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Philosophy of Law: Classic and
Contemporary Readings with
Commentary

Frederick Schauer and Walter
Sinnott-Armstrong

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Philosophy Law Contemporary Readings Commentary

Frederick F. Schauer, Walter Sinnott-Armstrong

Philosophy Law Contemporary Readings Commentary:

The Philosophy of Law Frederick F. Schauer, Walter Sinnott-Armstrong, 1996 Ideal for undergraduate courses in philosophy of law this comprehensive anthology examines such topics as the concept of law the dispute between natural law theorists and legal positivists the relations between law and morality criminal responsibility and legal punishment the rights of the individual against the state justice and equality and legal evidence as compared with scientific evidence The readings have been selected from both philosophy and law journals and include classic texts contemporary theoretical developments and well known recent court cases The text features extensive introductions that make even the most profound writings accessible to undergraduates

Journal of Camus Studies Camus Society, 2013-04-04 Journal of Camus Studies 2012 17 scholarly essays on the literature and philosophy of Albert Camus Contributors ERIC BERGBRADEN CANNON JACKSON DOUGHART INGRID FERNANDEZ PETER FRANCEV GIOVANNI GAETANI GEORGE HEFFERNAN EMILY HOLMAN PEADAR KEARNEY STEFAN LANCY JERRY LARSON SIMON LEA BENEDICT O DONOHOE NICHOLAS PADFIELD PATRICK REILLY LUKE RICHARDSON RON SRIGLEY www camus society com

Towards the True Law Felipe de Jesús Fierro Alvidrez, 2013-07-11 Does the Law exist And if so what is it Can we know it This book tries to answer these questions by approaching as a whole the problem of Law its justification and demonstration Because when facing multiple legal theories many of which are contradictory we have to ask ourselves what the true Law is if it exists indeed its origin meaning and perspective We are in pursuit of something more the Law and its truth This fundamental question must be scientifically solved and in such an in depth approach that only philosophy traditionally understood as knowledge by its first and principle causes obtained under the natural light of reason can give us the answer The current thesis takes up the problem of knowledge and its theories of being and truth to later contrast them with various juridical currents Two different paths processes and objects to reach the same conclusion The result wasn t easy but we believe we contributed with a juridical theory with seven rules of truthfulness that from our humble point of view solves the conflict over Law its essence and properties What is Right What is Law Does a juridical science exist Does a true theory of Law exist or does each one of us have their own truth These were the central questions we tried to answer in the current thesis to demonstrate through reason the considerations raised here and to somehow contribute in a positive way to the growing relativism of this subject

A Critical Legal Study of the Ideology Behind Solvency II Kristina Loguinova, 2019-10-17 This book analyzes the impact of Solvency II In recent years EU legislators have sought to introduce fundamental reforms Whether these reforms were indeed fundamental is critically investigated with regard to a post crisis piece of financial legislation affecting the EU s largest institutional investors Solvency II Namely the last financial and economic crisis the worst financial catastrophe of the last decade revealed that financial law in particular was not sufficiently mature to maintain the existence of a robust and trust worthy financial system that could protect society from economic decline The work also makes concrete recommendations on

achieving a more sustainable future As such it offers a valuable resource for anyone who is interested in the financial system the EU political economy insurance sustainability and Critical Legal Studies

Instrumental Rationality John Brunero, 2020 Rationality requires that we intend the means that we believe are necessary for achieving our ends Instrumental Rationality explores the formulation and status of this requirement of means ends coherence In particular it is concerned with understanding what means ends coherence requires of us as believers and agents and why Means ends coherence is a genuine requirement of rationality and cannot be explained away as a myth confused with a disjunction of requirements to have or not have specific attitudes Nor is means ends coherence strongly normative such that we always ought to be means ends coherent A promising strategy for assessing why this requirement should exist is to consider the constitutive aim of intention Just as belief has a constitutive aim truth that can explain some of the theoretical requirements of consistency and coherence governing beliefs intention has a constitutive aim here called controlled action that can explain some of the requirements of consistency and coherence governing intentions We can therefore better understand means ends coherence by understanding the constitutive aims of both of the attitudes governed by the requirement intention and belief

Is Goodness Without God Good Enough? Robert K. Garcia, Nathan L. King, 2009 Morality and religion intimately wed violently opposed or something else Discussion of this issue appears in pop culture the academy and the media_ often generating radically opposed views At one end of the spectrum are those who think that unless God exists ethics is unfounded and the moral life is unmotivated At the other end are those who think that religious belief is unnecessary for_ and even a threat to_ ethical knowledge and the moral life This volume provides an accessible charitable discussion that represents a range of views along this spectrum The book begins with a lively debate between Paul Kurtz and William Lane Craig on the question Is goodness without God good enough Kurtz defends the affirmative position and Craig the negative Following the debate are new essays by prominent scholars These essays comment on the debate and advance the broader discussion of religion and morality The book closes with final responses from Kurtz and Craig

