

MORAL
ASPECTS
OF
LEGAL THEORY

ESSAYS ON LAW,
JUSTICE, AND POLITICAL
RESPONSIBILITY

DAVID LYONS

Moral Aspects Of Legal Theory Essays On Law Justice And Political Responsibility

ML Yell



Moral Aspects Of Legal Theory Essays On Law Justice And Political Responsibility:

Moral Aspects of Legal Theory David Lyons, 1993-01-29 David Lyons is one of the preeminent philosophers of law active in the United States This volume comprises essays written over a period of twenty years in which Professor Lyons outlines his fundamental views about the nature of law and its relation to morality and justice The underlying theme of the book is that a system of law has only a tenuous connection with morality and justice Contrary to those legal theorists who maintain that no matter how bad the law of a community might be strict conformity to existing law automatically dispenses formal justice Professor Lyons contends that the law must earn the respect that it demands Moreover we cannot as some would suggest interpret law in a value neutral manner Rather courts should interpret statutes judicial precedents and constitutional provisions in terms of values that would justify those laws In this way officials can promote the justifiability of what they do to people in the name of law and can help the law live up to its moral pretensions The Concept of Ideals in Legal Theory Sanne Taekema, 2002-12-31 Talk about law often includes reference to ideals of justice equality or freedom But what do we refer to when we speak about ideals in the context of law This book explores the concept of ideals by combining an investigation of different theories of ideals with a discussion of the role of ideals in law A comparison of the theories of Gustav Radbruch and Philip Selznick leads up to a pragmatist theory of legal ideals which provides an interesting new position in the debate about values in law between legal positivists and natural law thinkers Attention for law's central ideals enables us to understand law's autonomous character while at the same time tracing its connection to societal values Essential reading for anyone interested in the role of values or ideals in law *Agency, Morality and Law* Joshua Jowitt, 2023-01-12 How does law possess the normative force it requires to direct our actions This book argues that this seemingly innocuous question is of central importance to the philosophy of law and by extension of the very concept of law itself It advances a position grounded in the secular natural law tradition and in doing so addresses the two success criteria for this position head on Firstly that commitment to the existence of a supreme moral principle is required Secondly that any supreme moral principle must be identifiable through human reason The book argues that these conditions are met by Alan Gewirth's Principle of Generic Consistency PGC which through a dialectically necessary argument locates the existence of universally applicable moral norms in the concept of agency Given the very purpose of law is to guide action legal norms must be located in a unified hierarchy of practical reason It follows that if law is to succeed in claiming to be capable of guiding our action moral permissibility with reference to the PGC is a necessary condition of a rule's legal validity This strong theory of natural law is defended throughout both against moral sceptics and positions within contemporary legal positivism

Framing Democracy Jamie Terence Kelly, 2012-09-16 The past thirty years have seen a surge of empirical research into political decision making and the influence of framing effects the phenomenon that occurs when different but equivalent presentations of a decision problem elicit different judgments or preferences During the same period political philosophers

have become increasingly interested in democratic theory particularly in deliberative theories of democracy Unfortunately the empirical and philosophical studies of democracy have largely proceeded in isolation from each other As a result philosophical treatments of democracy have overlooked recent developments in psychology while the empirical study of framing effects has ignored much contemporary work in political philosophy In *Framing Democracy* Jamie Terence Kelly bridges this divide by explaining the relevance of framing effects for normative theories of democracy Employing a behavioral approach Kelly argues for rejecting the rational actor model of decision making and replacing it with an understanding of choice imported from psychology and social science After surveying the wide array of theories that go under the name of democratic theory he argues that a behavioral approach enables a focus on three important concerns moral reasons for endorsing democracy feasibility considerations governing particular theories and implications for institutional design Finally Kelly assesses a number of methods for addressing framing effects including proposals to increase the amount of political speech mechanisms designed to insulate democratic outcomes from flawed decision making and programs of public education The first book to develop a behavioral theory of democracy *Framing Democracy* has important insights for democratic theory the social scientific understanding of political decision making economics and legal theory

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

Current Legal Theory, 1994 Wittgenstein and Law Dennis Michael Patterson, 2004 The papers collected in this volume reflect a focus on the continuing relevance and importance of Wittgenstein's work for philosophy in general and legal theory in particular

Legal Positivism Tom Campbell, 1999 17 Stanley L Paulson 1992 The Neo Kantian Dimension of Kelsen's Pure Theory of Law *Oxford Journal of Legal Studies* 12 pp 311 32 18 Anthony J Sebok 1995 Misunderstanding Positivism *Michigan Law Review* 93 pp 2054 132 Name Index

Legal Rules and Legal Reasoning Larry Alexander, 2000 This two volume collection of essays brings together

major contemporary theoretical works on freedom of speech Volume I begins with a theoretical overview of freedom of speech and then turns to the topics of what justifies freedom of speech and what kinds of acts raise free speech concerns Volume II examines the distinctions among content regulations and between content and content neutral regulations It also analyses the concept of the public forum inciting and hateful speech and lastly the tension between the subsidizing activities of the affirmative state and the negative liberty of freedom of speech **Canadian Philosophical Reviews** ,2000 **The Journal of Philosophy** ,1993 Covers topics in philosophy psychology and scientific methods Vols 31 include A Bibliography of philosophy 1933 **Current Publications in Legal and Related Fields** ,1994 The Soundest Theory of Law C. L. Ten,2004 The papers in this volume focus on two central issues in the philosophy of law the relationship between law and morality and crime and punishment In the essay that gives the title to this volume it is argued that although in many legal systems there are in fact significant connections between law and morality these connections are not conceptually or logically necessary They depend on various social practices Ronald Dworkin s famous attempt to undermine the legal positivist s separation of law from morality is rejected and it is argued that Dworkin s own positive theory of law may indeed be quite compatible with certain versions of legal positivism Other essays explore the notion of a wicked legal system the rule of law and various perspectives on the nature of law The essays on crime and punishment discuss the theory and practice of punishment They extend the work done in the author s earlier book Crime Guilt and Punishment They reject a purely retributive justification of punishment in spite of the increasing sophistication in its recent formulations *Australian journal of legal philosophy* ,2006 Proceedings of the Annual Meeting American Society of International Law,1993 Proceedings of the ... Annual Meeting American Society of International Law. Annual Meeting,American Society of International Law,1993 *International Legal Materials* ,1993 **Vera Lex** ,1995 Law and Interpretation Andrei Marmor,1995 Interest in interpretation has emerged in recent years as one of the main intellectual paradigms of legal scholarship This collection of new essays in law and interpretation provides the reader with an overview of this important topic written by some of the most distinguished scholars in the field The book begins with interpretation as a general method of legal theorizing and thus provides critical assessment of the recent interpretative turn in jurisprudence Further chapters include essays on the nature of interpretation its objectivity the possible determinacy of legal standards and their nature Concluding with a series of articles on the role of legislative intent in the interpretation of statutes this work offers new and refreshing insights into this old controversy *Israel Law Reports* Israel. Bet ha-mishpat ha-‘elyon,2003

The Top Books of the Year Moral Aspects Of Legal Theory Essays On Law Justice And Political Responsibility The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the captivating narratives that have captivated audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover expertly weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can succeed. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Moral Aspects Of Legal Theory Essays On Law Justice And Political Responsibility : Delia Owens "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens spins a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and gripping novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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