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Sophia Reibetanz Moreau,
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LAW AND MORALITY

Readings in Legal Philosophy

THIRD EDITION

Law And Morality Readings In Legal Philosophy

Susan M. Turner



Law And Morality Readings In Legal Philosophy:

Law and Morality David Dyzenhaus, Sophia Reibetanz Moreau, Arthur Ripstein, 2007-01-01 Since its first publication in 1996 *Law and Morality* has filled a long standing need for a contemporary Canadian textbook in the philosophy of law Now in its third edition this anthology has been thoroughly revised and updated and includes new chapters on equality judicial review and terrorism and the rule of law The volume begins with essays that explore general questions about morality and law surveying the traditional literature on legal positivism and contemporary debates about the connection between law and morality These essays explore the tensions between law as a protector of individual liberty and as a tool of democratic self rule and introduce debates about adjudication and the contribution of feminist approaches to the philosophy of law New material on the Chinese Canadian head tax case is also featured The second part of *Law and Morality* deals with philosophical questions as they apply to contemporary issues Excerpts from judicial decisions as well as essays by practicing lawyers are included to provide theoretically informed legal analyses of the issues Striking a balance between practical and more analytic philosophical approaches the volume's treatment of the philosophy of law as a branch of political philosophy enables students to understand law in its function as a social institution *Law and Morality* has proved to be an essential text in both departments of philosophy and faculties of law and this latest edition brings the debates fully up to date filling gaps in the previous editions and adding to the array of contemporary issues previously covered *Law and Morality: Readings in Legal Philosophy*, 1996

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Free Speech Law and the Pornography Debate Lynn Mills Eckert, 2020-06-26 By examining the highly contested legal debate about the regulation of pornography through an epistemic lens this book analyzes competing claims about the proper role of speech in our society pornography's harm the relationship between speech and equality and whether law should regulate and if so upon what grounds In maintaining that inegalitarian pornography generates discursive effects the book contends that law cannot simply adopt a libertarian approach to free speech While inegalitarian pornography may not be determinative of gender inequality it does contribute reinforce reflect and help maintain such unfairness As a result we can place reasonable gender based regulations on inegalitarian pornography while upholding our most treasured commitments to dissident speech just as other liberal democracies with strong free speech traditions have done

Legal Theory and the Legal Academy Maksymilian Del Mar, 2017-07-05 The third in a series of three volumes on Contemporary Legal Theory this volume deals with four topics 1 the role of legal theory in the legal

curriculum 2 the teaching of legal theory 3 the relationship of legal theory to legal scholarship and 4 the relationship of legal theory to comparative law The focus of the first two topics is on the common law world where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since John Austin's 1828 lecture The Uses and the Study of Jurisprudence These first two parts offer a selection of the most important papers including surveys as well as pedagogical viewpoints and particular course descriptions from analytical critical feminist law and literature and global perspectives The last three decades have seen just as many changes for legal scholarship and comparative law These changes such as the rise of empirical legal scholarship have often attracted the attention of legal theorists Within comparative law the last thirty years have witnessed intense methodological reflection within the discipline the results of these reflections are themselves properly recognised as legal theoretical contributions The volume collects the key papers including those by Neil MacCormick Mark Van Hoecke Andrew Halpin William Ewald and Geoffrey Samuel

A Collection of Insights Flowing from The Book of Mormon Keith Thompson, 2023-11-25 This collection of insights about the Book of Mormon adds to and complements the author's legal publications about freedom of conscience evidence and comparative constitutional law The book includes insights distilled from contemporary anthropology careful analysis of the doctrine of resurrection taught in the Book of Mormon philosophical questions about the rule of law which inform life in contemporary society and how reflection on the pervasive New Testament intertextuality in the Book of Mormon should increase the knowledge of modern readers Important reading for scholars of religion and faith and particularly those interested in understanding the beliefs and practices of member of The Church of Jesus Christ of latter day Saints around the world

Law Express: Jurisprudence (Revision Guide) Julia J.A. Shaw, 2014-08-01 The Law Express series is tailored to help you revise effectively Understand essential concepts remember and apply key theories and make your answers stand out

Law, Liberty, and the Rule of Law Imer B. Flores, Kenneth E. Himma, 2012-09-28 In recent years there has been a substantial increase in concern for the rule of law Not only have there been a multitude of articles and books on the essence nature scope and limitation of the law but citizens elected officials law enforcement officers and the judiciary have all been actively engaged in this debate Thus the concept of the rule of law is as multifaceted and contested as it's ever been and this book explores the essence of that concept including its core principles its rules and the necessity of defining or even redefining the basic concept Law Liberty and the Rule of Law offers timely and unique insights on numerous themes relevant to the rule of law It discusses in detail the proper scope and limitations of adjudication and legislation including the challenges not only of limiting legislative and executive power via judicial review but also of restraining active judicial lawmaking while simultaneously guaranteeing an independent judiciary interested in maintaining a balance of power It also addresses the relationship not only between the rule of law human rights and separation of powers but also the rule of law constitutionalism and democracy

