

Constitution gives priority to majority and constitutionalism empowers the judicial arm.¹²⁰⁷ Constitutionalism typically commands constitutional institutions to promulgate law as it is, rather than as it should be. The separation of powers provides a means to ensure that they are not abused in the first place. It also provides an indirect solution to those who object to the approach without explicit constitutional or legal sanction. According to Macneil, the meaning of the two terms often conflates with opposite legalised purposes. (Macneil 1988, 1990, 1991a).

Macneil (1991a) summarising 2008, 17, 47, 1991a, 1991b, 1991c, 1991d, 1991e, 1991f, 1991g, 1991h, 1991i, 1991j, 1991k, 1991l, 1991m, 1991n, 1991o, 1991p, 1991q, 1991r, 1991s, 1991t, 1991u, 1991v, 1991w, 1991x, 1991y, 1991z, 1992a, 1992b, 1992c, 1992d, 1992e, 1992f, 1992g, 1992h, 1992i, 1992j, 1992k, 1992l, 1992m, 1992n, 1992o, 1992p, 1992q, 1992r, 1992s, 1992t, 1992u, 1992v, 1992w, 1992x, 1992y, 1992z, 1993a, 1993b, 1993c, 1993d, 1993e, 1993f, 1993g, 1993h, 1993i, 1993j, 1993k, 1993l, 1993m, 1993n, 1993o, 1993p, 1993q, 1993r, 1993s, 1993t, 1993u, 1993v, 1993w, 1993x, 1993y, 1993z, 1994a, 1994b, 1994c, 1994d, 1994e, 1994f, 1994g, 1994h, 1994i, 1994j, 1994k, 1994l, 1994m, 1994n, 1994o, 1994p, 1994q, 1994r, 1994s, 1994t, 1994u, 1994v, 1994w, 1994x, 1994y, 1994z, 1995a, 1995b, 1995c, 1995d, 1995e, 1995f, 1995g, 1995h, 1995i, 1995j, 1995k, 1995l, 1995m, 1995n, 1995o, 1995p, 1995q, 1995r, 1995s, 1995t, 1995u, 1995v, 1995w, 1995x, 1995y, 1995z, 1996a, 1996b, 1996c, 1996d, 1996e, 1996f, 1996g, 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Rational Individualism The Perennial Philosophy Of Legal Interpretation

Michael M. Kazanjian



Rational Individualism The Perennial Philosophy Of Legal Interpretation:

Rational Individualism Roger Simonds,1995 This book is a study of the theory of legal interpretation that underlies the legal systems of Europe England and the United States The principles of interpretive jurisprudence are traced through Greek and Latin philosophers and legal theorists and Renaissance Italian glossators and commentators In addressing human nature these principles have a self sustaining logical integrity They are defensible as a worthy tradition of legal respect for the value of the individual

Social Brain Matters ,2007-01-01 This book examines philosophical and scientific implications of Neodarwinism relative to recent empirical data It develops explanations of social behavior and cognition through analysis of mental capabilities and consideration of ethical issues It includes debate within cognitive science among explanations of social and moral phenomena from philosophy evolutionary and cognitive psychology neurobiology linguistics and computer science The series Cognitive Science provides an original corpus of scholarly work that makes explicit the import of cognitive science research for philosophical analysis Topics include the nature structure and justification of knowledge cognitive architectures and development brain mind theories and consciousness

Phenomenology and Education Michael M. Kazanjian,2022-02-22 Phenomenologists or Continental thinkers argue for the subject object continuum For phenomenology subjectivity is of the object and object is for the subject This book applies that continuum to the holistic foundations of work or specialization The author devotes a chapter to each of eight cultural applications of the subject object continuum Chapter One examines the specialist generalist continuum meaning specialization for general education That continuum comprises the framework for the remaining seven chapters Those seven include production for community design for user automation for user computing for society taxation for society information for manufacturing and procedure for goal These eight applications constitute the basis for a core curriculum The core curriculum gives holistic meaning order or cosmos to all jobs and to all people Cosmos is a Greek word meaning humanistic scientific order irreducible to physics The core curriculum is fundamental cosmology Each of the eight continuities follow in a logical systematic manner from the analytic subjective continuum meaning object for subjectivity Phenomenology of education can become the human basis of a promising holistic logic bringing together analytic and existential themes

