

NEW FROM CAMBRIDGE

A History of Islamic Legal Theories

An Introduction to *Sunni usul al-fiqh*
Wael B. Hallaq

Hallaq is already established as one of the most eminent scholars in the field of Islamic law. In his latest book, he traces the history of Islamic legal theory from its beginnings until the modern period. The book is the first of its kind in organization, approach to the subject, and critical apparatus, and as such will be an essential tool for the understanding of Islamic legal theory in particular and Islamic law in general.

59027-2 Hardback \$59.95

Psychology and Law

A Critical Introduction
Andreas Kapardis

This book provides a comprehensive, up-to-date discussion of the contemporary debates at the interface between psychology and criminal law. The topics surveyed include critiques of eyewitness testimony, the jury, sentencing as a human process, the psychologist as expert witness, persuasion in the courtroom, detecting deception, and psychology and the police.

55321-0 Hardback \$74.95
55738-0 Paperback \$29.95

Criminal Law, Tradition and Legal Order

Crime and the Genius of Scots Law, 1747 to the Present
Lindsay Farmer

This book examines the relationship between legal tradition and national identity to offer a critical and historical perspective on the study of criminal law. Developing a radically different approach to questions of responsibility and subjectivity, it combines appreciation of the institutional and historical context in which criminal law is practiced with an informed understanding of the law itself.

55320-2 Hardback \$64.95

Unjust Enrichment

A Study of Private Law and Public Values
Hanoch Dagan

"Hanoch Dagan's new book on unjust enrichment is the best in the field in many years. It reflects Professor Dagan's sure mastery of all the relevant doctrine and his understanding of contemporary methods of philosophic and economic analysis....original and highly provocative."

— Anthony T. Kronman,
Yale Law School

Cambridge Studies in International and Comparative Law

58468-X Hardback \$59.95

The Framework of Judicial Sentencing

A Study in Legal Decision Making
Austin Lovegrove

Lovegrove examines the thinking of judges as they sentence multiple offenders, and identifies the strategies judges have developed to help them apply sentencing law in individual cases, based on their responses when asked to "think aloud" while undertaking sentencing problems.

Cambridge Criminology Series

58427-2 Hardback \$59.95

Ethics and Authority in International Law

Alfred P. Rubin

The distinguished international lawyer Alfred Rubin argues powerfully that disagreements that have existed for thousands of years among lawyers, ethicists, and political scientists are unlikely to be resolved soon. Current attempts to make "war crimes" or "terrorism" criminal under international law seem doomed to fail for the same reasons that attempts failed in the early 19th century to make piracy, war crimes, and the international traffic in slaves criminal under the law of nations.

Cambridge Studies in International and Comparative Law

58202-4 Hardback \$59.95

Available in bookstores or from

CAMBRIDGE
UNIVERSITY PRESS

40 West 20th St., N.Y., NY 10011-4211

Call toll-free 800-872-7423

Web sites <http://www.cup.org>

MasterCard/VISA accepted

Prices subject to change

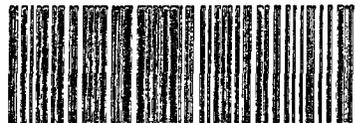
LEGAL THEORY

Volume 3, Number 4, December 1997
CONTENTS

ARTICLES

- Comparing Harms: The Lesser-Evil Defense and
the Trolley Problem**
Robert Hallborg, Jr. 291
- Rousseau in Dworkin: Judicial Rulings as Expressions of
the General Will**
Richard Nordahl 317
- Fair Use, Efficiency, and Corrective Justice**
Gideon Parchomovsky 347
- John Martin Fischer's *The Metaphysics of Free Will*:
An Essay on Control**
Michael S. McKenna 379
- Index to Volume 3, 1997** 399
-

CAMBRIDGE
UNIVERSITY PRESS



1352-3252(199712)3:4;1-P