



Ronald Dworkin and Contemporary Jurisprudence

Edited by
Marshall Cohen

Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society

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Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society:

Ronald Dworkin and Contemporary Jurisprudence (Philosophy and Society) Marshall Cohen,1984 To find more information about Rowman and Littlefield titles please visit [www rowmanlittlefield com](http://www.rowmanlittlefield.com) Ronald Dworkin and Contemporary Jurisprudence Marshall Cohen,1984 **Understanding Jurisprudence** Raymond Wacks,2005 *Journal of the History of Philosophy* ,1984 **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 **Rights, Emergencies and Judicial Review** Imtiaz Omar,2023-07-03 This book makes a significant contribution to the understanding of issues of comparative constitutionalism in emergent politics Recurrent states of emergency in Malaysia Sri Lanka and Bangladesh provide the background for a comparative examination of constitutional emergency powers individual rights and judicial review This work examines the extent to which the Court in these countries has performed its expected role identifies problems in approaches to interpretation which have been adopted and suggests alternatives to constitutional interpretation and judicial review The alternatives explored are drawn from contemporary western jurisprudence including those of Ronald Dworkin and writers of the Critical Legal Studies tradition The juxtaposition of western jurisprudential development to issues of constitutionalism in the countries under survey is a bold attempt to seek some common ground in conceptualizing rights and techniques of juristic interpretation in western and eastern legal cultures The theoretical framework of the study is well perceived the arguments convincing This carefully researched work makes a valuable and scholarly contribution to the study of comparative constitutional law and jurisprudence Encyclopedia of Government and Politics Mary Hawkesworth,Maurice Kogan,2013-11-07 This is a brand

new edition of the critically acclaimed Encyclopedia of Government and Politics which has been fully revised and updated to provide a systematic account of politics and political studies at the beginning of the new millennium Providing a penetrating analysis of government and politics at a global regional and nation state level the Encyclopedia assesses both traditional and contemporary approaches and projects the paths of future research The articles provide a degree of critical analysis far beyond a simple descriptive outline of the subject Internationally respected contributors have been carefully selected to present contending approaches to related topics both to clarify the political implications of the various methodologies and to enrich the portrayal of political life With its expanded revised and updated coverage Encyclopedia of Government and Politics is more than ever an indispensable tool for students teachers professional analysts and policy makers Encyclopedia of Government and Politics M. E. Hawkesworth, Maurice Kogan, 2004 This is a brand new edition of the critically acclaimed Encyclopedia of Government and Politics which has been fully revised and updated to provide a systematic account of politics and political studies at the beginning of the new millennium Providing a penetrating analysis of government and politics at a global regional and nation state level the Encyclopedia assesses both traditional and contemporary approaches and projects the paths of future research The articles provide a degree of critical analysis far beyond a simple descriptive outline of the subject Internationally respected contributors have been carefully selected to present contending approaches to related topics both to clarify the political implications of the various methodologies and to enrich the portrayal of political life With its expanded revised and updated coverage Encyclopedia of Government and Politics is more than ever an indispensable tool for students teachers professional analysts and policy makers Exploring Sport & Leisure Disasters Hazel Hartley, 2001-09-11 This text gives a critical socio legal discussion which sets out two sport and leisure disasters Hillsborough and the Marchioness disasters and their broader legal political economic and policy contexts It includes a wide range of contemporary legal critiques in the foundation chapters **Routledge Library Editions: Leisure Studies** Various, 2021-07-14 This set of 12 volumes originally published between 1938 and 2001 amalgamates a wide breadth of research on Leisure Studies including works on young people and leisure the family and political influence on the leisure industry This collection of books from some of the leading scholars in the field provides a comprehensive overview of the subject how it has evolved over time and will be of particular interest to students of sociology and leisure studies *The Tapestry of Reason* Amalia Amaya, 2015-04-30 In recent years coherence theories of law and adjudication have been extremely influential in legal scholarship These theories significantly advance the case for coherentism in law Nonetheless there remain a number of problems in the coherence theory in law This ambitious new work makes the first concerted attempt to develop a coherence based theory of legal reasoning and in so doing addresses or at least mitigates these problems The book is organized in three parts The first part provides a critical analysis of the main coherentist approaches to both normative and factual reasoning in law The second part investigates the coherence theory in a number of fields that are