The Law in Nazi Germany Alan E. Steinweis, Robert D. Rachlin, 2013-03-01 While we

often tend to think of the Third Reich as a zone of lawlessness the Nazi dictatorship and its policies of persecution rested on a legal foundation set in place and maintained by judges lawyers and civil servants trained in the law This volume offers a concise and compelling account of how these intelligent and well-educated legal professionals lent their skills and knowledge to a system of oppression and domination The chapters address why German lawyers and jurists were attracted to Nazism how their support of the regime resulted from a combination of ideological conviction careerist opportunism and legalistic self-delusion and whether they were held accountable for their Nazi era actions after 1945 This book also examines the experiences of Jewish lawyers who fell victim to anti-Semitic measures The volume will appeal to scholars students and other readers with an interest in Nazi Germany the Holocaust and the history of jurisprudence

Atrocity Speech Law Gregory S. Gordon, 2017-04-11 The law governing the relationship between speech and core international crimes a key component in atrocity prevention is broken Incitement to genocide has not been adequately defined The law on hate speech as persecution is split between the International Criminal Tribunal for Rwanda ICTR and the International Criminal Tribunal for the former Yugoslavia ICTY Instigation is confused with incitement and ordering's scope is too circumscribed At the same time each of these modalities does not function properly in relation to the others yielding a misshapen body of law riddled with gaps Existing scholarship has suggested discrete fixes to individual parts but no work has stepped back and considered holistic solutions This book does To understand how the law became so fragmented it returns to its roots to explain how it was formulated From there it proposes a set of nostrums to deal with the individual deficiencies Its analysis then culminates in a more comprehensive proposal a Unified Liability Theory which would systematically link the core crimes of genocide crimes against humanity and war crimes with the four illicit speech modalities The latter would be placed in one statutory provision criminalizing the following types of speech 1 incitement speech seeking but not resulting in atrocity 2 speech abetting non-catalytic speech synchronous with atrocity commission 3 instigation speech seeking and resulting in atrocity and 4 ordering instigation incitement within a superior-subordinate relationship Apart from its fragmentation this body of law lacks a proper name as Incitement Law or International Hate Speech Law labels often used fail to capture its breadth or relationship to mass violence So this book proposes a new and fitting appellation atrocity speech law

Law and Legal Interpretation Fernando Atria Lemaitre, Neil MacCormick, 2017-11-01 This title was first published in 2003 Leading contemporary essays on interpretation are assembled in this volume which offsets them against a small number of classical works from earlier periods It has long been recognized that textual sources constitutions statutes precedents commentaries are central to developed systems of law and that interpretation of such texts is one highly important element in adjudication legal practice and legal scholarship Scholars have also contended that the totality of legal activity is interpretive in a wider sense and debates about objectivity have raged The reasons for this development are here critically scrutinized

Constitutional Paradigms and the Stability of States Noel Cox, 2016-05-23 This book examines the influence of constitutional legal

paradigms upon the political stability and viability of states It contributes to the literature in the field by focussing on how constitutional flexibility may have led to the rise of successful states and to the decline of unsuccessful states by promoting stability Divided into two parts the book considers theories of the rise and fall of civilizations and individual states explains the concept of hard and soft constitutions and applies this concept to different types of state models A series of international case studies in the second part of the book identifies the key dynamics in legal political and economic history and includes the UK US New Zealand and Eastern Europe

Something to Cry About Susan M. Turner, 2006-01-01 Why does our society think it is okay to hit children Almost everyone thinks it is wrong to abuse a child But many parents and teachers believe it is okay to spank children rap their knuckles slap their faces pull their hair and yank their arms as long as the punishment does not result in serious injury or death and is intended to improve a child s behaviour Susan M Turner explores the historical psychological sociological and legal foundations of this belief from a philosophical perspective and argues why it should be abandoned *Something to Cry About* presents evidence from recent studies showing that all forms of corporal punishment pose significant risks for children and that none improves behaviour in the long term Dr Turner also examines Section 43 of the Canadian Criminal Code a law that protects those who punish children in their care by allowing them to hit the children as long as such punishment is reasonable even though Canadian case law shows that reasonable has included breaking a child s fingers Turner presents a comprehensive argument in favour of repeal In *Something to Cry About* Turner takes a definite stand but does so in a way that invites critical dialogue Her work is the first to set out the debate over corporal punishment in multidisciplinary terms pertinent to Canadian society She brings together in one place a wide variety of thought and data which can be consulted by all Canadians concerned with the welfare of children

