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Philosophy of Law: Classic and  
Contemporary Readings with  
Commentary

Frederick Schauer and Walter  
Sinnott-Armstrong

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# Philosophy Of Law Classic And Contemporary Readings With Commentary

**J. Wren**



## **Philosophy Of Law Classic And Contemporary Readings With 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 Philosophy of Law Larry May, Jeff Brown, 2009-05-18 Philosophy of Law provides a rich overview of the diverse theoretical justifications for our legal rules systems and practices Utilizes the work of both classical and contemporary philosophers to illuminate the relationship between law and morality Introduces students to the philosophical underpinnings of International Law and its increasing importance as we face globalization Features concrete examples in the form of cases significant to the evolution of law Contrasts Anglo American law with foreign institutions and practices such as those in China Japan India Ireland and Canada Incorporates diverse perspectives on the philosophy of law ranging from canonical material to feminist theory critical theory postmodernism and critical race theory *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 **Journal of Camus Studies** Camus Society, 2013-04-04 Journal of Camus Studies 201217 scholarly essays on the literature and philosophy of Albert Camus Contributors ERIC BERGBRADEN CANNON JACKSON DOUGHARTINGRID FERNANDEZ PETER FRANCEV GIOVANNI GAETANI GEORGE HEFFERNAN EMILY HOLMAN PEADAR KEARNEY STEFAN LANCY JERRY LARSON SIMON LEA BENEDICT O DONOHOE NICHOLAS PADFIELD PATRICK

REILLYLUKE RICHARDSONRON SRIGLEYwww camus society com      **Introduction to the Study of Law** Dr. Felipe de Jesús Alvidrez Fierro, 2018-04-28 In this important work Dr Felipe Fierro offers a comprehensive view on the subject of Introduction to the Study of Law in which he revives the use of Gnoseology Philosophy History and Logic as Auxiliary Sciences and exposes how the abandonment of such has contributed to the exponential growth of Skepticism and Relativism currently prevailing in the legal world The above through extensive experience in teaching Law from the Aristotelian Thomistic platform based on the elementary assumption that we must first prove the existence of the object of study and contrast main legal branches in topics such as what is Law why is Science what are Law Justice Facultative rights and the Common Good supported by extensive and select bibliography In addition the being nature concept essence and properties of the sources fundamentals and classification are described But important elements such as knowledge order principles Jurisprudence and Natural law fundamental legal concepts the legislative process the Constitution interpretation and others are not absent Morality and Legal Law are obligatory markers which although considered in their own field are not excluded but different as to object and method Predominantly Justice is exposed as one of the great values of the Law and main theories in order to offer future lawyers the basis regarding the current Science of Law and its significance      Instrumental Rationality John Brunero, 2020-04-29 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      **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 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

**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

**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

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

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

*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

**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

Feminist Theory Robin O. Andreasen, Ann E. Cudd, E. Díaz-León, 2025-05-06 An expansive and up to date collection of essays addressing key issues in feminist philosophy offering new perspectives on gender knowledge resistance and more Feminist Theory A Philosophical Anthology explores some of feminism s most pressing philosophical issues bridging the gap between classic and contemporary feminist ideas in one comprehensive volume Articles have been chosen to represent feminist interventions in core areas of philosophy as well as philosophical contributions to feminist theory more generally Emphasizing the flourishing growth of feminist philosophy over time this anthology investigates key issues and concepts such as gender based oppression knowledge production autonomy and the ethics of care while showcasing diverse voices from the past and present Each section opens with a clear introductory framework that makes complex topics accessible to readers at all levels Thoroughly updated in its second edition Feminist Theory highlights the expansion in scope and diversity of authors topics and approaches to feminist philosophical theorizing since the publication of the first edition It expands on foundational essays and introduces a variety of recent scholarship to highlight the ways in which feminist philosophy has become more inclusive global and intersectional New coverage such as Kimberl Crenshaw s seminal piece on intersectionality Robin Dembroff s work on non binary gender identities and the latest discussions on disability epistemic injustice misogyny and trans feminism provides readers with a uniquely broad range of cutting edge perspectives Offering readers both foundational knowledge and current debates in feminist thought Feminist Theory A Philosophical Anthology Provides the tools to critically engage with philosophical arguments around gender autonomy justice resistance liberation and many others Contextualizes the diverse philosophical perspectives shaping contemporary feminist discourse Revisits long standing questions and draws attention to contemporary debates in feminist theory Engages with pressing ethical topics such as the moral implications of misgendering and racial biases in knowledge production Encourages cross disciplinary engagement and theoretical advancement in areas of concern to feminists of all disciplines Includes critiques of traditional philosophical frameworks and engages in self reflection regarding the ways in which feminism itself has contributed to patterns of exclusion and marginalization Features key works by foundational authors such as Judith Butler Bell Hooks and Simone de Beauvoir Designed for undergraduate and graduate

courses in feminist theory gender studies philosophy and sociology Feminist Theory A Philosophical Anthology Second Edition remains an essential resource for students in philosophy social science and women s studies programs as well as researchers educators and activists interested in cross disciplinary engagement and theoretical advancement in areas of concern to feminists

