

Legal Ethics A Comparative Study

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Legal Ethics: A Comparative Study - Geoffrey C. Hazard ...
Law / International and Comparative Law. Philosophy / Ethics and Moral Philosophy. Law / Jurisprudence. Examining legal ethics within the framework of modern practice, this book identifies two important ethical issues that all lawyers confront: the difference between the role of lawyers and the role of judges in pursuing justice, and the conflicting responsibilities lawyers have to their clients and to the legal system more broadly.

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May 16, 2020 legal ethics a comparative study Posted By Richard Scarry Public Library TEXT ID 632d0bd Online PDF Ebook Epub Library Amazoncom Legal Ethics A Comparative Study examining legal ethics within the framework of modern practice this book identifies two important ethical issues

Examining legal ethics within the framework of modern practice, this book identifies two important ethical issues that all lawyers confront: the difference between the role of lawyers and the role of judges in pursuing justice, and the conflicting responsibilities lawyers have to their clients and to the legal system more broadly. In addressing these issues, Legal Ethics provides an explanation of the duties and dilemmas common to practicing lawyers in modern legal systems throughout the world. The authors focus their analysis on lawyers in independent practice in modern capitalist constitutional regimes, including the United States, Japan, Europe, and Latin America, as well as the emerging legal systems in China and the former Soviet bloc, to develop connections between the legal profession and political systems based on the rule of law. They find that although ethical tension is inherent in the legal practice of all these societies, the legal profession is essential to stable political institutions.

Publisher Description

The law serves a function that is not often taken seriously enough by ethicists, namely practicability. A consequence of practicability is that law requires elaborated and explicit methodologies that determine how to do things with norms. This consequence forms the core idea behind this book, which employs methods from legal theory to inform and examine debates on methodology in applied ethics, particularly bioethics. It is argued that almost all legal methods have counterparts in applied ethics, which indicates that much can be gained from comparative study of the two. The author first outlines methods as used in legal theory, focusing on deductive reasoning with statutes as well as analogical reasoning with precedent cases. He then examines three representative kinds of contemporary ethical theories, Beauchamp and Childress's principlism, Jonsen and Toulmin's casuistry, and two versions of consequentialism—Singer's preference utilitarianism and Hooker's rule-consequentialism—with regards to their methods. These examinations lead to the Morisprudence Model for methods in applied ethics.

In countries outside the developed world, although writers have written commentaries on specific legal codes, very little attention has been given to legal writing which has focused specifically on the ethics of the legal profession. This book makes a special contribution in that regard providing, as it does, a comparative study of prevailing efforts to enhance ethical standards in a profession potentially in crisis and under much public scrutiny. Countries which have been examined include the UK, the US, Canada, South Africa, and countries in the Pacific, South East Asia and the Caribbean. Valuable guidance and learning are provided on such topical issues as wasted costs orders, conflicts of interests, legal and judicial codes, confidentiality, privilege and the ethics of the criminal process, where the jury system comes in for critical evaluation. This book will be a valuable text on the ethics and status of the profession. It will be of considerable interest to law students, practitioners and legal academics, Bar Associations, Attorneys-General and Directors of Public Prosecutions as well as members of the judiciary.

This monograph is the most comprehensive comparative law study of legal responsibility arising from medical care presently available. It is written for doctors as well as health care administrators and legal professionals. Focusing on the problems of civil liability, it presents the development, points of contact with, and differences between the modern law of medical liability stemming from both the Common Law and Civil Law traditions of England, Scotland, Eire, New Zealand, Australia, Canada, the United States, South Africa, France, Belgium, West Germany, Switzerland, and Austria. It demonstrates the extent to which both problems of medical law and trends towards their solution are already familiar in these legal systems. The work describes principles and trends, not by confronting the reader with national reports' and separate chapters on different legal systems; rather, the relevant legal problems are analyzed from an integrative, comparative viewpoint. The main thrust of the presentation is the analysis of numerous court decisions -- the number of which is rising ominously in the United States -- on the civil liability of doctors and hospitals for damages arising from substandard treatment or inadequate disclosure of information to the patient. References to the legal and medical literature, indexes, and a refined system of cross-references, together with an important collection of appendices covering legal and ethical declarations make this work accessible as a handbook and reference work for the legal and social problems encountered today in the wide area of law, ethics, and medicine.

This book involves a variety of aspects and levels, including the diachronic and synchronic dimensions. Law profoundly affects our daily lives, but its language and culture can at times be nearly impossible to understand. As a comparative study of Chinese and Western legal language and legal culture, this book investigates the similarities and differences of both sides and identifies their respective advantages and disadvantages. Accordingly, it considers both social and cultural functions, and both theoretical and practical values. Firstly, the book addresses the differences, that is, the basic frameworks and disparities between the Chinese and Western legal languages and legal cultures. Secondly, it explores relevant changes over time, that is, the historical evolution and the basic driving forces that were at work before the Chinese and Western legal languages and cultures "met." Lastly, the book elaborates on their fusion, that is, the conflicts and changes in Chinese and Western legal languages and cultures in China in the modern era, as well as the introduction, transplantation and transformation of Western legal culture.

Providing practical and theoretical resources on media law and ethics for the United Kingdom and United States of America and referencing other legal jurisdictions such as France, Japan, India, China and Saudi Arabia, Comparative Media Law and Ethics is suitable for upper undergraduate and postgraduate study and for professionals in the media who need to work internationally. The book focuses on the law of the United Kingdom, the source of common law, which has dominated the English speaking world, and on the law of the USA, the most powerful cultural, economic, political and military power in the world. Media law and ethics have evolved differently in the US from the UK. This book investigates why this is the case. Throughout, media law and regulation is evaluated in terms of its social and cultural context.The book has a companion website at <http://www.ma-radio.gold.ac.uk/cmle> providing complementary resources and updated developments on the topics explored.

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