relevant to law coherence theories of epistemic justification coherentist approaches to belief revision and theory choice in science coherence theories of practical and moral reasoning and coherence based approaches to discourse interpretation Taking this interdisciplinary analysis as a starting point the third part develops a coherence based model of legal reasoning While this model builds upon the standard theory of legal reasoning it also leads to rethinking some of the basic assumptions that characterize this theory and suggests some lines along which it may be further developed Thus ultimately the book not only improves upon the current state of coherence theory in law but also contributes to the larger debate about how to articulate a theory of legal reasoning that results in better decision making

Classic Readings and Cases in the Philosophy of Law Susan Dimock, 2016-09-16 With over sixty cases as support this text presents the philosophy of law as a perpetual series of debates with overlapping lines and cross connections Using law as a focus to bring into relief many social and political issues of pressing importance in contemporary society this book encourages readers to think critically and philosophically Classic Readings and Cases in the Philosophy of Law centers on five major questions What is law What if any connection must there be between law and morality When should law be used to restrict the liberty of individuals To what extent should democratic states permit civil disobedience What if anything justifies the infliction of punishment on those who violate the law The extensive anthology of cases covers the mundane to the grandest of constitutional issues including controversial topics like ownership of genetic material capital punishment and gay rights Brief introductions to each case describe the central issue being litigated the legal reasoning of the justices both majority and dissenting the decision of the court and its philosophical significance

Christianity and Liberal Society Robert Song, 2006-01-13 Liberalism forms the dominant political ideology of the modern world but despite its pervasive influence this is the first book length treatment of liberal political thought from a Christian theological perspective Song discusses the different aspects and interpretations of liberalism with reference to the critiques of three twentieth century theologians the American Protestant Reinhold Niebuhr on the liberal progressivist philosophy of history the lesser known Canadian George Grant on the threat of technology to fundamental liberal values as articulated in the recent work of John Rawls and the French Thomist Jacques Maritain on the defence of political pluralism Further to this Song explores the implications of this political theology for the issues in fundamental constitutional theory raised by a bill of rights and judicial review of legislation and concludes with an account of the critical but supportive stance of liberalism Christian theology should take

Law and Semiotics Roberta Kevelson, 2012-12-06 However it became apparent shortly after the establishing of the Center that not only were all methods of legal semiotics not Peircean in origin but were in their respective foundational assumptions not likely to be compatible with Peirce's semiotics without some radical transforming development of the idea legal semiotics It was clear that if one would intend to be faithful to Peircean semiotics then holding a fixed notion of what an idea of Peircean semiotics of law means would be a violation of the spirit of Peirce's thought this above all emphasizes the growth and development of

initiative ideas and also the stricture that all leading principles must be subject to revision Even the idea of Peircean semiotics as leading principle must itself be an open idea the meaning of which must be transformable through the process of defining it A metasemiotics view of a semiotics of law must leave open the possibility for revision of the leading principle of the term legal semiotics Therefore if legal semiotics is an idea which accumulates and evolves its meaning in the very process of self examination then a process of investigating law investigates itself as well in any semiotic process of inquiry It became apparent that the most appropriate contribution the Center could make to the area of a Peircean semiotics would be to act as a sponsor an inclusive rather than exclusive agent for inquiry of all kinds into the general topic of law and semiotics

