

Rights and Reason

Essays in Honor of Carl Wellman

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Rights And Reason Essays In Honor Of Carl Wellman

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Rights And Reason Essays In Honor Of Carl Wellman:

Rights and Reason Marilyn Friedman, Larry May, K. Parsons, J. Stiff, 2013-06-29 The papers in this book have been collected in celebration of Carl Wellman who after forty five years is retiring from teaching Here I would like to highlight a few of the moments which have shaped Carl as a person and a philosopher Although his childhood was not unhappy Carl faced considerable challenges growing up in Manchester New Hampshire He never knew his father he and his mother Carolyn had little money and he fought a long battle with Stevens Johnson Syndrome an illness which made him more familiar with hospitals than any young person should be His mother once told me that there were times when the doctors put Carl in his own hospital room because while he was too young to be housed with adult men they did not want the other children to see him die Following a year of physician prescribed rest after high school the doctors recommended the University of Arizona in the misguided hope that the desert climate might improve his health In spite of the doctors hopes life in Tucson was not easy The heat takes its toll on everyone but the desert was especially oppressive for Carl since his unusually sensitive eyes were no match for the intense sun Still Carl enjoyed college Rights and Reason, 2000 The Rule of Law History, Theory and Criticism Pietro Costa, Danilo Zolo, 2007-05-06 Authors Costa and Zolo share the conviction that a proper understanding of the rule of law today requires reference to a global problematic horizon This book offers some relevant guides for orienting the reader through a political and legal debate where the rule of law and the doctrine of human rights is a concept both controversial and significant at the national and international levels **Carl Wellmans Theorie moralischer Rechte** Michael Schinkowitz, 2006 Carl Wellman baut seine Theorie der Freiheits Anspruchs Kompetenz und Immunitäts Rechte und ihre Existenz auf den Resultaten von Hohfeld Hart A Ross und auf Michael Schinkowitz fokussiert in der vorliegenden Arbeit auf Wellmans Theorie moralischer Rechte Diese sind strukturierte Komplexe die aus einer Kernposition und mit ihr verknüpften moralischen Positionen bestehen Wellman vertritt eine teleologische Theorie der Begründung moralischer Rechte in der moralische Rechte auf moralischen Gründen beruhen Im Zentrum der Analyse die vor dem Hintergrund einer detaillierten einleitenden Schilderung des gegenwärtigen Standes der Forschung vorgenommen wird stehen Wellmans Auffassung komplexer moralischer Rechte und seine Beispiele Ziel ist die Auffindung von Kriterien nach denen sich systematisch die Kombinationen der einzelnen Komponenten moralischer Rechte erklären lassen Damit soll geklärt werden wie die Begriffe Freiheit Anspruch Kompetenz und Immunität im Kontext moralischer Rechte zusammenhängen und welche Schlüsse sich in Bezug auf die Funktion eines Rechts ziehen lassen Being Apart from Reasons Cláudio Jr. Michelon, 2006-04-23 *Being Apart from Reasons* deals with the question of how we should go about using reasons to decide what to do More particularly the book presents objections to the most common response given by contemporary legal and political theorists to the moral complexity of decision making in modern societies namely the attempt to release public agents from their argumentative burden by insulating a particular set of reasons from the general pool of reasons and assigning the

former systematic priority over all other reasons That strategy is apparent both in Rawls claim that reasons concerning the right are systematically prior to reasons concerning the good and in Raz s claim that pre emptive reasons are systematically prior to first order reasons The same strategy is also instantiated by certain arguments for the procedural value of law such as Jeremy Waldron s In the book each of those arguments for the insulation of reasons is objected to in order to defend the thesis the reasoning by public agents must always be as comprehensive as possible The remaining chapters object to those arguments mentioned above which aim at justifying the exclusion of certain reasons from public agents decision making

Why Grundnorm? Uta Bindreiter,2002-12-31 Who presupposes Kelsen s basic norm Is it possible to defend the presupposition in a way that is convincing And what difference does the presupposition make Endeavouring to highlight the role of basic assumptions in the law the author argues that the verb to presuppose with Kelsen has not only a conceptual but also a normative dimension and that the expression presupposing the basic norm is adequate in so far as it marks the descriptive normative nature of utterances made in specifically legal speech situations Addressed to legal theorists in general the treatise purports to show that Kelsen s doctrine lends itself to an interpretation according to which the very act of presupposing the Grundnorm can be understood as a Grund i e normative source of all positive law and what is more that this interpretation admits of addressing the issue of the formal legitimacy of supra national and directly applicable rules and other norms

