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# The Rational as Reasonable

*A Treatise on Legal Justification*

D. Reidel Publishing Company

# Rational As Reasonable A Treatise On Legal Justification

**Peter Sack, Carl P. Wellman, Mitsukuni  
Yasaki**



## **Rational As Reasonable A Treatise On Legal Justification:**

The Rational as Reasonable Aulis Aarnio, 2012-01-28 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 *The Finnish Yearbook of International Law, Vol 26, 2016* Tuomas Tiittala, 2021-12-16 The Finnish Yearbook of International Law aspires to honour and strengthen the Finnish tradition in international legal scholarship Open to contributions from all over the world and from all persuasions the Finnish Yearbook stands out as a forum for theoretically informed high quality publications on all aspects of public international law including the international relations law of the European Union The Finnish Yearbook publishes in depth articles and shorter notes commentaries on current developments book reviews and relevant overviews of Finland's state practice While firmly grounded in traditional legal scholarship it is open for new approaches to international law and for work of an interdisciplinary nature The Rule of Law's Anatomy in the EU Allan Rosas, Juha Raitio, Pekka Pohjankoski, 2023-06-15 This study with its approach rooted in EU law and its clear focus on conceptual underpinnings grapples with one of the most challenging questions facing constitutional lawyers today namely the rule of law Drawing on the expertise of leading scholars and judges at the forefront of the question it takes a dual approach It opens by setting out the foundations of the rule of law including legal certainty democratic principles and judicial independence It goes on to explore the protections that can be relied upon from policy developments to human rights sanctions and infringement actions This is a rapidly developing question in EU constitutional law so this masterful collection will be welcomed by both scholars and policy makers in the field *The Reasonable As Rational?* Werner Krawietz, Robert S. Summers, Ota Weinberger, Georg Henrik von Wright, 2016 In the course of the last few decades Aulis Aarnio has made a major contribution to the process of laying of new foundations for the

theory of practical legal argumentation and modern jurisprudence legal theory philosophy of law He was influenced by the modern philosophy of language and by the late works of Ludwig Wittgenstein as well as being inspired by the analytical hermeneutic philosophy of his teacher Georg Henrik von Wright With his original and widely acknowledged research in law and legal systems and the rationality of the resulting scholarly interpretation which have been crowned and honoured with the Alexander von Humboldt Research Award in the field of the Humanities he has changed the face of modern legal science above all that of juridical or legal method the methodology of law and the social sciences and of legal and social theory the latter in his capacity as editor in chief of *Associations* a new periodical from the same publisher The *Festschrift* was presented to him on his 60th birthday in the name of his friends and colleagues from all over the world in a specially handrafted copy This book is a kind of handbook to his discipline and contains very profound and sophisticated responses to his magnum opus *The Rational as Reasonable A Treatise on Legal Justification* which has determined and significantly advanced contemporary research in the field of legal and scholarly interpretation and argumentation It deals with nearly all the central issues in the application of law and its justification

**The Reasonable as Rational?** Werner Krawietz, 2000      **Zur Relevanz theoretischer Diskurse** Hans-Joachim Lauth, 1992      **Der Begriff der Menschenwürde** Michael Fischer, 2004

Symposium *Der Begriff der Menschenwürde Definition Belastbarkeit und Grenzen* Helmut Schreiner zum Gedenken 1942 2001 am 27. 27. Mai 2003 im Bildungshaus St. Virgil veranstaltet vom Institut für Grundlagenwissenschaften und der Rechtswissenschaftlichen Fakultät der Universität Salzburg p. 9

**Monismus oder Pluralismus der Rechtskulturen?** Peter Sack, Carl P. Wellman, Mitsukuni Yasaki, 1991 Proceedings of the 13th World Congress of the International Association for Philosophy of Law and Social Philosophy 1987 Kobe Japan