A Most Detestable Crime Keith Burgess-Jackson, 1999 This collection of original essays by leading philosophers probes the philosophical aspects of rape in all of its manifestations act crime practice and institution Among the issues examined are the nature of rape the wrongfulness and harmfulness of rape the relation of rape to racism sexism classism and other forms of oppression and the legitimacy of various rape law doctrines Each contributor advances a novel argument and seeks to disentangle the conceptual evaluative and empirical issues that arise in connection with the crime This essential reference work is among the first philosophical anthologies devoted exclusively to the subject of rape as complex and interesting intellectually as it is pervasive and disturbing socially

Legal Positivism in a Global and Transnational Age Luca Siliquini-Cinelli, 2019-08-30 A theme of growing importance in both the law and philosophy and socio legal literature is how regulatory dynamics can be identified that is conceptualised and operationalised and normative expectations met in an age

when transnational actors operate on a global plane and in increasingly fragmented and transformative contexts A reconsideration of established theories and axiomatic findings on regulatory phenomena is an essential part of this discourse There is indeed an urgent need for discontinuity regarding what we think we know about among other things law legality sovereignty and political legitimacy power relations institutional design and development and pluralist dynamics of ordering under processes of globalisation and transnationalism Making an important contribution to the scholarly debate on the subject this volume features original and much needed essays of theoretical and applied legal philosophy as well as socio legal accounts that reflect on whether legal positivism has anything to offer to this intellectual enterprise This is done by discussing whether global and transnational cultural socio political economic and juridical challenges as well as processes of diversification fragmentation and transformation significantly de formalisation reinforce or weaken legal positivists assumptions claims and methods The themes covered include but are not limited to absolute and limited state sovereignty the new international legal positivism Hartian legal positivism and the normative positivist account the relationship between modern secularisation social conventionalism and meta ontological issues of temporality in postnational jurisprudence the social positivisation of human rights the formation and content of jus cogens norms feminist critique the global and transnational migration of principles of justice and morality the Vienna Convention on the Law of Treaties rule of interpretation and the responsibility of transnational corporations

The Political Economy of Plea Bargaining Robert Schehr, 2024-12-10 *The Political Economy of Plea Bargaining* provides the political economic and cultural context for understanding the evolution of plea bargaining as a juridical technology implemented to ensure the efficient administration of violations of criminal law Across two parts this book contends that the confluence of political economic and cultural factors necessary to enhance the legal preservation of the slave system and white supremacy spatiotemporally coincided with burgeoning Northern industrial capitalism and the liberty of contract doctrine and that each was contextualized within hegemonic liberal republican ideology out of which grew the implementation of an efficient technology of juridical control achieving normative legal status plea bargaining It argues that as with their predecessors contemporary actors operating within the criminal legal system and who are responsible for administering plea bargaining are perpetuating a system reproducing a steering mechanism that historically constitutes a through line from Reconstruction to the present day Following Von Mises these actors serve as useful innocents modern day confused and misguided sympathizers They are juridical actors who inherited and are perpetuating a system of conflict resolution that serves to maintain a form of social control uniquely situated to historically relevant political economic and cultural power in the United States *The Political Economy of Plea Bargaining* will be important reading for legal and social science academics researching and practicing within the field of criminal law and procedure It will also act as a valuable guide to the debates surrounding plea bargaining for students with a keen interest in criminal law

Homosexuality in the Jurisprudence of the Supreme Court of

India Yeshwant Naik,2017-04-07 The book analyses the Indian Supreme Court's jurisprudence on homosexuality its current approach and how its position has evolved in the past ten years It critically analyses the Court's landmark judgments and its perception of equality family marriage and human rights from an international perspective With the help of European Court of Human Rights judgments and international conventions it compares the legal and social discrimination meted out to the Indian LGBTI community with that in the international arena From a social anthropological perspective it demonstrates how gay masculinity although marginalized serves as a challenge to patriarchy and hegemonic masculinity This unique book addresses the lack of in depth literature on gay masculinity elaborately narrating and analysing contemporary gay masculinity and emerging gay lifestyles in India and highlighting the latest research on the subject of homosexuality in general and in particular with respect to India It also discusses several new issues concerning the gay men in India supported by the living law approach put forth by Eugen Ehrlich *Christodemocracy and the Alternative Democratic*

Theory of America's Christian Right Gabriel S. Hudson,2016-06-25 This book evaluates the democratic theory of America's Christian Right CR The CR has been examined extensively in academic literature However most analyses focus on its origins policy preferences or successful mobilization Hudson instead examines the normative assumptions about governance that inform CR activism The CR has its own answers to the core questions asked in democratic theory such as What legitimizes power and What is the proper relationship between the state and the individual The author outlines ten normative assumptions of the CR and compares each to its counterpoint in liberal democratic theory Much of what the CR believes about democracy comes from the same authors as modern and postmodern democratic theory but differs in its interpretation and application The book describes in detail the theory of CR and demonstrates how the CR operates from a different view of governance than is usually associated with the United States **The Values of Presidential Leadership J.**

Wren,2007-11-12 Contributors address aspects of presidential leadership in essays on how presidential values are determined or constructed how they are condoned and criticized how they are packaged and conveyed and how they are interpreted and acted upon Includes scholars from communication history law philosophy political science and psychology