Methods of Legal Reasoning Jerzy Stelmach,Bartosz Brozek,2006-09-03 Anyone reflecting on the methodology of legal reasoning faces a difficult task The number of methodological theories in jurisprudence and the vast literature on the subject are not the only problems that have to be taken into account Perhaps the most striking difficulty concerning the methodology of legal argument is the heated debate between jurists legal theorists and philosophers of law that has been recurring since at least nineteenth century Therefore a justification is needed for writing yet another book concerning the methods of legal reasoning a book that aims to cover a lot of what has already been proposed in legal theory We believe that there is such a justification First the perspective that we adopt in the present book is unique at least in some respects We venture to look at the methodology of legal reasoning from the outside i e from a more g eral philosophical perspective while taking into account the hard re ity of law This perspective enables us to ask questions about the justification for the methods of legal argument presented Second we do not want to defend one paradigmatic conception of legal reasoning On the contrary we put forward the thesis that there is a plurality of argumentative methods The plurality however does not lead to relativism in legal decision making Third we reject any hierarchy of the methods of legal reasoning and take the view that one can speak only of the precision and flexibility of different methodologies

Studies in Legal Logic Jaap Hage,2006-03-30 *Studies in Legal Logic* is a collection of nine interrelated papers about the logic epistemology and ontology of law All of the papers were written after the publication of the author s *Reasoning with Rules* and supplement the issues addressed therein Some of the papers are new others have been revised substantially after the publication of their

original versions The emphasis is on analysis not on logical technicalities Studies in Legal Logic contains chapters about the nature of norms the role of coherence in the law the nature of defeasibility the role of dialectics in law and artificial intelligence the statics and dynamics of the law and the consistency of rules Moreover it contains a new simplified and yet more powerful version of Reason based Logic and extensive examples of how it can be used for the analysis of legal reasoning The examples deal with legal theory construction case based reasoning and judicial proof **Knowledge**

Discovery from Legal Databases Andrew Stranieri, John Zeleznikow, 2006-03-30 Knowledge Discovery from Legal Databases is the first text to describe data mining techniques as they apply to law Law students legal academics and applied information technology specialists are guided thorough all phases of the knowledge discovery from databases process with clear explanations of numerous data mining algorithms including rule induction neural networks and association rules Throughout the text assumptions that make data mining in law quite different to mining other data are made explicit Issues such as the selection of commonplace cases the use of discretion as a form of open texture transformation using argumentation concepts and evaluation and deployment approaches are discussed at length Current Publications in

Legal and Related Fields ,2000 *Bibliografisch repertorium van de wijsbegeerte* ,2000 **Bibliographie internationale annuelle des mélanges** ,2001 **Proceedings and Addresses of the American Philosophical Association** American Philosophical Association, 2002 List of members in v 1 **The Feminist Philosophy Reader** Alison Bailey, Chris Cuomo, 2008 The most comprehensive anthology of feminist philosophy available this first edition reader brings together over 55 of the most influential and time tested works to have been published in the field of feminist philosophy Featuring perspectives from across the philosophical spectrum and from an array of different cultural vantage points it displays the incredible range diversity and depth of feminist writing on fundamental issues from the early second wave to the present

European Legal Book Index ,2001 **The British National Bibliography** Arthur James Wells, 2000 *American Book Publishing Record* ,2000-07 *The Writers Directory* ,2013 **Forthcoming Books** Rose Arny, 2000

Contemporary Debates in Political Philosophy Thomas Christiano, John Christman, 2009-05-04 This collection of 24 essays written by eminent philosophers and political theorists brings together fresh debates on some of the most fundamental questions in contemporary political philosophy including human rights equality constitutionalism the value of democracy identity and political neutrality Presents fresh debates on six of the fundamental questions in contemporary political philosophy Each question is treated by a pair of opposing essays written by eminent scholars Lively debate format sharply defines the issues invites the reader to participate in the exchange of arguments and paves the way for further discussion Will serve as an accessible introduction to the major topics in political philosophy whilst also capturing the imagination of professional philosophers Offers the unique opportunity to observe leading philosophers engaging in head to head debate

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