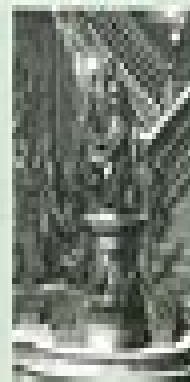


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Histoire de la philosophie du droit




ARMINA-EDITIONS

Histoire De La Philosophie Du Droit

Bjarne Melkevik



Histoire De La Philosophie Du Droit:

Histoire de la philosophie du droit Jean-Cassien Billier, Aglaé Maryioli, 2001-09-18 Il est peu de questions relatives la société humaine qui aient été posées avec autant de persistance et qui aient fait l'objet de la part de théoriciens réputés de réponses aussi différentes tranges et même paradoxales que la question Qu'est-ce que le droit Telles sont les lignes inaugurales en 1961 de l'un des ouvrages marquants de la philosophie du droit au XXe siècle celui de H L A Hart Le concept de droit Qu'est-ce en effet que le droit Une telle question générale implique immédiatement une réflexion philosophique dès lors que l'on décide de ne pas se satisfaire des définitions sans doute partielles que tel ou tel système de droit peut donner tout la fois de lui-même et du droit en général Que cette question difficile soit persistante comme le dit Hart le lecteur s'en convaincra en lisant cette étude qui tente de retracer les grands moments de l'histoire de la philosophie du droit occidentale depuis l'Antiquité Que les réponses proposées au long des siècles soient parfois tranges et paradoxales le lecteur pourra galement en juger en saisissant cependant en quoi leur ventuelle tranget peut résider du moins en partie dans leur insertion dans des contextes historiques fort loignés du nôtre Mais le plus grand des paradoxes est sans doute que des réponses historiquement loignées peuvent encore nous parler c'est qu'elles dessinent de grandes options qui peuvent encore habiter nos débats actuels Le but de ce livre est donc essentiellement d'introduire la philosophie du droit du XXe siècle par une mise en perspective historique de celle-ci en remontant jusqu'à ses lointaines racines dans l'Antiquité gréco-romaine et dans le judaïsme et le christianisme Cet ouvrage s'adresse aux philosophes aux juristes mais aussi aux citoyens désireux d'approfondir leur réflexion sur le droit il est animé par la double conviction qu'une compréhension affinée du droit voire du monde contemporain est facilitée et enrichie par une introduction aux grandes doctrines de la philosophie du droit et qu'une connaissance développée de la philosophie politique générale et des sciences politiques passe par l'examen des théories du droit Jean Cassien Billier professeur agrégé de philosophie auprès des études de la Sorbonne Paris I et l'Institut Universitaire Européen de Florence a notamment publié Kant et le kantisme Armand Colin 1997 et Le pouvoir Armand Colin 2000 Aglaé Maryioli avocate est docteur en droit de l'Institut Universitaire Européen de Florence Elle a enseigné à l'université catholique de Louvain-la-Neuve et à l'université de Rouen La fondation gréco-latine Jean Cassien Billier La fondation grecque Figures de la théorie grecque du droit La voie romaine L'archéologie judaïque et la construction de la modernité Jean Cassien Billier L'archéologie judaïque La construction de la modernité La crise du droit au XXe siècle Aglaé Maryioli Les théories formalistes Les théories antiformalistes Les théories idéalistes du droit La renaissance du droit naturel Les métamorphoses du positivisme juridique Philosophie du droit. Volume 1 Bjarne Melkevik, 2010-08-16 T00:00:00-04:00 La philosophie du droit telle que nous la concevons focalise sur la santé intellectuelle du droit Pareil un clinicien juriste nous envisageons le droit comme un patient qui a besoin de vigilance et d'attention partir de la philosophie du droit Non pas parce que le droit est malade ou en tout cas pas plus malade que tous les autres artefacts culturels que l'homme fabrique pour s'aider vivre la vie et en harmonie sur notre planète bleue et qui craque lourdement sous