Albert Camus's The Stranger Peter Francev,2014-06-26 Often marginalised on the sidelines of both philosophy and literature the works of Albert Camus have in recent years undergone a renaissance While most readers in either discipline claim Camus and his works to be theirs the scholars presented in this volume tend to see him and his works in both philosophy and literature This volume is a collection of critical essays by an international menagerie of Camus experts who despite their interpretive differences see Camus through both lenses For them he is a novelist essayist who embodies a philosophy that was never fully developed due to his brief life The essays here examine Camus's first published novel *The Stranger* from a variety of critical and theoretical perspectives each drawing on the author's knowledge to present the first known critical examination in English As such this volume will shed new light on previous scholarship Definition in

Theory and Practice Roy Harris, Christopher Hutton, 2007-07-24 The long history of conflicting assumptions about the way language functions has engaged the minds of some of the most eminent thinkers in the Western tradition This text explores the problem of definition focusing in particular on two areas where this difficulty has arisen in a particularly acute form lexicography and the law

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

Classic and Contemporary Readings in Sociology Ian Marsh, Rosie Campbell, Mike Keating, 2014-05-12 Classic and Contemporary Readings in Sociology introduces the reader to sociological issues theories and debates providing extracts of primary source material from both classical and contemporary theorists Theorists are examined within their historical and sociological framework and the text provides an analysis of developments in sociological thought and research The text is divided into four main sections Part One Origins and Concepts surveys the history of the discipline of sociology and examines key themes which have influenced sociological theorising and investigation in particular social control culture and socialisation Parts Two and Four Sociological Theories and Sociological Research include a number of readings from the founding theorists and investigators including Auguste Comte Emile Durkheim Karl Marx Max Weber and Charles Booth and also include more recent theoretical writing and research approaches The focus on theory and research is extended by a selection of readings centred around the theme of Differences and Inequalities Part Three these readings provide students with examples of work from an area where sociological theorising and research has been widely applied

Improvisation and Social Aesthetics Georgina Born, Eric Lewis, Will Straw, 2017-04-11 Addressing a diverse set of improvised art and music forms from jazz and cinema to dance and literature this volume traces how the social political and the aesthetic relate within the context of improvisation

International Sanctions and Human Rights Pavel Šturma, 2024-12-19 The word sanctions is currently used more than ever before not only in the media political statements but also in legal discourse Apart from this very widely cited term European Union documents tend to refer also to restrictive measures while international law parlance embraces the concept of countermeasures being the modern equivalent of peaceful reprisals from the point of view of general customary international law i e individual coercive measures or security measures which is a term used in some treaties Sanctions or measures whatever they are called are a necessary and legitimate response to Russian aggression in Ukraine in the current situation However this does not rule out certain legal problems The nature of these measures must be assessed in the light of international law From this point of view finding answers to the following questions is essential Is the content of these measures generally consistent or contrary to the rules of international law Who is authorized to decide on the introduction and content of these measures Can these measures produce extraterritorial effects Do sanctions targeting individuals natural

and legal persons violate their human rights right to property right to fair trial etc Which type of information can be used as a basis for imposing sanctions against these individuals Are there sufficient procedural safeguards and remedies at national and international level Can some restrictive measures be reviewed and possibly overturned by courts Are individuals who have been wrongfully added on sanction lists entitled to any compensation

Why the Law Matters to You Christoph Hanisch, 2013-08-29 This book presents an answer to the question of why modern legal institutions and the idea of citizenship are important for leading a free life The majority of views in political and legal philosophy regard the law merely as a useful instrument employed to render our lives more secure and to enable us to engage in cooperate activities more efficiently The view developed here defends a non instrumentalist alternative of why the law matters It identifies the law as a constitutive feature of our identities as citizens of modern states The constitutivist argument rests on the Kantian assumption that a person s practical identity its normative self conception as an agent is the result of its actions The law co constitutes these identities because it maintains the external conditions that are necessary for the actions performed under its authority Modern legal institutions provide these external prerequisites for achieving a high degree of individual self constitution and freedom Only public principles can establish our status as individuals who pursue their life plans and actions as a matter of right and not because others contingently happen to let us do so The book thereby provides resources for a reply to anarchist challenges to the necessity of legal ordering

Women's Contemporary Readings of Medieval (and Modern) Arabic Philosophy Saloua Chatti, 2022-06-27 This book explores a large variety of topics involved in Arabic philosophy It examines concepts and issues relating to logic and mathematics as well as metaphysics ethics and aesthetics These topics are all studied by different Arabic philosophers and scientists from different periods ranging from the 9th century to the 20th century and are representative of the Arabic tradition This is the first book dealing with the Arabic thought and philosophy and written only by women The book brings together the work and contributions of an international group of female scholars and researchers specialized in the history of Arabic logic philosophy and mathematics Although all authors are women the book does not enter into any kind of feminist trend It simply highlights the contributions of female scholars in order to make them available to the large community of researchers interested in Arabic philosophy and to bring to the fore the presence and representativeness of female scholars in the field

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