**Sexual Ethics** Patrick D. Hopkins, 2023-01-04 An accessible and engaging anthology of readings focused specifically on applied ethics issues of sexual morality Sexual Ethics An Anthology addresses conceptual ethical and public policy issues about sex providing a balanced and non sectarian discussion of many of today s most important and controversial moral topics Covering a broad range of contemporary sexual ethics issues this easily accessible textbook includes explications and point counterpoint pieces on the definition of sex and sexual orientation sexual harassment and rape law sexual discrimination age of consent marriage and adultery online affairs gay marriage polygamy and polyamory sexual orientation change therapy transgender and sex reassignment surgery intersexed infants and surgery pornography prostitution psychiatric classifications of sexuality disorders and specific paraphilias Organized around six broad themes Consent Marriage Homosexuality Transgender Commerce and Paraphilias Sexual Ethics presents multiple sides of each issue offering diverse perspectives on critical topics supported by relevant philosophical arguments position papers psychological studies government regulations and court rulings Sexual Ethics is particularly designed to provide a ready made course in sexual ethics with several major elements ideally suited for classroom instructors and students Includes an introductory chapter on key definitional conceptual and theoretical issues Features Framing Questions for each section that address a major moral or policy issue and highlights the pro con nature of the readings e g How should we define rape Should pornography be protected as free speech Features a short summary at the beginning of each reading including the topic major points and conclusion very helpful for instructor planning Features 15 Discussion Starters that help students start thinking critically and talking about sexual ethics before doing any reading Features 45 brief Decision Cases drawn from major media stories especially relevant to the college student context including college virginity male rape child pornography on television college sexual harassment faux bisexuality fraternity party sex transgender inclusion race and sex asexuality bromances campus pride groups fetishes and kink online sex Title IX mandatory reporting transgender sports competition religious diversity and sex sex education feminists working at sexually exploitative jobs cancel culture and robot sex These cases are ideal for class discussion class presentations and research paper topics Sexual Ethics An Anthology is an excellent textbook for undergraduate classes in applied ethics sexual ethics and gender studies as well as related courses in sociology public policy marriage and family law and social work

**Philosophy of Biology** Alex Rosenberg, Robert Arp, 2009-04-27 By combining excerpts from key historical writings with editors introductions and further reading material Philosophy of Biology An Anthology offers a comprehensive accessible and up to date collection of the field s most significant works Addresses central questions such as What is life and How did it begin and the most current research and arguments on evolution and



developmental biology Editorial notes throughout the text define clarify and qualify ideas concepts and arguments Includes material on evolutionary psychology and evolutionary developmental biology not found in other standard philosophy of biology anthologies Further reading material assists novices in delving deeper into research in philosophy of biology

**The Warrior, Military Ethics and Contemporary Warfare** Pauline M. Kaurin, 2016-02-17 When it comes to thinking about war and warriors first there was Achilles and then the rest followed The choice of the term warrior is an important one for this discussion While there has been extensive discussion on what counts as military professionalism that is what makes a soldier sailor or other military personnel a professional the warrior archetype varied for the various roles and service branches still holds sway in the military self conception rooted as it is in the more existential notions of war honor and meaning In this volume Kaurin uses Achilles as a touch stone for discussing the warrior military ethics and the aspects of contemporary warfare that go by the name of asymmetrical war The title of the book cuts two ways Achilles as a warrior archetype to help us think through the moral implications and challenges posed by asymmetrical warfare but also as an archetype of our adversaries to help us think about asymmetric opponents

**Ethical Theory** Russ Shafer-Landau, 2012-06-20 The second edition of Ethical Theory An Anthology features a comprehensive collection of more than 80 essays from classic and contemporary philosophers that address questions at the heart of moral philosophy Brings together 82 classic and contemporary pieces by renowned philosophers from seminal works by Hume and Kant to contemporary views by Derek Parfit Susan Wolf Judith Jarvis Thomson and many more Features updates and the inclusion of a new section on feminist ethics along with a general introduction and section introductions by Russ Shafer Landau Guides readers through key areas in ethical theory including consequentialism deontology contractarianism and virtue ethics Includes underrepresented topics such as moral knowledge moral standing moral responsibility and ethical particularism

*Ethics in Practice* Hugh LaFollette, 2020-02-12 The bestselling and field defining textbook which has introduced generations of students to the field of practical ethics now in a new fully revised fifth edition For more than twenty years Ethics in Practice has paved the way for students to confront the difficult ethical questions they will must or do already face Accessible to introductory students yet sufficiently rigorous for those pursuing advanced study this celebrated collection encourages and guides readers to explore ethical dimensions of important controversial topics such as euthanasia environmental action economic injustice discrimination incarceration abortion and torture In combining new and revised modern texts with works of classic scholarship Ethics in Practice equips readers to consider wide ranging ideas in practical ethics and to understand the historical basis for contemporary developments in ethical theory Revisions and updates to the new edition of Ethics in Practice focus on covering pressing global issues and adding depth to key sections Many sections have been expanded to offer more thorough coverage of topics in ethical theory Edited by Hugh LaFollette highly regarded for his contributions in the field of practical ethics this important volume Explores the connections between ethical theory and divisive contemporary

debates Includes general and section introductions which map the conceptual terrain making it easy for students to understand and discuss the theoretical and practical dimensions of the issues Offers up to date incisive discussion global local and personal ethical issues Provides original essays new perspectives and revisions of key critical texts Enables instructors to discuss specific practical issues broader groupings of topics and common themes that connect major areas in ethics Already a market leading text for introductory and applied ethics courses the latest edition of Ethics in Practice An Anthology continues to be an essential resource for instructors and students in philosophy departments around the world

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