

Readings in the PHILOSOPHY OF LAW

JOHN ARTHUR
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John Arthur

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MaksymilianDel Mar



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Readings in Philosophy of Law John Arthur, William H. Shaw, 1984 **Readings in the Philosophy of Law** William H. Shaw, Amy Shapiro, 2020-07 *Hans Kelsen in America - Selective Affinities and the Mysteries of Academic Influence* D.A. Jeremy Telman, 2016-08-26 This volume explores the reasons for Hans Kelsen's lack of influence in the United States and proposes ways in which Kelsen's approach to law philosophy and political democratic and international relations theory could be relevant to current debates within the U.S. academy in those areas. Along the way, the volume examines Kelsen's relationship and often hidden influences on other members of the mid-century Central European migr community whose work helped shape twentieth-century social science in the United States. The book includes major contributions to the history of ideas and to the sociology of the professions in the U.S. academy in the twentieth century. Each section of the volume explores a different aspect of the puzzle of the neglect of Kelsen's work in various disciplinary and national settings. Part I provides reconstructions of Kelsen's legal theory and defends that theory against negative assessments in Anglo-American jurisprudence. Part II focuses both on Kelsen's theoretical views on international law and his practical involvement in the post-war development of international criminal law. Part III addresses Kelsen's theories of democracy and justice while placing him in dialogue with other major twentieth-century thinkers including two fellow migr scholars Leo Strauss and Albert Ehrenzweig. Part IV explores Kelsen's intellectual legacies through European and American perspectives on the interaction of Kelsen's theoretical approach to law and national legal traditions in the United States and Germany. Each contribution features a particular application of Kelsen's approach to doctrinal and interpretive issues currently of interest in the legal academy. The volume concludes with two chapters on the nature of Kelsen's legal theory as an instance of modernism.

Legal Theory and the Legal Academy Maksymilian Del Mar, 2017-07-05 The third in a series of three volumes on Contemporary Legal Theory, this volume deals with four topics: 1. the role of legal theory in the legal curriculum; 2. the teaching of legal theory; 3. the relationship of legal theory to legal scholarship; and 4. the relationship of legal theory to comparative law. The focus of the first two topics is on the common law world where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since John Austin's 1828 lecture *The Uses and the Study of Jurisprudence*. These first two parts offer a selection of the most important papers, including surveys as well as pedagogical viewpoints and particular course descriptions from analytical, critical, feminist, law and literature, and global perspectives. The last three decades have seen just as many changes for legal scholarship and comparative law. These changes, such as the rise of empirical legal scholarship, have often attracted the attention of legal theorists. Within comparative law, the last thirty years have witnessed intense methodological reflection within the discipline; the results of these reflections are themselves properly recognised as legal theoretical contributions. The volume collects the key papers, including those by Neil MacCormick, Mark Van Hoecke, Andrew Halpin, William Ewald, and Geoffrey Samuel. **Conscience**

in Moral Life Jason J. Howard, 2014-03-19 The notion of conscience remains one of the most widely used moral concepts and a cornerstone of ordinary moral thinking This book explores where this widespread confidence in conscience stems from examining the history of conscience as a moral concept and its characteristic moral phenomenology Jason Howard provides a comprehensive reassessment of the function of conscience in moral life detailing along the way the manifold problems that arise when we believe our conscience is more reliable than is actually warranted The result is a step by step evaluation of our most accepted assumptions Howard goes on to argue from a phenomenological perspective that conscience is indispensable for understanding moral experience He capitalizes on a dialectical perspective developed by Hegel and Ricoeur in which conscience is seen as the recognition of the other and integrates this with work in the philosophy of emotion arguing that conscience is best seen in terms of the function it serves in moderating the moral emotions of shame guilt and pride

Legal Positivism Tom D. Campbell, 2016-12-05 Despite persistent criticism from a variety of different perspectives including natural law legal realism and socio legal studies legal positivism remains as an enduring theory of law The essays contained in this volume represent the most balanced responses toward legal positivism and although largely sympathetic the essays do not fail to criticize elements of the tradition wherever appropriate *Love in the Post-Reconceptualist Era of Curriculum Work* Allan Michel Jales Coutinho, 2023-03-08 By employing the autobiographical method of currere and

