



Jurisprudence For A Free Society: Studies in Law, Science and Policy, Vol. 1

Harold D. Lasswell, Myres S. McDougal

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The pioneering work of Lasswell and McDougal on law and policy is already legendary. Most of the work produced by these scholars, together and in collaboration with their students, represent applications of their basic theory to a wide assortment of international and national legal and policy problems. This work brings together their legal philosophy. In Part 1 the authors develop their fundamental criteria for a theory about law, including the requirements of clarifying observational standpoint, focus of inquiry and the pertinent intellectual tasks incumbent on the scholar and decision-maker for determining and achieving common interests. Trends in theories about law, including natural law, the historical school, positivism, the sociological study of law, American legal realism and other contemporary theories, are explored for what they might contribute to the achievement to the authors' conception of an adequate jurisprudence. In Part 2, the social process as a whole and the particular value-institutional processes that comprise it, are described and analyzed. because people establish, maintain and change institutions, the dynamics of personality and personality's relation to law is delineated. Part 3 explores the intellectual tasks of policy thinking, from clarification of values, through description of trend, the scientific examination of conditions, projection of future developments and the invention of alternatives. Part 4 examines the structure of decision in a free society, a society in which the achievement of human dignity is confirmed in both word and deed. Six appendices bring together monographs by the authors over a period of 40 years which deal, in more detail, with particular matters treated in the body of the book.

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