

<<西方法学名著选读>>

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内容概要

《西方法学名著选读——法学大师论法十二讲（双语版）》编者姜作利教授在法学双语教学领域颇有造诣，承担教育部、山东省及山东大学双语教学示范课程。

《西方法学名著选读——法学大师论法十二讲（双语版）》在编写体例及内容上颇费心思。作者姜作利、史煜精心选取十二篇西方经典法学名作之全部或部分，以合理性（现代社会中的主流理论）、代表性（主要流派中的代表作）、系统性（法学理论的各主要方面）及可读性（内容清晰及语言通畅）为原则，按法学理论之特点及我国法学教育之习惯排序，分为五部分，分别为法、自由、正义、责任和惩罚。

课文方面保持英文原貌外，作者考虑到中国读者在阅读时可能遇到的困难，为帮助读者学习和阅读，安排了导读、页脚注释、生词及主要法律短语解释、疑难句型解释、讨论题等。

阅读本书，既可感受西方法学大师们深邃严谨的思想和精彩绝伦的观点，准确理解西方法学理论，又可深度研习原汁原味的法律英语。

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作者简介

姜作利，山东大学法学院教授，法学博士。

1982年获英语语言文学学士学位，1990年获国际经济法硕士学位，2007年获法理学博士学位。

主要研究国际经济法和法律英语。

曾应邀赴二十多个国家的大学做研究工作和讲学，精通英语、意大利语、法语、西班牙语及拉丁语等语言。

我国最早使用英语讲授国际经济法的学者之一，现承担教育部、山东省及山东大学双语教学示范课程，被聘为教育部双语示范课程评审专家。

承担国家级及部级研究项目多项，出版专著多部，发表论文六十余篇，被聘为司法部研究项目评审专家。

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版权页：插图：The matter of jurisprudence is positive law:law,simply and stricdy socalled:or law set by political superiors to political inferiors.But positive law (or law,simply and stricdy so called) is often confounded with objects to which it is relatedby resemblance,and with objects to which it is related in the way of analogy:withobjects which are also signified,properly and improperly,by the large and vagueexpression law.To obviate the difficulties springing from that confusion,I begin myprojected Course with determining the province of jurisprudence,or withdistinguishing the matter of jurisprudence from those various related objects:tryingto define the subject of which I intend to treat,before I endeavour to analyse itsnumerous and complicated parts. A law,in the most general and comprehensive acceptation in which the term,initis literal meaning,is employed,may be said to be a rule laid down for the guidanceof an intelligent being by an intelligent being having power over him.Under thisdefinition are concluded,and without impropriety,several species.It is necessary todefine accurately the line of demarcation which separates these species from oneanother,as much mistiness and intricacy has been infused into the science ofjurisprudence by their being confounded or not clearly distinguished.In thecomprehensive sense above indicated,or in the largest meaning which it has,withoutextension by metaphor or analogy,the term law embraces the following objects:Laws set by God to his human creatures,and laws set by men to men. The whole or a portion of the laws set by God to men is frequendy styled thelaw of nature,or natural law:being,in truth,the only natural law of which it ispossible to speak without a metaphor,or without a blending of objects which ought tobe distinguished broadly.But,rejecting the appellation Law of Nature as ambiguousand misleading,I name those laws or rules,as considered collectively or in a mass,the Divine law,or the law of God. Laws set by men to men are of two leading or principal classes:classes whichare often blended,although they differ extremely; and which,for that reason,shouldbe severed precisely,and opposed distinctly and conspicuously.

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