bifocalization this book sheds light on the significance of love and the ethics of caregiving as means to transform curriculum studies into a post reconceptualist and collective endeavor Advancing an understanding of curriculum as a collective public moral enterprise it critically asks whether we can build a world where love is not negotiated but only proliferated Through the creation of short and interconnected autobiographical narratives about the meanings of love the author provides pivotal insights for curricularists who labor in conflicting and paradoxical contexts As such the book seeks to demonstrate how the labor of love fortification may be accomplished in a world of agonistic antagonistic and competitive becoming s Highlighting the role of caregiving this book questions the role of evaluations in post reconceptualization and provides insights for educators and policymakers on how to promote actualization and reconciliation in schools in contexts across the global north and south Engaging with a long scholarly tradition that ultimately seeks to understand the meanings of love in our lives and in our work supporting the historization of the field of curriculum and with an international focus this book will appeal to scholars and students with interests in curriculum studies and curriculum theory **Rethinking Punishment in the Era**

of Mass Incarceration Chris Surprenant, 2017-07-06 One of the most important problems faced by the United States is addressing its broken criminal justice system This collection of essays offers a thorough examination of incarceration as a form of punishment In addition to focusing on the philosophical aspects related to punishment the volume s diverse group of contributors provides additional background in criminology economics law and sociology to help contextualize the philosophical issues The first group of essays addresses whether or not our current institutions connected with punishment

and incarceration are justified in a liberal society The next set of chapters explores the negative effects of incarceration as a form of punishment including its impact on children and families The volume then describes how we arrived at our current situation in the United States focusing on questions related to how we view prisons and prisoners policing for profit and the motivations of prosecutors in trying to secure convictions Finally Rethinking Punishment in the Era of Mass Incarceration examines specific policy alternatives that might offer solutions to our current approach to punishment and incarceration

The A to Z of Ethics Harry J. Gensler, Earl Spurgin, 2010-02-12 The A to Z of Ethics covers a very broad range of ethical topics including ethical theories historical periods historical figures applied ethics ethical issues ethical concepts non Western approaches and related disciplines Harry J Gensler and Earl W Spurgin tackle such issues as abortion capital punishment stem cell research and terrorism while also explaining key theories like utilitarianism natural law social contract and virtue ethics This reference provides a complete overview of ethics through a detailed chronology an introductory essay a bibliography and over 200 cross referenced dictionary entries including bioethics business ethics Aristotle Hobbes autonomy confidentiality Confucius and psychology

Human Rights and Forced Displacement Joan Fitzpatrick, Anne Bayefsky, 2021-10-18 A comprehensive approach to the problem of forced displacement involves understanding and addressing human rights issues in a multiplicity of forms This collection aims to contribute to the institutional capacities of the many different players to operationalise the human rights of refugees and the internally displaced by conceptualising the emerging issues and priorities and advancing policy thinking on human rights and forced displacement Each of the sections of the book approaches this issue from a different perspective The section on standards asks What international human rights standards apply to the forcibly displaced How do they apply Have there been failures Are there gaps in the international standards Are there conflicts The section on monitoring reporting asks Who monitors human rights violations Who reports the findings and to whom What are the respective responsibilities of the different actors The section on solutions asks where solutions lie Environmental planning and development International prosecution of war criminals Rebuilding legal infrastructures and national institutions Enhancing the role of human rights NGOs to monitor report and frame forced displacement in human rights terms for increased public understanding and interest The final section looks to the future and considers where asylum fits into the spectrum of solving the nature of forced displacement today the capacities and limitations of international criminal tribunals and the co operative arrangements and practical divisions of labour that need to be fashioned between international agencies and service relief providers

The American Catalog, 1891

The Social History of Crime and Punishment in America Wilbur R. Miller, 2012-07-20 Several encyclopedias overview the contemporary system of criminal justice in America but full understanding of current social problems and contemporary strategies to deal with them can come only with clear appreciation of the historical underpinnings of those problems Thus this five volume work surveys the history and philosophy of crime punishment and criminal justice institutions in America