l'effet des bêtises et de l'orgueil des hommes et des femmes fussent-ils juristes ou non. Disons plutôt que la sainte intellectuelle se cultive sa propre valeur et davantage encore parce qu'elle nous permet de réfléchir de manière critique aux enjeux de notre modernité juridique. Vue de cette façon, la philosophie du droit se conçoit comme une œuvre de recommencement éternel où la façon de l'œuvre d'un Sisyphe il convient de défendre avec vigilance et ardeur cette entreprise si singulière et si fragile que nous nommons droit. Il convient surtout de protéger le droit contre la convoitise des forces de l'hétéronomie qui ne rêvent que de neutraliser la menace que le droit a toujours plus ou moins fait peser sur leurs sombres manœuvres. Tel Judas, ces forces sont toujours là pour nous faire une bise sur le front pour trahir la possibilité de droit et pour faire triompher le pouvoir nos pensées et pour notre malheur.

Réflexions sur la philosophie du droit Bjarne Melkevik, 2000. À travers des réflexions sur la solidarité, l'identité, la métaphysique, l'idéologie, la culture et le positivisme, se dessine un ensemble d'arguments et de raisons pour nourrir, soutenir et approfondir nos idées sur le projet juridique moderne. C'est par le dialogue et la réflexion que nous pourrions aujourd'hui aboutir à la laboration de ce droit que nous devons réciproquement faire le nœud.

La philosophie du droit de Kant Simone Goyard-Fabre, 1996. Histoire de la philosophie du droit Guido Fassò, 1974. *Histoire de la philosophie du droit* Guido Fassò, 1976.

A Treatise of Legal Philosophy and General Jurisprudence Enrico Pattaro, Corrado Roversi, 2016-07-13. A Treatise of Legal Philosophy and General Jurisprudence is the first ever multivolume treatment of the issues in legal philosophy and general jurisprudence from both a theoretical and a historical perspective. The work is aimed at jurists as well as legal and practical philosophers. Edited by the renowned theorist Enrico Pattaro and his team, this book is a classical reference work that would be of great interest to legal and practical philosophers as well as to jurists and legal scholar at all levels. The work is divided in two parts. The theoretical part published in 2005 consisting of five volumes covers the main topics of the contemporary debate; the historical part consisting of six volumes. Volumes 6-8 published in 2007, Volumes 9 and 10 published in 2009, Volume 11 published in 2011 and Volume 12 forthcoming in 2016 accounts for the development of legal thought from ancient Greek times through the twentieth century. Volume 12: Legal Philosophy in the Twentieth Century. The Civil Law World. Volume 12 of A Treatise of Legal Philosophy and General Jurisprudence titled Legal Philosophy in the Twentieth Century. The Civil Law World functions as a complement to Gerald Postema's volume 11 titled Legal Philosophy in the Twentieth Century. The Common Law World and it offers the first comprehensive account of the complex development that legal philosophy has undergone in continental Europe and Latin America since 1900. In this volume leading international scholars from the different language areas making up the civil law world give an account of the way legal philosophy has evolved in these areas in the 20th century, the outcome being an overall mosaic of civil law legal philosophy in this arc of time. Further specialists in the field describe the development that legal philosophy has undergone in the 20th century by focusing on three of its main subjects, namely legal positivism, natural law theory and the theory of legal reasoning and discussing the different conceptions that have been put forward under these labels. The layout of the volume is

meant to frame historical analysis with a view to the contemporary theoretical debate thus completing the Treatise in keeping with its overall methodological aim namely that of combining history and theory as a necessary means by which to provide a comprehensive account of jurisprudential thinking **Histoire de la philosophie du droit** Guido Fasso,1976

