



# Ronald Dworkin and Contemporary Jurisprudence

Edited by  
Marshall Cohen

# Ronald Dworkin And Contemporary Jurisprudence Philosophy And Society

**Michael Robertson**



## **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 **The Bloomsbury Encyclopedia of Philosophers in America** John R. Shook, 2016-02-11 For scholars working on almost any aspect of American thought The Bloomsbury Encyclopedia to Philosophers in America presents an indispensable reference work Selecting over 700 figures from the Dictionary of Early American Philosophers and the Dictionary of Modern American Philosophers this condensed edition includes key contributors to philosophical thought From 1600 to the present day entries cover psychology pedagogy sociology anthropology education theology and political science before these disciplines came to be considered distinct from philosophy Clear and accessible each entry contains a short biography of the writer an exposition and analysis of his or her doctrines and ideas a bibliography of writings and suggestions for further reading Featuring a new preface by the editor and a comprehensive introduction The Bloomsbury Encyclopedia to Philosophers in America includes 30 new entries on twenty first century thinkers including Martha Nussbaum and Patricia Churchland With in depth overviews of Waldo Emerson Margaret Fuller Noah Porter Frederick Rauch Benjamin Franklin Thomas Paine and Thomas Jefferson this is an invaluable one stop research volume to understanding leading figures in American thought and the development of American intellectual history *Readings in the Philosophy of Law* Keith Culver, 1999-12-07 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 *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 *Journal of the History of Philosophy*, 1984

**Understanding Jurisprudence** Raymond Wacks, 2005      **Handbook of Legal Reasoning and Argumentation**

Giorgio Bongiovanni, Gerald Postema, Antonino Rotolo, Giovanni Sartor, Chiara Valentini, Douglas Walton, 2018-07-02 This handbook addresses legal reasoning and argumentation from a logical philosophical and legal perspective The main forms of legal reasoning and argumentation are covered in an exhaustive and critical fashion and are analysed in connection with more general types and problems of reasoning Accordingly the subject matter of the handbook divides in three parts The first one introduces and discusses the basic concepts of practical reasoning The second one discusses the general structures and procedures of reasoning and argumentation that are relevant to legal discourse The third one looks at their instantiations and developments of these aspects of argumentation as they are put to work in the law in different areas and applications of legal reasoning [New Essays on the Nature of Legal Reasoning](#) Mark McBride, James Penner, 2022-05-19 This is the first book to bring together distinguished jurisprudential theorists as well as up and coming scholars to critically assess the nature of legal reasoning The volume is divided into 3 parts The first part General Jurisprudence and Legal Reasoning addresses issues at the intersection of general jurisprudence those pertaining to the nature of law itself and legal reasoning

The second part Rules and Reasons addresses two concepts central to two prominent types of theory of legal reasoning The essays in the third and final part Doctrine and Practice delve into the mechanics of legal practice and doctrine from a legal reasoning perspective

*Encyclopedia of Government and Politics* M. E. Hawkesworth, Maurice Kogan, 1992 This international Encyclopaedia provides a balanced comprehensive account of contemporary trends in world regional and nation state government and politics In 84 in depth essays in two scholarly volumes it captures the global changes both theoretical and factual of the past three decades to give an unprecedented overview of political science and political affairs on the eve of the new century An essential resource the Encyclopaedia of Government and Politics provides accessible authoritative coverage of the disciplines examining for example political theory processes and behaviour policy making pressure groups contemporary ideologies international relations and major issues in world affairs such as nationalism arms control and disarmament human rights and democratisation Written by experts in each field the entries analyse traditional approaches including access to non Western sources assess recent developments and chart the directions for future research each topic includes extensive bibliographies and suggestions for further reading The volumes are introduced and placed in context in an essay by Mary Hawkesworth which advances the conceptual treatment of political science to a new level The articles which follow are thematically arranged under nine main headings Political Theory Central Concepts Contemporary Ideologies Contemporary Political Systems Political Institutions Political Forces and Political Processes Centripetal and Centrifugal Forces in the Nation State Policy Making and Policies International Relations and Major Issues in Contemporary Politics Key Features 84 in depth essays provide a current balanced guide to international government and politics Prestigious editors lead a worldwide team of specialists in each field Clearly and incisively written to meet the needs of students lecturers and practitioners at all levels Helpful bibliographies of new and classic material and suggestions for further reading Extensive index of Topics and People

