

Reasons For Action And The Law

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Reasons For Action And The Law:

Reasons for Action and the Law M.C. Redondo, 2013-06-29 A focus on reasons for action and practical reason is the perspective chosen by many contemporary legal philosophers for the analysis of some central questions of their discipline. This book offers a critical evaluation of that approach by carefully examining the empirical, logical and normative problems hidden behind the concepts of reason for action and practical reasoning. Unlike most other works in this field, it is a meta-theoretical study which analyses and compares how different theories use the notion of reason in their reconstruction of problems concerning issues such as normativity, the acceptance of norms or the justification of judicial decisions. This book is directed primarily to scholars specializing in legal theory and concerned with the contribution practical philosophy can make to it, but it also contains important arguments and insights for all those interested in the controversy between legal positivists and their critics in the theory of human action or in reason-based practical theories in general.

Reasons for Action and the Law Cristina Redondo, 1999-07-31 A focus on reasons for action and practical reason is the perspective chosen by many contemporary legal philosophers for the analysis of some central questions of their discipline. This book offers a critical evaluation of that approach by carefully examining the empirical, logical and normative problems hidden behind the concepts of reason for action and practical reasoning. Unlike most other works in this field, it is a meta-theoretical study which analyses and compares how different theories use the notion of reason in their reconstruction of problems concerning issues such as normativity, the acceptance of norms or the justification of judicial decisions. This book is directed primarily to scholars specializing in legal theory and concerned with the contribution practical philosophy can make to it, but it also contains important arguments and insights for all those interested in the controversy between legal positivists and their critics in the theory of human action or in reason-based practical theories in general.

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Reasons Without Rationalism Kieran Setiya, 2010-07-21 Modern philosophy has been vexed by the question: Why should I be moral, and by doubts about the rational authority of moral virtue? In *Reasons without Rationalism*, Kieran Setiya shows that these doubts rest on a mistake.

The should of practical reason cannot be understood apart from the virtues of character including such moral virtues as justice and benevolence and the considerations to which the virtues make one sensitive thereby count as reasons to act

Proposing a new framework for debates about practical reason Setiya argues that the only alternative to this virtue theory is a form of ethical rationalism in which reasons derive from the nature of intentional action Despite its recent popularity however ethical rationalism is false It wrongly assumes that we act under the guise of the good or it relies on dubious views about intention and motivation It follows from the failure of rationalism that the virtue theory is true we cannot be fully good without the perfection of practical reason or have that perfection without being good Addressing such topics as the psychology of virtue and the explanation of action Reasons without Rationalism is essential reading for philosophers interested in ethics rationality or the philosophy of mind

Reasons and Intentions Bruno Verbeek, 2008 Reasons and Intentions addresses a central issue in contemporary action theory and moral psychology the relation between the intention to act and the reasons for action Specially commissioned essays by leading scholars in the field address this question and its implications for our thinking about rationality and moral agency This book is a valuable state of the art resource and will be of great interest to graduate students and researchers working in the field

Handbook of Legal Reasoning and Argumentation Giorgio Bongiovanni, Gerald Postema, Antonino Rotolo, Giovanni Sartor, Chiara Valentini, Douglas Walton, 2018-07-02 This handbook addresses legal reasoning and argumentation from a logical philosophical and legal perspective The main forms of legal reasoning and argumentation are covered in an exhaustive and critical fashion and are analysed in connection with more general types and problems of reasoning Accordingly the subject matter of the handbook divides in three parts The first one introduces and discusses the basic concepts of practical reasoning The second one discusses the general structures and procedures of reasoning and argumentation that are relevant to legal discourse The third one looks at their instantiations and developments of these aspects of argumentation as they are put to work in the law in different areas and applications of legal reasoning

Model Rules of Professional Conduct American Bar Association. House of Delegates, Center for Professional Responsibility (American Bar Association), 2007 The Model Rules of Professional Conduct provides an up to date resource for information on legal ethics Federal state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases disciplinary actions disqualification issues sanctions questions and much more In this volume black letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule s purpose and provide suggestions for its practical application The Rules will help you identify proper conduct in a variety of given situations review those instances where discretionary action is possible and define the nature of the relationship between you and your clients colleagues and the courts

Philosophy and International Law David Lefkowitz, 2020-10-29 Offers an accessible discussion of conceptual and moral questions on international law and advances the debate on many of these topics

