

LAW PHD RESEARCH PROPOSAL SAMPLE

MORAL AND RIGHTNESS IN CONTEMPORARY LEGAL PHILOSOPHY

In social everyday life, but also in the domain of theory, it is hard to dispute the claim that the right and the moral are of paramount importance for the formation and regulation of relations within the human community. Both for the right as well as for the morality, it may be said to represent systems of rules on the basis of which the human behavior is determined, directed and valued. From the roughly sketched conceptual definition of both phenomena, the significance of the rights and morals for Aristotle's "holy human things" is evident. Therefore every attempt to understand an individual, society, or state directly or indirectly leads to theming both rights and morals. The complex character of social relations shows that morality and right are difficult to perceive as two completely separate and rounded entities. And concrete life and theory are in agreement that directing and evaluating human actions through rights and morals can be presented in the most appropriate way if both right and morality become separate entities in a complex context of their relationships. The inscrutable character of the relationship between morality and law can best be expressed in the position of its polar character. The affirmation of polarity is a claim of relative contradiction. It implies that the fundamentally different elements of the relationship are not entirely excluded, but that there is a very specific level of mediation. Specifically, it was said that the relationship between morality and law has no radical contradiction or complete identity. At first glance it becomes clear that the idea of relative contradiction opens up a broad and rich field for philosophical-legal reflection. She needs to see the nuances in the moral-right relationship or how it has formulated Arthur Kaufman to discover the "rich field of their mutual touch, refinement, and rejection". The legal philosophy of H. L. A. Hart as well as his student Ronald Dworkin are striking examples of polarization

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