition to Epistles on Women, this Broadview Edition also includes a wide selection of poetry, historical writing, fiction, memoir, and literary criticism by Aikin, as well as letters, contemporary reviews, and other feminist historiographies. **Copyright and Creativity The Making of Property Rights in Creative Works** Edward Elgar Publishing A fresh, innovative, thought provoking look at the development of copyright law as it pertains to creativity and one that will give even the most experienced reader fresh insight into this tangled area of law. The author's language ability (German, English, French) and interdisciplinary background (law and music) combine to enable him to add significant analytical depth to the subject. A must read in a time when our creative industries are being called upon to help re-build our shattered economy. Charlotte Waelde, University of Exeter, UK Professor Rahmatian is perhaps uniquely placed to offer a complete rethinking of the nature and function of

copyright. Working with original materials in original languages, he spans the continental and common law traditions in a breathtaking synthesis of the varied justifications and uses (or misuses) of the concept of creativity as property. Paul J. Heald, University of Georgia, US Copyright and Creativity discusses the making of property out of creative works through the legal mechanism of copyright. It shows the manner in which the law translates a great variety of expressions of the human mind into its normative system and transforms them into the property right of copyright or droit d'auteur. This timely book examines the proprietary features of copyright, the inherent limitations of its powers, and its justification and relationship to the non-proprietary realm of the public domain. The final parts of the book deal with the propertisation/commodification of human authors themselves through their works as alienable objects of property, the well-known Romantic author critique as a sophisticated justification of that commodification, and at an international level, neo-feudal and neo-colonial developments as a result of this process. This detailed study will appeal to undergraduate and postgraduate students, legal sociologists, and specialists in copyright, property theory, or legal theory and political philosophy with particular interest in property theory. Practitioners within bodies involved in legal policy, organisations concerned with law reform, European institutions, and international organisations will also find much to interest them in this book. **New Perspectives in Scottish Legal History New Per Scot Legal His** *Routledge* First published in 1984. Part of The Journal of Legal History which publishes articles and book reviews on the history of the law in the British Isles, and also contributes in English on significant developments in the countries of the Commonwealth and the U.S.A. This edition includes articles on sources of literature, institutional writings, dissasine and mortancester in Scots Law, and the 1707 Union. **References to the Principal Works in every Department of Religious Literature** *BoD - Books on Demand* Reprint of the original, first published in 1868. **The Making of the Classical Theory of Economic Growth** *Routledge* This book collects together for the first time Anthony Brewer's work on the origins and development of the theory of economic growth from the late eighteenth century and looking at how it came to dominate economic thinking in the nineteenth century. Brewer argues that many of the earliest proponents of economics growth theory had no concept of it as a continuing theory. This book looks at many of the key players such as Smith, Hume, Ferguson, Steuart, Turgot, West and Rae and is tied together with a rigorous introduction and a new chapter on capital accumulation. **James** *Liturgical Press* "With updated bibliography"--Copyright page. **Society and Sentiment Genres of Historical Writing in Britain, 1740-1820** *Princeton University Press* A deepening interest in both social and interior experience was a distinguishing feature of the cultural life of eighteenth-century Britain, influencing writers in all genres from fiction to philosophy. Focusing on this interplay of ideas and genres, Mark Phillips explores the ways in which writers and readers of history, memoir, biography and related literatures responded to the social and sentimental concerns of a modern, commercial society. He shows that the writing of history, which once concentrated exclusively on political events, widened its horizons in ways that often paralleled better-known developments in the contemporary novel. Ultimately, Phillips proposes a new model for the study of historiographical narrative. Countering tropological readings identified with Hayden White, he offers a more historically nuanced approach that stresses questions of genre and reception as a guide to understanding how narratives were reshaped by new audiences and new social needs. Drawing inspiration from both the social analysis of the Scottish Enlightenment and the sentimental aesthetics of the contemporary novel, historical writing began to explore the areas of social experience and private life for which there was no place in classical historiography. The consequence, Phillips argues, was a significant reframing of historical thought that expressed itself through new themes, including the histories of commerce, manners, literature, and women, and through some lively experiments in narrative form. This book offers a rich picture of historiography that will interest students of history and fiction alike. **American States of Nature The Origins of Independence, 1761-1775** *Oxford University Press* American States of Nature transforms our understanding of the American Revolution and the early makings of the Constitution. The journey to an independent United States generated important arguments about the existing condition of Americans, in which rival interpretations of the term "state of nature" played a crucial role. "State of nature" typically implied a pre-political condition and was often invoked in support of individual rights to property and self-defense and the right to exit or to form a political state. It could connote either a paradise, a baseline condition of virtue and health, or a hell on earth. This mutable phrase was well-known in Europe and its empires. In the British colonies, "state of nature" appeared thousands of times in juridical, theological, medical, political, economic, and other texts from 1630 to 1810. But by the 1760s, a distinctively American state-of-nature discourse started to emerge. It combined existing meanings and sidelined others in moments of intense contestation, such as the Stamp Act crisis of 1765-66 and the First Continental Congress of 1774. In laws, resolutions, petitions, sermons, broadsides, pamphlets, letters, and diaries, the American states of nature came to justify independence at least as much as colonial formulations of liberty, property, and individual rights did. In this groundbreaking book, Mark Somos focuses on the formative decade and a half just before the American Revolution. Somos' investigation begins with a 1761 speech by James Otis that John Adams described as "a dissertation on the state of nature," and celebrated as the real start of the Revolution. Drawing on an enormous range of both public and personal writings, many rarely or never before discussed, the book follows the development of America's state-of-nature discourse to 1775. The founding generation transformed this flexible concept into a powerful theme that shapes their legacy to this day. No constitutional history of the Revolution can be written without it. **Idea of Commercial Society in the Scottish Enlightenment** *Edinburgh University Press* Christopher Berry explains why Enlightenment thinkers considered commercial society to be wealthier and freer than earlier forms, looking at key works from Adam Smith, David Hume and Adam Ferguson alongside lesser-known figures. **Classical Liberalism and International Relations Theory Hume, Smith, Mises, and Hayek** *Springer* This book calls for a reappraisal of liberalism in IR theory. Based on the first comprehensive analysis of the ideas by David Hume, Ludwig von Mises and Friedrich Hayek and a new perspective on Adam Smith and international relations, the analysis shows that classical liberalism differs substantially from other forms of liberalism.