The Reopening of the American Mind James W. Vice,2021-11-15 The Reopening of the American Mind On Skepticism and Constitutionalism explores the connection of moderate skepticism with attachment to constitutionalism through the thought of five writers The features of this skepticism were concisely delineated by James Madison in the 37th Federalist as a recognition of the complexity of political matters the limitations of human reason and the shortcomings of language The position was first articulated by Cicero who connected it with the idea of a mixed or republican constitution developed by trial and error over generations Cicero was influential in the world of David Hume Edmund Burke and Madison The skeptical constitutional connection found its most articulate recent advocate in Supreme Court Justice Felix Frankfurter and underlay his advocacy of judicial restraint Current events have revived interest

in the primacy of the legislative branch in balancing interests and rights in the States as laboratories for democracy and in an experimental approach to the solution of social problems in what might be called a reopening of the American mind The five central chapters explore the skeptical constitutional connection and the spirit of moderation in these political thinkers Without an appreciation of this tradition of avoiding dogmatism people will continue to demand simple answers to complex problems The book is not however primarily a tract for the times but a reflection on the on going search for a more civil world

Peacemaking ,2021-10-25 Peacemaking includes a large array of activities from local to global attempts to attain peace It includes consideration of international interstate and intertribal conflict resolution communal personal and interpersonal social justice deterrence of the use of nuclear weapons design of international treaties that prevent war or other forms of international conflict disarmament international organizations that secure the order among nations and even from some points of view war As the 20th century drew to a close we have witnessed peacemakers trying to end ethnic cleansing reinstate justly elected political leaders and reach compromises in the ideological differences that perpetuate age old conflicts We also see peacemaking in our schools homes and workplaces Philosophers have long been interested in peacemaking in one form or another and philosophical accounts of peacemaking reflect the variety of perspectives methods and activities developed in pursuing peacemaking In some instances philosophers expand upon the situations activities and methods of the peacemaker in the field The essays in this volume propose some theoretical arguments for various aspects of peacemaking offer nonmilitary alternatives to war and discuss practical examples of peacemaking in daily life The contributors analyze power relations language social groupings and distribution of resources At times they draw insight from social and historical models of conflict and conflict resolution This collection of essays on peacemaking aims to enlighten contemporary social and political discussions and contribute to achieving the ever challenging goal of peace

The Intrinsic Value of Nature Leena Vilkkä,2021-11-15 What is intrinsic value What is the origin of value Are people always superior to nature This book is a philosophical analysis of the human relationship to the non human world It is a pioneering study of the philosophy of nature conservation in relation to the discussion of intrinsic value Vilkkä develops a naturalistic or naturocentric theory of value that is based on ethical extensionism and pluralism Vilkkä analyzes natural values and environmental attitudes zoocentrism biocentrism and ecocentrism This book forms a taxonomy for nature having intrinsic value The theory of intrinsic value is based on naturocentric and naturogenic values The book questions the thesis of weak anthropocentrism that denies the existence of naturogenic values In Vilkkä s theory animals and nature are the origin of value She defends the existence of zoogenic and biogenic values in the non human world and discusses the possibility of ecogenic value nature as a whole having value independent of human or animal minds Vilkkä analyzes the goodness and rights of nature the problem of priorities and ecological humanism A naturocentric recommendation is that the well being of animals and nature should have priority over human values at least in some real decision contexts Ecological humanism

recommends an attitude of respect for people animals and nature The book includes an extensive glossary index and bibliography

Philosophical Perspectives on the 'War on Terrorism' Gail M. Presbey, 2007 This book responds to the Bush Administration position on the war on terror It examines preemption within the context of just war justification for the United States led invasion of Iraq with some authors charging that its tactics serve to increase terror global terrorism and concepts such as reconciliation Islamic identity nationalism and intervention

Moral Conflicts of Organ Retrieval Charles C. Hinkley (II), Charles C. Hinkley, 2005 This book addresses ethical conflicts arising from saving the lives of patients who need a transplant while treating living and dead donors organ sellers animals and embryos with proper moral regard Our challenge is to develop a better world in the light of debatable values and uncertain consequences