**Archiv für Rechts- und Sozialphilosophie** Josef Kohler, Fritz Berolzheimer, 1999      *Philosophischer Literaturanzeiger*, 1986      Lectures on the Paradigms of Legal Thinking Csaba Varga, 1999

Legal philosopher Varga introduces readers to reasoning in law by leading them through the possibilities boundaries and traps of assuming personal responsibility and impersonal pattern adoption that have arisen in the history of human thought and in the various legal cultures He seeks to reveal the actual processes hidden by the veil of patterns that are followed in thinking processes that people encounter both in conceptual logical quests for certainties and in the undertaking of fertilizing ambiguity The original Hungarian *Eloadások a jogi gondolkodás paradigmáiról* was published by Osiris Budapest in 1999 Distributed in the US by ISBS Annotation copyrighted by Book News Inc Portland OR

**Norm und Institution** Ota Weinberger, 1988      **Englisch-Deutsches und Deutsch-Englisches Hand-Wörterbuch bearbeitet unter Zugrundelegung des grösseren Werkes von Joseph Leonhard Hilpert** Joseph Leonhard Hilpert, 1851      **Legal Theory in the Crucible of Constitutional Justice** Rory O'Connell, 2000

Constitutional adjudication straddles law and politics legal and political theory Referring to legal controversies in Canada free expression Ireland sexual morality and Italy religion this book examines how constitutional judgements rely upon unarticulated political commitments This interaction

between law and morality allows us to escape the dichotomy of natural law versus positivism in a time when judges increasingly act as moral guardians

**Making Sense in Jurisprudence** Bernard S. Jackson, 1996 This textbook reviews both traditional and radical approaches to legal theory with emphasis on the accounts which legal theorists have given of law as a particular form of meaning It offers an accessible account of contemporary jurisprudence in its relationship to linguistics psychology and semiotics

*Reasoning in Ethics and Law* A. W. Musschenga, Wim J. van der Steen, 1999 Legal and moral reasoning share much methodology and they address similar problems This volume charts two shared problems the relation between theory principles and particular judgments and the role of facts and factual assertions in normative settings The relation between theory and practice and between principle and particular judgment has become the subject of much debate in moral philosophy In the ongoing debate some moral philosophers refer to legal philosophy for a support of their views on the primacy of practice over theory According to them legal philosophy should have a more balanced view in that relation In the contributions to Part One this claim is critically analysed The role of the facts is underestimated in discussions on legal reasoning and legal theory as well as moral reasoning and ethical theory Factual statements enter into moral and legal discussions not only because they link the conclusion with a rule They also play a role as background assumptions in supporting a theory Its focus on the role of facts in normative reasoning makes this book of special interest to scholars of legal and moral argumentation

*From Practical Reason to Legal Computer Science: Practical reason, history of deontics, computer law* Alberto Artosi, Manuel Atienza, Hajime Yoshino, 1998

**At the Intersection of Legality and Morality** Daniel W. Skubik, 1990 Into the far too frequently arid debate in legal philosophic writings wherein positivists and natural lawyers rack up critical but nondecisive points one against the other enters a fresh perspective which details a firm foundation for reconsidering the joinder of past enemies under a unified banner Carefully sifting the work of writers such as H L A Hart and Hans Kelsen who insist upon the analytic separation of law as it is from law as it ought to be the book employs illustrative case law to highlight and methodically move through positivism's strengths and weaknesses and suggests modifications and elaborations that slowly but finally break down this barrier of separation In the end a sound theory of positivism is seen to unfold as natural law

**The Proceedings of the Twentieth World Congress of Philosophy** Jaakko Hintikka, Richard Cobb-Stevens, 1999

**Legal Validity and Civil Disobedience** María José Falcón y Tella, 2000

## Unveiling the Magic of Words: A Review of "**Rational As Reasonable A Treatise On Legal Justification**"

In some sort of defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their power to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Rational As Reasonable A Treatise On Legal Justification**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve into the book's central themes, examine its distinctive writing style, and assess its profound effect on the souls of its readers.

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