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Natural Law Theory Contemporary Essays

Tony Burns



Natural Law Theory Contemporary Essays:

Natural Law Theory Robert P. George, 1992 This volume presents twelve original essays by contemporary natural law theorists and their critics Natural law theory is enjoying a revival of interest today in a variety of disciplines including law philosophy political science and theology and religious studies These essays offer readers a sense of the lively contemporary debate among natural law theorists of different schools as well as between natural law theorists and their critics

Natural Law Theory Robert P. George, 1992

Natural Law and Modern Moral Philosophy: Volume 18, Social Philosophy and Policy, Part 1 Ellen Frankel Paul, Fred D. Miller (Jr.), Jeffrey Paul, 2001-01-29 The essays in this volume written by academic lawyers as well as legal and moral philosophers address some of the most intriguing questions raised by natural law theory and its implications for law morality and public policy Some of the essays explore the implications that natural law theory has for jurisprudence asking what natural law suggests about the use of legal devices such as constitutions and precedents Other essays examine the connections between natural law and natural rights

Research Handbook on Natural Law Theory Jonathan Crowe, Constance Youngwon Lee, 2019 p p1 margin 0 0px 0 0px 0 0px font 10 0px Arial p p2 margin 0 0px 0 0px 0 0px font 10 0px Arial min height 11 0px span s1 font 10 0px Helvetica This thought provoking Research Handbook provides a snapshot of current research on natural law theory in ethics politics and law showcasing the breadth and diversity of contemporary natural law thought The Research Handbook on Natural Law Theory examines topics such as foundational figures in Western natural law theory natural law ideas in a variety of religious and cultural traditions normative foundations of natural law as well as issues of law and governance Featuring contributions by leading international scholars this Research Handbook offers a valuable resource for scholars in law philosophy religious studies and related fields

Natural Law and Contemporary Public Policy David Forte, 1998-08-01 Rooted in Western classical and medieval philosophies the natural law movement of the last few decades seeks to rediscover fundamental moral truths In this book prominent thinkers demonstrate how natural law can be used to resolve a wide range of complex social political and constitutional issues by addressing controversial subjects that include the family taxation war racial discrimination medical technology and sexuality This volume will be of value to those working in philosophy political science and legal theory as well as to policy analysts legislators and judges

Natural Law, Liberalism, and Morality Robert P. George, 2001 A number of leading defenders of natural law and liberalism offer frank and lively exchanges touching upon critical issues surrounding contemporary moral and political theory

Natural Law Alejandro Néstor García Martínez, Mario Šilar, José M. Torralba, 2009-03-26 Modern moral and political philosophy is in debt with natural law theory both in its ancient and mediaeval elaborations While the very notion of a natural law has proved highly controversial among 20th Century scholars the last decades have witnessed a renewed interest in it Indeed the threats and challenges as result of multiculturalism plural societies and global changes have generated a renewed attention to natural law theory Clearly it

offers solid basis as possible framework to a better understanding of human goods without contradictions and partial bias. The purpose of the present volume is to provide an overview of the history of this concept. Cicero, St Paul, Aquinas, Melanchthon, Montaigne, Descartes, Leibniz, Hume, Burke, Kant, MacIntyre, etc. as well as a deep understanding of ongoing research both in Europe and in America. Furthermore, the specificity of these studies will be of particular value to philosophers, lawyers, historians, anthropologists, sociologists, and theologians, and those concerned on such issues as the relation between law and moral norm, law and practical reason, and the presence of the idea of natural law in several prominent thinkers. It includes a selected bibliography on natural law. The book also provides an excellent introduction to several of the major topics in natural law theory, making it useful both as a reference text and as a sourcebook for academics alike. Natural law is a rich, complex, and highly disputed term. Since its first appearances in the history of Western civilization, it has been used both to point to God as the source of the moral order and to assert that there is an objective order of justice in nature that men and their laws ought to respect. In modern times, natural law theory gave birth to what we usually call human rights. Unlike the meaning of the term, the importance of an ongoing debate on natural law and on the theories related to it is undisputable. This is why I welcome today this new collection of essays edited by Alejandro N. Stor, García Martínez, Mario Iñárriz, and José M. Torralba. *Natural Law: Historical, Systematic, and Juridical Approaches* includes a wide variety of studies covering key authors and issues in natural law theory. Younger students will appreciate the clarity of the chapters, and more trained readers the detailed and accurate bibliographical references that each of them offers. The editors' choice to go from a historical approach to contemporary theories and then to theoretical and more practical issues is also commendable. Students in philosophy and in legal theory will greatly benefit from this book. Fulvio Di Blasi, author of *God and the Natural Law: A Rereading of Thomas Aquinas*. Contemporary Perspectives on Natural Law, Ana Marta González, 2016-05-13. Resorting to natural law is one way of conveying the philosophical conviction that moral norms are not merely conventional rules. Accordingly, the notion of natural law has a clear metaphysical dimension since it involves the recognition that human beings do not conceive themselves as sheer products of society and history. And yet, if natural law is to be considered the fundamental law of practical reason, it must show also some intrinsic relationship to history and positive law. The essays in this book examine this tension between the metaphysical and the practical, and how the philosophical elaboration of natural law presents this notion as a limiting concept between metaphysics and ethics, between the mutable and the immutable, between is and ought, and in connection with the latter, even the tension between politics and eschatology as a double horizon of ethics. This book, contributed to by scholars from Europe and America, is a major contribution to the renewed interest in natural law. It provides the reader with a comprehensive overview of natural law both from a historical and a systematic point of view. It ranges from the mediaeval synthesis of Aquinas through the early modern elaborations of natural law up to current discussions on the very possibility and practical relevance of natural law theory for the contemporary mind. **Aristotle and**

