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FOUCAULT

Postmodern Philosophy Law

**Piotr Szwedo, Richard Peltz-Steele, Dai
Tamada**

Postmodern Philosophy Law:

Postmodern Philosophy and Law Douglas E. Litowitz, 1997 The author presents a two tiered analysis that views postmodern legal thought as both a collective intellectual movement and as the work of particular theorists notably Friedrich Nietzsche Michel Foucault Jacques Derrida Francois Lyotard and Richard Rorty He concludes that even though postmodern thought does not give rise to a normative theory of right that can be used as a framework for deciding cases it can focus attention on genealogy and discourse and can empower those who have been denied a voice in the legal system Annotation copyrighted by Book News Inc Portland OR The Philosophy of Law Christopher Berry Grey, 2013-07-04 From articles centering on the detailed and doctrinal exposition of the law to those which reside almost wholly within the realm of philosophical ethics this volume affords comprehensive treatment to both sides of the philosophico legal equation Systematic and sustained coverage of the many dimensions of legal thought gives ample expression to the true breadth and depth of the philosophy of law with coverage of The modes of knowing and the kinds of normativity used in the law Studies in international constitutional criminal administrative persons and property contracts and tort law including their historical origins and worldwide ramifications Current legal cultures such as common law and civilian European and Aboriginal Influential jurists and their biographies All influential schools and methods **American Legal Thought from Premodernism to Postmodernism** Stephen M. Feldman, 2000-01-20 The intellectual development of American legal thought has progressed remarkably quickly from the nation's founding through today Stephen Feldman traces this development through the lens of broader intellectual movements and in this work applies the concepts of premodernism modernism and postmodernism to legal thought using examples or significant cases from Supreme Court history Comprehensive and accessible this single volume provides an overview of the evolution of American legal thought up to the present **Postmodernism and Law** Helen Stacy, 2001 *Postmodern Philosophy and Legal Thought* Douglas E. Litowitz, 1997 *Law and Development* Piotr Szwedo, Richard Peltz-Steele, Dai Tamada, 2019-09-14 This book examines the concept of development from alternative perspectives and analyzes how different approaches influence law Sustainable development focuses on balancing economic progress environmental protection individual rights and collective interests It requires a holistic approach to human beings in their individual and social dimensions which can be seen as a reference to integral human development a concept found in ethics Development can be considered as a value or a goal But it also has a normative dimension influencing lawmaking and legal application it is a rule of interpretation which harmonizes the application of conflicting norms and which is often based on the ethical and anthropological assumptions of the decision maker This research examines how different approaches to development and their impact on law can coexist in pluralistic and multicultural societies and how to evaluate their legitimacy analyzing the problem from an overarching theoretical perspective It also discusses case studies stemming from different branches of law **Postmodern Jurisprudence** Costas

Douzinas, Ronnie Warrington, Shaun McVeigh, 1993 *Postmodernism and Law* Helen M. Stacy, 2017-12-15 This title was first published in 2001 This discussion asserts that legal theory is being transformed by postmodern and critical social theory The aim of the text is three fold Firstly it sets out the work of four particular scholars of critical social theory all of them Continental Europeans Jurgen Habermas Michel Foucault Jacques Derrida and Jacques Lacan Secondly it seeks to demonstrate that although the work of Foucault Derrida and Lacan is often juxtaposed to that of the arch neo liberal social theorist Habermas all four scholars of this small corpus share similar philosophical roots To this end it particularly refers to the original formation of critical theory by the early Frankfurt School of Critical Theory Thirdly it analyzes with respect to Derrida and Habermas the two issues that opponents of the postmodern approach argues to be the Achilles heel of postmodernism does postmodernism introduce a pernicious relativism to judgement making ethics and values a performative impossibility **A Discussion of Critical Legal Studies' Claim of Legal Indeterminacy** Ian Benitez, 2015-08-19 Bachelor Thesis from the year 2015 in the subject Law Philosophy History and Sociology of Law grade 1 75 course Bachelor of Arts in Philosophy language English abstract This paper challenges the Critical Legal Studies CLS claims of legal indeterminacy It shall use a legal formalist logic and language as its main assertion further maintaining that the CLS claims is only grounded in ambiguity and confusion CLS is a legal theory that challenges and overturns accepted norms and standards in legal theory and practice They maintained that law in the historical and contemporary society has an alleged impartiality and it is used as a tool of privilege and power law is politics Consequently CLS maintained that these results to indeterminacy of law Legal indeterminacy can be summed up as contrary to the common understanding that legal materials statutes and case law do not really answer legal disputes Legal principles and doctrines as CLS scholars claim are said to be indeterminate for it is riddle with gaps conflicts and anomalies that are widely present even in simple cases Legal indeterminacy also rises because of the underlying political power law is politics that implicates law as merely a tool for oppression This thesis shows that CLS assertions with legal indeterminacy is only grounded on ambiguity On one hand using the main concept of legal formalist logic and language grounded with sub arguments inherent generality of legal language reasoned elaboration and neutral principles it refutes the CLS claims of legal indeterminacy On the other the paper maintains that their main reason of legal indeterminacy law is politics is merely a statement of fact that currently happens in society is sentimental and weak through counterexamples **Postmodernism and Law** Helen M. Stacy, 2017 This title was first published in 2001 This discussion asserts that legal theory is being transformed by postmodern and critical social theory The aim of the text is three fold Firstly it sets out the work of four particular scholars of critical social theory all of them Continental Europeans Jurgen Habermas Michel Foucault Jacques Derrida and Jacques Lacan Secondly it seeks to demonstrate that although the work of Foucault Derrida and Lacan is often juxtaposed to that of the arch neo liberal social theorist Habermas all four scholars of this small corpus share similar philosophical roots To this end it particularly refers to the original formation of critical theory by the