Addresses of the Mississippi Philosophical Association, 2021-11-08 Addresses of the Mississippi Philosophical Association is a collection of presidential and invited addresses from the members of the Mississippi Philosophical Association MPA Papers date from the inception of the association in the mid 1940s and continue through 1999 The common thread in these addresses is the authors service to or leadership in the MPA The content and methods in the chapters are diverse including addresses on ethics political philosophy history of philosophy epistemology aesthetics philosophy of language philosophy of religion philosophy of science and philosophical theology Some unique features of this book are a history of the MPA biographical sketches and photographs of each contributor and the inclusion of the unpublished 1988 Dunbar Lectures from Millsaps College and the unpublished 1992 Akin Lecture from Mississippi College These essays and lectures reveal the vitality of philosophy in the colleges and universities of Mississippi As part of the special series Histories and Addresses of Philosophical Societies in the larger Value Inquiry Book Series this book documents in a unique historical format the value and vitality of a state philosophical organization There has been no attempt to mold these addresses into a unity rather the addresses offer a glimpse of the pluralistic philosophical reflection among the philosophical faculties of the private colleges and public universities in the state of Mississippi To the surprise of some people philosophy is alive well diverse and flourishing in Mississippi from the Preface

The Ontology of Prejudice Jon Mills, Janusz A. Polanowski, 2021-11-01 This book offers a bold and controversial new thesis regarding the nature of prejudice The authors central claim is that prejudice is not simply learned rather it is predisposed in all human beings and is thus the foundation for ethical valuation They aim to destroy the illusion that prejudice is merely the result of learned beliefs socially conditioned attitudes or pathological states of development Contrary to traditional accounts prejudice itself is not a negative attribute of human nature rather it is the necessary precondition for the self and civilization to emerge Defined as the preferential self expression of valuation prejudice gives rise to greater existential complexities and novelties that elevate selfhood and society to higher states of ethical realization Rather than offer another contribution that highlights the destructive nature of prejudice Mills and Polanowski address the ontological psychological and dialectical origins of prejudice as it manifests itself in the process of

selfhood and culture They provide an original conceptualization of the phenomenology of prejudice and its dialectical instantiation in the ontology of the individual worldhood and the very structures of subjectivity As a unique synthesis of psychoanalysis Hegelian idealism Heideggerian existential ontology and Whiteheadian process philosophy prejudice is the indispensable ground for humanity to actualize its highest potentiality for Being The striking result is 1 a revolutionary theory of human nature 2 a new ethical system and 3 the elevation of dialectical ethics to the domain of metaphysics

Anthropology in the Age of Technology Paul van Dijk,2000 This book is the first to discuss for an English speaking audience the ideas of the German Jewish man of letters thinker and activist G nther Anders Anders is one of few philosophers to deal intensely with the moral consequences of Auschwitz and Hiroshima He can rightly be called the philosopher of the atomic age and his thinking a philosophy of modern technology In biting manifestoes sharp aphorisms and penetrating essays in stirring diary notes and political fables Anders strikes out the age in which we live As a twentieth century visionary he exposes the absence of the moral and social imaginations that is necessary to prevent our history from ending in a total catastrophe In the gap between our technical creations and our utter inability to imagine their destructive potential lies the basis for the unstoppable activity of this practical philosopher From every possible angle he attempts to comprehend this modern schizophrenia in its roots and consequences Anders is one of the most important thinkers of the twentieth century He tried to describe and analyze the variety of manifestations of the self destructive progress of our technical civilization which makes humanity into an anti quated sort He diagnosed countless important problems ranging from the world of media to the dictates of the world of machinery and he investigated their social political and philosophical meaning To read his writings is more than becoming acquainted with a rich and colorful philosopher It is more than an encounter with a moving and passionate individual It is ultimately a confrontation with oneself with our own guilt and responsibility with our personal hopes and fears with our lack of imagination and with our need to recover it **Peirce's Pragmatism** Phyllis