Natural Law Tony Burns, 2011-10-27 Aristotle and Natural Law lays out a new theoretical approach which distinguishes between the notions of interpretation appropriation negotiation and reconstruction of the meaning of texts and their component concepts These categories are then deployed in an examination of the role which the concept of natural law is used by Aristotle in a number of key texts The book argues that Aristotle appropriated the concept of natural law first formulated by the defenders of naturalism in the nature versus convention debate in classical Athens Thereby he contributed to the emergence and historical evolution of the meaning of one of the most important concept in the lexicon of Western political thought Aristotle and Natural Law argues that Aristotle s ethics is best seen as a certain type of natural law theory which does not allow for the possibility that individuals might appeal to natural law in order to criticize existing laws and institutions Rather its function is to provide them with a philosophical justification from the standpoint of Aristotle s metaphysics

The Problem of Natural Law Douglas Kries, 2007-01-01 The Problem of Natural Law takes up the problem of how natural law theory might be made a serious contender in modern moral political and legal debate Author Douglas Kries takes as his starting point the question of how human beings are said to know the natural law which is a question that has traditionally been answered by appealing to the notion of conscience Since Thomas Aquinas articulated the classic formulation of natural law theory the book begins with an analysis of Thomas s notion of conscience It then examines both the philosophical and theological objections that have been raised against the Thomistic notion of conscience and argues that this long standing teaching could and should be bracketed by contemporary natural law theory On the basis of this reformulation of natural law Kries then proceeds to show how reviving natural law theory might be possible in the contemporary context though it will need to be preceded by a reformulation of the natural law theory itself especially with respect to the doctrine of conscience If this is accomplished Thomistic natural law will be better situated to respond to its three most important contemporary critics the existentialism of Sartre the deontologism of Kant and the political hedonism of Hobbes

The Disintegration of Natural Law Theory Pauline C. Westerman, 2014-10-21 John Finnis s proposal to rehabilitate Aquinas s natural law theory as an appropriate foundation of legal and moral theory rests on the assumption that Aquinas s theory can be restored by eliminating the mistaken interpretations of subsequent natural law theorists This book challenges that assumption After a brief analysis of Aquinas the theories of Suarez Grotius and Pufendorf are investigated It is argued that their theories are no mistakes but attempts at solving problems inherent in natural law theory As these attempts all fail tensions remain and ultimately lead to the demise of the theory Finally it is argued that Finnis running into the same problems cannot hope to restore Aquinas s theoretical edifice

The Contribution of Natural Law Theory to Moral and Legal Debate Concerning Suicide, Assisted Suicide, and Euthanasia Craig Paterson, 2010-05-13

Natural Law and the Nature of Law Jonathan Crowe, 2019-04-25 Presents a systematic contemporary defence of the natural law outlook in ethics politics and jurisprudence

The Contribution of Natural Law Theory to Moral and Legal

Debate Concerning Suicide, Assisted Suicide, and Voluntary Euthanasia Craig Paterson, 2001

Natural Law and

Practical Rationality Mark C. Murphy, 2001-06-11 Natural law theory has been undergoing a revival especially in political philosophy and jurisprudence Yet most fundamentally natural law theory is not a political theory but a moral theory or more accurately a theory of practical rationality According to the natural law account of practical rationality the basic reasons for actions are basic goods that are grounded in the nature of human beings Practical rationality aims to identify and characterize reasons for action and to explain how choice between actions worth performing can be appropriately governed by rational standards These standards are justified by reference to features of the human goods that are the fundamental reasons for action This book is a defence of a contemporary natural law theory of practical rationality demonstrating its inherent plausibility and engaging systematically with rival egoist consequentialist Kantian and virtue accounts