early Frankfurt School of Critical Theory Thirdly it analyzes with respect to Derrida and Habermas the two issues that opponents of the postmodern approach argues to be the Achilles heel of postmodernism does postmodernism introduce a pernicious relativism to judgement making ethics and values a performative impossibility Provided by publisher

Symposium on Religion, Religious Pluralism, and the Rule of Law, 2007 **Kantianism, Postmodernism and Critical Legal Thought** I. Ward, 2013-04-17 Kantianism Postmodernism and Critical Legal Thought presents a challenging alternative theory of legal philosophy The central thesis of the book suggests an accommodation between three of the most influential contemporary theories of law Kantianism postmodernism and critical legal thought In doing so it further suggests that the often perceived distance between these theories of law disguises a common intellectual foundation This foundation lies in the work of Immanuel Kant Kantianism Postmodernism and Critical Legal Thought presents an intellectual history of critical legal thinking beginning with Kant and then proceeding through philosophers and legal theorists as diverse as Heidegger and Arendt Foucault and Derrida Rorty and Rawls and Unger and Dworkin Ultimately it will be suggested that each of these philosophers is writing within a common intellectual tradition and that by concentrating on the commonality of this tradition contemporary legal theory can better appreciate the reconstructive potential of the critical legal project

Immovable Laws, Irresistible Rights Christine Pierce, 2000 Same sex partnerships Pregnancy through in vitro fertilization Ending one's own life in dignity All are deemed inherently wrong by the standards of natural law ethics but for many people they represent legitimate life choices that are morally right Now a leading feminist critic of the natural law tradition explores the ongoing confrontation between natural law and moral rights to argue that rights constitute a more solid grounding for ethics in human affairs and for feminist thought In this volume Christine Pierce's important essays including the celebrated Natural Law Language and Women expand reflect and refine this central controversy Reaching back to Aristotle and Aquinas and drawing on modern papal encyclicals and Supreme Court cases Pierce demonstrates that the natural law tradition with its doctrine of a supposed hierarchy of natural purpose has served to mystify women's nature and thereby justify restricting women to a predetermined social stratum Addressing issues that concern not only feminism but legal theory as well she defends her views on equality and universalization against a growing postmodern critique and presents rights theory as an alternative to an ethics of responsibility based on Aristotelian notions of friendship and trust Through tightly constructed arguments presented in engaging prose Pierce conveys her deep knowledge of legal philosophy and her passion for rights as she takes on such issues as AIDS gay marriage animal liberation and feminist separatism She combats the prevailing view of Plato as sexist and explores Sartre's views of holes and slime She also examines the work of contemporary authors in ecology biology sociobiology and religion to reveal their reliance on nature for ethical conclusions and she criticizes recent efforts to root a feminist natural law in Thomism With natural law concepts now in fashion with many conservatives and even some Supreme Court justices Pierce's essays offer a necessary perspective on where current

legal and ethical thinking is headed Immovable Laws Irresistible Rights is invigorating reading for all scholars students and interested readers who seek a better understanding of these arguments and the issues affected by them **The Best Books for Academic Libraries: Political science, law, education** ,2002 Books recommended for undergraduate and college libraries listed by Library of Congress Classification Numbers **Postmodern Legal Movements** Gary Minda,1995-04 Minda law Brooklyn Law School surveys the current state of legal scholarship and activism describing movements that focus on the effects of law on human lives He outlines the origins of modern normative and conceptual jurisprudence discusses movements of the 1980s and analyzes postmodern jurisprudence He demonstrates how the new forms of scholarly discourse at the end of this century have ruptured the modern styles of jurisprudence and how those discourses themselves have been reshaped by a postmodern perspective Annotation copyright by Book News Inc Portland OR Beginning Postmodernism Tim Woods,2009 Postmodernism became the buzzword of contemporary society in the 1990s Yet even now it still remains confusing and baffling in its variety of definitions contexts and associations Beginning Postmodernism aims to offer clear accessible and step by step introductions to postmodernism across a wide range of subjects It encourages readers to explore how the debates about postmodernism have emerged from basic philosophical and cultural ideas and to develop comparative connections and ideas from one area to another With its emphasis firmly on postmodernism in practice the book contains questions designed to help readers understand and reflect upon a variety of positions within the following areas of contemporary culture philosophy and cultural theory architecture and concepts of space visual art sculpture and material culture popular culture and music film video and television and the social sciences Proceedings and Addresses of the American Philosophical Association American Philosophical Association,1997 List of members in v 1 **Zeitschrift für Politikwissenschaft** ,2000 **Feminism and Postmodern Theory** Joan Nordquist,1996 *McGeorge Law Review* ,1999

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Postmodern Philosophy Law Introduction

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