**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

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

Interpretation and Legal Theory Andrei Marmor, 2005-04-25 This is a revised and extensively rewritten edition of one of the most influential monographs on legal philosophy published in recent years Writing in the introduction to the first edition the author characterized Anglophone philosophers as being divided and often wavering between two main philosophical objectives the moral evaluation of law and legal institutions and an account of its actual nature Questions of methodology have therefore tended to be sidelined but were bound to surface sooner or later as they have in the later work of Ronald Dworkin The main purpose of this book is to provide a critical assessment of Dworkin's methodological turn away from analytical jurisprudence towards a theory of interpretation and the issues it gives rise to The author argues that the importance of Dworkin's interpretative turn is not that it provides a substitute for semantic theories of law a dubious concept but that it provides a new conception of jurisprudence aiming to present itself as a comprehensive rival to the conventionalism manifest in legal positivism Furthermore once the interpretative turn is regarded as an overall challenge to conventionalism it is easier to see why it does not confine itself to a critique of method Law as interpretation calls into question the main tenets of its positivist rival in substance as well as method The book re-examines conventionalism in the light of this interpretative challenge

**Liberalism, Community, and Culture** Will Kymlicka, 1991 Examines the nature and value of community and culture from a liberal viewpoint and links the theories under discussion to more familiar liberal views on individual rights and state neutrality

**Law, Truth, and Reason** Raimo Siltala, 2011-07-29 This book is an innovative contribution to analytical jurisprudence It is mainly based on the distinct premises of linguistic philosophy and Carnapian semantics but also addresses the issues of institutional philosophy social pragmatism and legal principles as envisioned by Dworkin among others Wrblewski's three ideologies bound free legal and rational and Makkonen's three situations isomorphic semantically vague normative gap of judicial decision making are further developed by means of 10 frames of legal analysis as discerned by the

author With the philosophical theories of truth serving as a reference the frames of legal analysis include the isomorphic theory of law Wittgenstein Makkonen the coherence theory of law Alexy Peczenik Dworkin the new rhetoric and legal argumentation theory Perelman Aarnio social consequentialism Posner natural law theory Fuller Finnis and the sequential model of legal reasoning by Neil MacCormick and the Bielefelder Kreis At the end some key issues of legal metaphysics are addressed like the notion of legal systematics and the future potential of the analytical approach in jurisprudence

**Stanley Fish on Philosophy, Politics and Law** Michael Robertson, 2014-08-07 This book explores Fish's unconventional positions on politics and law explaining how they flow from his positions on three philosophical issues

**Sociological Theory in Transition (RLE Social Theory)** Mark Wardell, Stephen Turner, 2014-08-07 Current sociological theories appear to have lost their general persuasiveness in part because unlike the theories of the classical era they fail to maintain an integrated stance toward society and the practical role that sociology plays in society The authors explore various facets of this failure and possibilities for reconstructing sociological theories as integrated wholes capable of conveying a moral and political immediacy They discuss the evolution of several concepts for example the social structure and self and address the significant disputes for example structuralism versus humanism and individual versus society that have dominated twentieth century sociological thought Their ideas and analyses are directed towards an audience of students and theorists who are coming to terms with the project of sociological theory and its relationship with moral discourses and political practice The authors of these essays are sociological theorists from the United States the United Kingdom and Canada They are all established but not establishment authors The book contains no orthodoxies and no answers However the essays do contribute to identifying the range of issues that will constitute the agenda for the next generation of sociological theorists

**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

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