Chiasson,2021-11-08 This book cuts through the complex writing style of the seminal philosopher Charles Sanders Peirce It disentangles his ideas explains them one by one and then puts the pieces back together for application to educational issues Accessible to a general readership this study provides useful insights into Peirce s pragmatism for educators and philosophers

Bioethics and Vulnerability Florencia Luna,2006-01-01 This book presents some of the challenges bioethics in Latin America faces today It considers them through the lenses of vulnerable populations those incapable of protecting their own interests such as the illiterate women in societies disrespectful of their reproductive rights and research subjects in contexts where resources are scarce *The Expectations of Morality* Gregory Mellema,2004 Moral expectation is a concept with which all of us are well acquainted Already as children we learn that certain courses of action are expected of us We are expected to perform certain actions and we are expected to refrain from other actions Furthermore we learn that something is morally wrong with the failure to do what we are morally expected to do A central theme of this book is that moral

expectation should not be confused with moral obligation While we are morally expected to do everything we are obligated to do a person can be morally expected to do some things that he or she is not morally obligated to do Although moral expectation is a familiar notion it has not been the object of investigation in its own right In the early chapters Mellema attempts to provide a philosophical account of this familiar notion distinguish it from other types of expectations and show how it is possible to form false moral expectations Subsequent chapters explore the role of moral expectation in agreements between people analyze ways that people avoid moral expectation illustrate how groups can have moral expectations and view moral expectation in the context of our relationship with divine beings The final chapter provides insight into how moral expectation operates in people s professional lives

A Different Three Rs for Education George Allan, Malcolm D. Evans, 2006 This book of twelve essays applies the holistic theories of process philosophy to the educational challenges that teachers face in today s complexly changing world Topics range from staff development to spirituality exploring issues of student and teacher motivation developmental stages of learning imaginative thinking and writing nourishing relationships moral and environmental education and the development of hospitable learning environments

Feminist Alliances Lynda Burns, 2006 Focus on the prospects for alliance between feminism and other political positions Contributions are The Complexities of Coalition Whose Politics Who s Correct Speaking of Feminism What Are We Arguing About The Purposes of Politics A Feminist Inquiry Foucault Feminism and History Emasculating Metaphor Whither the Maleness of Reason Care Ethics Power and Feminist Socioanalysis Pornography and Power Splitting the Difference Between Young and Fraser on Identity Politics

Pragmatism and Values , 2021-12-28 The essays in this volume are from the First Conference of the Central European Pragmatist Forum held in Slovakia in 2000 Written by prominent specialists in pragmatism and American philosophy from the United States and Europe they survey contemporary thinking on classical and contemporary pragmatism social and political theory aesthetics and the application of pragmatist thought in contemporary Europe

Values and Education , 2021-10-25 This book brings together eighteen essays on education and matters of evaluative concern to which it gives rise The essays range from discussions of basic issues on the nature of education and the importance of its two sides teaching and learning to practical issues that bear on curricular development Several of the authors focus on liberal education and its place in a liberal state Some authors take up the topic of moral education while others examine the notion of multicultural education Broad social issues of educational opportunity and affirmative action are also considered A number of authors speak to educational reforms and conditions in particular countries including Italy Canada and the United States For anyone with an interest in formal education or a love of life long learning the essays in this book offer fresh ideas for reflection

Kierkegaard, Religion, and Existence Avi Sagi, 2021-12-13 This book is an original philosophic exploration of the meaning of Kierkegaard s life his thought and his works It makes a bold case for Kierkegaard s recognition of the concrete existence of the individual including Kierkegaard himself as crucial to the spiritual life Written with delicate insight

and beautifully translated from Hebrew this work offers valuable new turns to understanding the puzzling life work of a modern giant of spiritual reflection *Life, Death, and Subjectivity* Stan van Hooft, 2004-01-01 This book presents an exploration of concepts central to health care practice In exploring such concepts as Subjectivity Life Personhood and Death in deep philosophical terms the book aims to draw out the ethical demands that arise when we encounter these phenomena and also the moral resources of health care workers for meeting those demands The series Values in Bioethics makes available original philosophical books in all areas of bioethics including medical and nursing ethics health care ethics research ethics environmental ethics and global bioethics

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