from colonial times to the present It covers the whole of the criminal justice system from crimes law enforcement and policing to courts corrections and human services Among other things this encyclopedia explicates philosophical foundations underpinning our system of justice charts changing patterns in criminal activity and subsequent effects on legal responses identifies major periods in the development of our system of criminal justice and explores in the first four volumes supplemented by a fifth volume containing annotated primary documents evolving debates and conflicts on how best to address issues of crime and punishment Its signed entries in the first four volumes supplemented by a fifth volume containing annotated primary documents provide the historical context for students to better understand contemporary criminological debates and the contemporary shape of the U S system of law and justice Pedophilia and Adult-Child Sex Stephen Kershner,2015-05-20 This book provides a philosophical analysis of adult child sex and pedophilia It looks at how the law should respond to such sex given the above analyses *Re-Reading Beccaria* Antje du Bois-Pedain,Shachar Eldar,2022-10-06 Cesare Beccaria s slim 1764 volume *On Crimes and Punishments* influenced policy developments worldwide and over decades if not centuries after its publication For those who turn to Beccaria s work today the encounter is shaped by that knowledge Appreciative of *On Crimes and Punishments* dual nature as historical document and repository of ideas the contributions in this collection address different aspects of the criminal justice theory Beccaria offered his readers and face up to methodological questions raised by meeting a historical text of this kind unsystematic and by modern standards often under argued with modern scholarly conventions in mind Contributions in the first part of the book engage with Beccaria s political theory of criminal justice through the lenses of political and penal philosophy considering how Beccaria s blending of social contractarian foundations and proto utilitarian policy analysis interlinks with the concrete set of criminal justice practices Beccaria presents as justified This leads on to the second part where contributors approach Beccaria s ideas with present day reforms and developments in mind Many of his policy proposals and arguments remain significant from our contemporary perspective their limitations and omissions proving as instructive for the contemporary scholar as their more prescient elements The third part offers those looking at Beccaria s work today a glimpse into the practical difficulties facing the firebrand author turned public servant during his long career in the Habsburg Lombardian administration It puts his work into the broader context of pathways to criminal justice reform in northern Italy Habsburgian Lombardy and the Austro Hungarian Empire in Beccaria s day The American Catalogue ,1908 American national trade bibliography **Encyclopedia of Criminal Justice Ethics** Bruce A. Arrigo,2014-07-17 Federal state county and municipal police forces all have their own codes of conduct yet the ethics of being a police officer remain perplexing and are often difficult to apply in dynamic situations The police misconduct statistics are staggering and indicate that excessive use of force comprises almost a quarter of misconduct cases with sexual harassment fraud theft and false arrest being the next most prevalent factors The ethical issues and dilemmas in criminal justice also reach deep into the legal professions the

structure and administration of justice in society and the personal characteristics of those in the criminal justice professions The Encyclopedia of Criminal Justice Ethics includes A to Z entries by experts in the field that explore the scope of ethical decision making and behaviors within the spheres of criminal justice systems including policing corrections courts forensic science and policy analysis and research This two volume set is available in both print and electronic formats Features Entries are authored and signed by experts in the field and conclude with references and further readings as well as cross references to related entries that guide readers to the next steps in their research journeys A Reader s Guide groups related entries by broad topic areas and themes making it easy for readers to quickly identify related entries A Chronology highlights the development of the field and places material into historical context a Glossary defines key terms from the fields of law and ethics and a Resource Guide provides lists of classic books academic journals websites and associations focused on criminal justice ethics Reports and statistics from such sources as the FBI the United Nations and the International Criminal Court are included in an appendix In the electronic version the Reader s Guide index and cross references combine to provide effective search and browse capabilities The Encyclopedia of Criminal Justice Ethics provides a general non technical yet comprehensive resource for students who wish to understand the complexities of criminal justice ethics Key Themes History of Criminal Justice Ethics General Criminal Justice Ethics Police Ethics Legal Ethics Correctional Ethics Criminal Justice Cases and Controversies Technology Crime and Ethics Ethics and Critical Criminology *The Global Commons* Susan J. Buck, 2017-09-25 Antarctica the high seas and deep seabed the atmosphere and space are increasingly accessible and exploited resource domains Collectively known as the global commons they represent a new and profound challenge for international law and institutions In *The Global Commons* Susan Buck considers the unique physical legal management and policy problems associated with these areas The book is a clear useful introduction to the subject that will be of interest to general readers as well as to students in international relations international law and environmental law and policy **A List of the Books of Reference in the Reading Room of the British Museum** Anonymous, 2023-04-01 Reprint of the original first published in 1871 The publishing house Anatiposi publishes historical books as reprints Due to their age these books may have missing pages or inferior quality Our aim is to preserve these books and make them available to the public so that they do not get lost *Law Books Published* , 1998 **A List of the Books of Reference in the Reading Room of the British Museum** British Museum. Department of Printed Books, John Winter Jones, 1859

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