The Philosophy of Law Frederick F. Schauer, Walter Sinnott-Armstrong, 1996 Ideal for undergraduate courses in philosophy of law this comprehensive anthology examines such topics as the concept of law the dispute between natural law theorists and legal positivists the relations between law and morality criminal responsibility and legal punishment the rights of the individual against the state justice and equality and legal evidence as compared with scientific evidence The readings have been selected from both philosophy and law journals and include classic texts contemporary theoretical developments and well known recent court cases The text features extensive introductions that make even the most profound writings accessible to undergraduates

Values, Pluralism, and Pragmatism: Themes from the Work of Matthew J. Brown Jonathan Y. Tsou, Jamie Shaw, Carla Fehr, 2025-08-17 This book offers eighteen original historical and philosophical essays focused on values in science scientific pluralism and pragmatism These themes have been central in the work of Matthew J Brown and the book frames these topics through an engagement with Brown s broadly ranging work on values in science The themes of this book are integrated and unified in the pragmatic and value laden ideal of science defended by Professor Brown in his fascinating 2020 book *Science and Moral Imagination* Brown s ideal of moral imagination prescribes that scientists should

recognize the contingencies in their work as unforced choices examine morally salient aspects of these decisions recognize the various interests of relevant stakeholders explore and construct alternative options and exercise fair and warranted value judgments to guide those decisions The interdisciplinary essays in this volume engage with different aspects of Brown s philosophical research on scientific values as well as his historical research on figures such as John Dewey and Paul K Feyerabend With a fresh focus on topics such as moral imagination inductive risk and epistemic priority in various socially salient contexts e g artificial intelligence psychiatry segregation research this book is of great interest to a broad audience of researchers working in philosophy of science philosophy of medicine history and philosophy of science and science and technology studies

The Security of Freedom University of Toronto. Faculty of Law,2001-01-01 Papers from a conference The Security of Freedom held at the Faculty of Law University of Toronto on Nov 9 10 2001

Modern Internet Regulations and Laws in Educational Technology Mann, Bruce L.,2025-08-13 The rapid integration of digital tools in classrooms transforms how education is delivered revealing modern internet regulation and law requirements tailored to educational technology As schools rely on online platforms for instruction data storage and student engagement legal frameworks evolve to address concerns around privacy cybersecurity and accessibility These regulations aim to protect student data while fostering innovation Understanding the intersection of internet law and education technology may help create further safe and effective digital learning environments Modern Internet Regulations and Laws in Educational Technology explores how modern internet regulations shape the use of educational technology focusing on laws that govern student data privacy online safety and digital accessibility It examines the challenges and implications these regulations pose when implementing compliant and effective education technology solutions This book covers topics such as social media government and law and entrepreneurship and is a useful resource for business owners educators computer engineers policymakers government officials academicians researchers and scientists

The Anti-Abortion Campaign in England, 1966-1989 Olivia Dee,2019-07-26 This book comprises a history of the anti abortion campaign in England focusing on the period 1966 1989 which saw the highest concentration of anti abortion activity during the twentieth century It examines the tactics deployed by campaigners in their efforts to overturn the 1967 Abortion Act Key themes include the influence of religion on attitudes towards sexuality and pregnancy representations of women and the female body and the varied and often deeply contested attitudes towards the status of the fetus articulated by both anti abortion and pro choice advocates during the years 1966 1989

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.

Against Post-Liberal Courts and Justice Lesley A. Jacobs, Matthew McManus, 2023-12-27. This book covers how Liberal institutions (constitutional democracy, economic markets, liberal courts, free trade, international human rights) around the world are under assault by the political right, and we are witnessing the emergence of post-liberal institutions. These post-liberal institutions are founded on the core conviction that the actions of liberal institutions, including the United States Supreme Court, are patently unjust. This volume makes the case against post-liberal courts and justice by reconnecting to the principles of moral equality and dignified freedom for all. The intention is to show how there is great untapped potential in the work of Ronald Dworkin's work to demonstrate that it can help progressive liberals think through the great issues of the day and respond to the contemporary criticisms of the political right. The core themes are concretely illustrated by focusing on some of the most controversial recent post-liberal decisions of the Supreme Court, ranging from election funding to abortion to race-sensitive affirmative action to economic inequality in an age of increasingly unequal opportunities.

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