Philosophie du droit Eugène Lerminier,1836 **The Idea of Natural Rights** Brian Tierney,2001 This series originally published by Scholars Press and now available from Eerdmans is intended to foster exploration of the religious dimensions of law the legal dimensions of religion and the interaction of legal and religious ideas institutions and methods Written by leading scholars of law political science and related fields these volumes will help meet the growing demand for literature in the burgeoning interdisciplinary study of law and religion **Histoire de la philosophie du droit** Friedrich Julius Stahl,1880 Journals Canada. Legislature. Legislative Assembly,1846 *Leçons d'histoire de la philosophie du droit* Michel Villey,1962 HISTOIRE DE LA PHILOSOPHIE DU DROIT. JEAN-CASSIEN; MARYIOLI BILLIER (AGLAÉ),

Cours d'histoire de la philosophie du droit M Michel Villey,1964 **Philosophie du droit - 2e édition** Alexandre Viala,2019-07-02 Depuis l'Antiquité Gréco-Romaine la philosophie du droit privilégie deux grandes questions La première porte sur le statut ontologique du droit c'est-à-dire sur l'essence du droit conçu à travers le discours du législateur ou du juge comme un objet normatif dont la teneur diverge selon les différentes écoles philosophiques l'ontologie réaliste et objectiviste des Anciens qui tenaient le droit pour immanent la nature des choses s'oppose l'ontologie idéaliste et subjectiviste des Modernes selon lesquels le droit est un produit de l'esprit construit au service de l'homme L'ouvrage analyse tout particulièrement cette seconde approche dont l'essoufflement contemporain constitue un symptôme de la crise de la modernité juridique La seconde interrogation porte sur le statut épistémologique du droit Elle s'intéresse au droit comme discipline scientifique c'est-à-dire comme méta-discours pratiqué par les professeurs de droit L'enjeu de la question épistémologique est de s'interroger sur les conditions de scientificité de ce méta-discours Selon certaines écoles philosophiques dites idéalistes le juriste peut prescrire sous la bannière de la science un idéal de justice que d'autres courants considérés comme empiristes interdisent d'invoquer en invitant le juriste se contenter de décrire le droit positif Présentant ces deux tendances rivales comme deux impasses épistémologiques l'ouvrage promeut une troisième voie dite critique qui consiste à construire pour rendre compte du droit des représentations qu'on appelle des théories du droit **Philosophie du droit** Lerminier (Eugène),1836 Cours d'histoire de la philosophie du droit Michel Villey,1967 Principes de la philosophie du droit Georg Wilhelm Friedrich Hegel,2013-09-11T00:00:00+02:00 Publié en 1820 par Hegel les Grundlinien der Philosophie des Rechts ouvrage connu en France sous le titre de Principes de la philosophie du droit sont une des œuvres majeures de la philosophie moderne Sur la base d'une idée considérablement élargie du droit correspondant l'ensemble des manifestations de ce qu'il nomme l'esprit objectif Hegel expose successivement les structures du droit abstrait qui correspond au droit privé de la moralité qui traite du rapport du sujet agissant aux normes morales et enfin de l'ethique notion qui désigne l'ensemble des configurations

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Ltude de la soci t civile int grant certains acquis de l conomie politique naissante a exerc une profonde influence en
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modernit et se conclut par un examen de l histoire universelle

Histoire de la Philosophie Du Droit Stahl-F,2018-02-28

Unveiling the Energy of Verbal Beauty: An Mental Sojourn through **Histoire De La Philosophie Du Droit**

In a world inundated with monitors and the cacophony of quick communication, the profound power and psychological resonance of verbal art often disappear into obscurity, eclipsed by the continuous assault of sound and distractions. Yet, set within the musical pages of **Histoire De La Philosophie Du Droit**, a charming work of fictional beauty that pulses with raw emotions, lies an memorable journey waiting to be embarked upon. Composed by way of a virtuoso wordsmith, this exciting opus instructions viewers on an emotional odyssey, delicately revealing the latent potential and profound influence stuck within the elaborate web of language. Within the heart-wrenching expanse of the evocative examination, we shall embark upon an introspective exploration of the book is main themes, dissect their charming publishing model, and immerse ourselves in the indelible impression it leaves upon the depths of readers souls.

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