The Invisible Origins of Legal Positivism W.E. Conklin, 2012-12-06 Conklin's thesis is that the tradition of modern legal positivism beginning with Thomas Hobbes postulated different senses of the invisible as the authorising origin of humanly posited laws Conklin re-reads the tradition by privileging how the canons share a particular understanding of legal language as written Leading philosophers who have espoused the tenets of the tradition have assumed that legal language is written and that the authorising origin of humanly posited rules norms is inaccessible to the written legal language Conklin's re-reading of the tradition teases out how each of these leading philosophers has postulated that the authorising origin of humanly posited laws is an unanalysable externality to the written language of the legal structure As such the authorising origin of posited rules norms is inaccessible or invisible to their written language What is this authorising origin Different forms include an originary author an a priori concept and an immediacy of bonding between person and laws In each case the origin is unwritten in the sense of being inaccessible to the authoritative texts written by the officials of civil institutions of the sovereign state Conklin sets his thesis in the context of the legal theory of the polis and the pre polis of Greek tribes The author claims that the problem is that the tradition of legal positivism of a modern sovereign state excises the experiential or bodily meanings from the written language of the posited rules norms thereby forgetting the very pre legal authorising origin of the posited norms that each philosopher admits as offering the finality that legal reasoning demands if it is to be authoritative

International Society David R. Mapel, Terry Nardin, 2021-03-09 In a time of eroding sovereignty and resurgent nationalism this collection provides a searching investigation of the moral foundations of the international order Drawing on diverse philosophical and theological perspectives the contributors debate the character of international society the authority of international law and institutions and the demands of international justice In a series of philosophical essays each followed by a critical commentary the book considers the contributions of legal positivism natural law Kantian ethics contractarian theory and moral cosmopolitanism to the discussion of law and justice in international society It also includes commentaries by experts in Jewish Christian and Islamic moral theology and a concluding chapter that compares and

contrasts the views presented without seeking to adjudicate their differences. Because of its comprehensive approach and the diversity of its viewpoints, the volume serves as an introduction to the topic and as a resource for scholars, journalists, policy makers, and anyone else who wants to understand better the range of moral perspectives that underlies discussion of the current international order. In addition to the editors, the contributors are Brian Barry, Chris Brown, John Charvet, Richard Friedman, Robert P. George, Sohail Hashmi, Pierre Laberge, David Miller, David Novak, Max L. Stackhouse, Fernando R. Tesón, and Frederick G. Whelan.

Modern Jurisprudence Sean Coyle, 2014-12-01. This book provides a concise and accessible guide to modern jurisprudence, offering an examination of the major theories and systematic discussion of themes such as legality and justice. It gives readers a better understanding of the rival viewpoints by exploring the historical developments which give modern thinking its distinctive shape and placing law in its political context. A key feature of the book is that readers are not simply presented with opposing theories but are guided through the rival standpoints on the basis of a coherent line of reflection from which an overall sense of the subject can be gained. Chapters on Hart, Fuller, Rawls, Dworkin, and Finnis take the reader systematically through the terrain of modern legal philosophy, tracing the issues back to fundamental questions of philosophy and indicating lines of criticism that build to a fresh and original perspective on the subject.

Understanding Jurisprudence Raymond Wacks, 2015. Perfect for the student new to jurisprudence, this book provides an illuminating introduction to the central questions of legal theory. An experienced teacher of jurisprudence, Professor Wacks' approach is both accessible and entertaining, providing the ideal base for further study.

Culture and the Thomist Tradition Tracey Rowland, 2003-09-02. Thomism's influence upon the development of Catholicism is difficult to overestimate, but how secure is its grip on the challenges that face contemporary society? *Culture and the Thomist Tradition* examines the crisis of Thomism today as thrown into relief by Vatican II, the twenty-first ecumenical council of the Roman Catholic Church. Following the Church's declarations on culture in the document *Gaudium et spes*, the Pastoral Constitution on the Church in the Modern World, it was widely presumed that a mandate had been given for transposing ecclesiastical culture into the idioms of modernity. But says Tracey Rowland, such an understanding is not only based on a facile reading of the Conciliar documents but was made possible by Thomism's own failure to demonstrate a workable theology of culture that might guide the Church through such transpositions. A Thomism that fails to specify the precise role of culture in moral formation is problematic in a multicultural age where Christians are exposed to a complex matrix of institutions and traditions, both theistic and secular. The ambivalence of the Thomist tradition to modernity and modern conceptions of rationality also impedes its ability to successfully engage with the arguments of rival traditions. Must a genuinely progressive Thomism learn to accommodate modernity? In opposition to such a stance and in support of those who have resisted the trend in post-Conciliar liturgy to mimic the modernistic forms of mass culture, *Culture and the Thomist Tradition* musters a synthesis of the theological critiques of modernity to be found in the works of Alasdair MacIntyre, scholars of the international *Communio* project, and the Radical

Orthodoxy circle This synthesis intended as a post modern Augustinian Thomism provides an account of the role of culture memory and narrative tradition in the formation of intellectual and moral character Re evaluating the outcome of Vatican II and forming the basis of a much needed Thomist theology of culture the book argues that the anti beauty orientation of mass culture acts as a barrier to the theological virtue of hope and ultimately fosters despair and atheism

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