Readings in the Philosophy of Law Keith Culver,1999-12-07 **Law as Institutional Normative Order** Maksymilian Del Mar,2016-04-22 MacCormick's Institutions of Law is the culmination of a lifetime's work in legal theory by one of the world's most respected legal theorists Featuring an impressive collection of contributions from well known legal theorists from around the world all of whom are familiar with MacCormick's work this collection provides a cutting edge account of the book's significance **Civil Liberties and Human Rights** Helen Fenwick,2009-06-02 More than merely describing developments in the field of civil liberties and human rights this comprehensive and challenging textbook provides students with detailed and thought provoking coverage and analysis of the impact of the Human Rights Act 1998 in an era in which human rights are coming increasingly under pressure Extensively re written and updated since the last edition here Helen Fenwick considers the impact of the Human Rights Act 1998 paying particular attention to Labour legislation especially in the fields of criminal justice and terrorism This book considers recent key domestic decisions in the post Human Rights Act era including Campbell A and Others v Secretary of State for the Home Dept Ghaidan v Mendoza R Gillan v Commissioner of Police of the Metropolis contains a new chapter on important developments in counter terrorism law covering the Anti Terrorism Crime and Security Act 2001 and the Terrorism Acts 2005 and 2006 analyzes key developments in the sphere of media freedom including the impact of the Communications Act 2003 Pro life Alliance and Campbell explores new developments in criminal justice including the Serious and Organized Crime Act 2005 addresses the changes in the field of anti discrimination law including the Sexual Orientation Regulations 2003 and Equality Act 2006 This textbook is an essential resource for students studying the development of human rights and civil liberties in the early years of the twenty first century Ethical Dimensions of Legal Theory ,2021-11-15 **Hart's Legal Philosophy** M.E. Bayles,2013-03-09 During the last half of the twentieth century legal philosophy or legal theory or jurisprudence has grown significantly It is no longer the domain of a few isolated scholars in law and philosophy Hundreds of scholars from diverse fields attend international meetings on the subject In some universities large lecture courses of five hundred students or more study it The primary aim of the Law and Philosophy Library is to present some of the best original work on legal philosophy from both the Anglo American and European traditions Not only does it help make some of the best work available to an international audience

but it also encourages increased awareness of and interaction between the two major traditions. The primary focus is on full length scholarly monographs although some edited volumes of original papers are also included. The Library editors are assisted by an Editorial Advisory Board of internationally renowned scholars. Legal philosophy should not be considered a narrowly circumscribed field. Insights into law and legal institutions can come from diverse disciplines on a wide range of topics. Among the relevant disciplines or perspectives contributing to legal philosophy besides law and philosophy are anthropology, economics, political science and sociology. Among the topics included in legal philosophy are theories of law, the concepts of law and legal institutions, legal reasoning and adjudication, epistemological issues of evidence and procedure, law and justice, economics, politics or morality, legal ethics and theories of legal fields such as criminal law, contracts and property.

Two Models of Jewish Philosophy Daniel Rynhold, 2005-03-17. In a work that illustrates how Jewish philosophy can make a genuine contribution to general philosophical debate, Daniel Rynhold attempts to formulate a model for the justification of practices by applying the methods of modern analytic philosophy to approaches to the rationalization of the commandments from the history of Jewish philosophy. Through critical analysis of the methods of Moses Maimonides and Joseph Soloveitchik, Rynhold argues against propositional approaches to justifying practices that he terms Priority of Theory approaches and offers instead his own method termed the Priority of Practice which emphasizes the need for a more pragmatic take on this whole issue.

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Table of Contents Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society

1. Understanding the eBook Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - The Rise of Digital Reading Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Advantages of eBooks Over Traditional Books
2. Identifying Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - User-Friendly Interface
4. Exploring eBook Recommendations from Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Personalized Recommendations
 - Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society User Reviews and Ratings

- Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society and Bestseller Lists
- 5. Accessing Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society Free and Paid eBooks
 - Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society Public Domain eBooks
 - Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society eBook Subscription Services
 - Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society Budget-Friendly Options
- 6. Navigating Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society eBook Formats
 - ePub, PDF, MOBI, and More
 - Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society Compatibility with Devices
 - Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Highlighting and Note-Taking Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Interactive Elements Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
- 8. Staying Engaged with Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
- 9. Balancing eBooks and Physical Books Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Setting Reading Goals Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Fact-Checking eBook Content of Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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