Pure Theory of Law Hans Kelsen, 2005 Reprint of the second revised and enlarged

edition a complete revision of the first edition published in 1934 A landmark in the development of modern jurisprudence the pure theory of law defines law as a system of coercive norms created by the state that rests on the validity of a generally accepted Grundnorm or basic norm such as the supremacy of the Constitution Entirely self supporting it rejects any concept derived from metaphysics politics ethics sociology or the natural sciences Beginning with the medieval reception of Roman law traditional jurisprudence has maintained a dual system of subjective law the rights of a person and objective law the system of norms Throughout history this dualism has been a useful tool for putting the law in the service of politics especially by rulers or dominant political parties The pure theory of law destroys this dualism by replacing it with a unitary system of objective positive law that is insulated from political manipulation Possibly the most influential jurist of the twentieth century Hans Kelsen 1881 1973 was legal adviser to Austria's last emperor and its first republican government the founder and permanent advisor of the Supreme Constitutional Court of Austria and the author of Austria's Constitution which was enacted in 1920 abolished during the Anschluss and restored in 1945 The author of more than forty books on law and legal philosophy he is best known for this work and General Theory of Law and State Also active as a teacher in Europe and the United States he was Dean of the Law Faculty of the University of Vienna and taught at the universities of Cologne and Prague the Institute of International Studies in Geneva Harvard Wellesley the University of California at Berkeley and the Naval War College Also available in cloth

Federal Administrative Law Christopher Enright, 2001 Federal administrative law is a vast expanse of statutory provisions and case law This text aims to map these provisions setting out the case and statute law in a structured and amenable way Federal Administrative Law commences with discussion of the composition powers and decision making processes of the executive government Then it covers the major remedies available for those who are dissatisfied by a decision of the executive government reasons for decision access to information under FOI legislation judicial review appeal to the Administrative Appeals Tribunal review by the Ombudsman remaking a decision collateral review and special review Enright also engages with the perennial conceptual problems of administrative law Difficulties with separating legislative executive and judicial power and in distinguishing between law and fact are considered insoluble Enright argues only because they have not been approached in the right way Enright argues for going back to basics emphasising the necessity of asking the right question in the first place In a similar vein Enright investigates problems with legitimate expectation in the law of natural justice and argues that difficulties with standing can be treated better by taking a more analytical approach to the interests involved Federal Administrative Law will serve as a basic text and reference book for those who work in Commonwealth administrative law It is written in a clear and easy to read style that will make it suitable as a textbook in undergraduate courses

Aviation Law Cause of Action Exclusivity in the Warsaw and Montreal Conventions Cluxton, David, 2022-02-15 This incisive book tackles a controversy that has plagued the Warsaw Convention 1929 and the Montreal Convention 1999 for decades whether the conventions provide an

independent cause of action upon which a plaintiff can rely directly when pleading their action and if so whether that cause of action provides the exclusive remedy This book resolves this controversy by presenting a new conceptual framework for understanding aviation law cause of action in the conventions Laws Plato,2022-05-28 The Laws is Plato s last longest and perhaps most famous work It presents a conversation on political philosophy between three elderly men an unnamed Athenian a Spartan named Megillus and a Cretan named Clinias They worked to create a constitution for Magnesia a new Cretan colony that would make all of its citizens happy and virtuous In this work Plato combines political philosophy with applied legislation going into great detail concerning what laws and procedures should be in the state For example they consider whether drunkenness should be allowed in the city how citizens should hunt and how to punish suicide The principles of this book have entered the legislation of many modern countries and provoke a great interest of philosophers even in the 21st century **Practical Reason and Norms** Joseph Raz,1999-09-09 Practical Reason and Norms focuses on three problems In what way are rules normative and how do they differ from ordinary reasons What makes normative systems systematic What distinguishes legal systems and in what consists their normativity All three questions are answered by taking reasons as the basic normative concept and showing the distinctive role reasons have in every case thus paving the way to a unified account of normativity Rules are a structure of reasons to perform the required act and an exclusionary reason not to follow some competing reasons Exclusionary reasons are explained and used to unlock the secrets of orders promises and decisions as well as rules Games are used to exemplify normative systems Inevitably the analysis extends to some aspects of normative discourse which is truth apt but with a diminished assertoric force **The Common Law** Oliver Wendell Holmes,1909 Causation Douglas Kutach,2014-08-26 In most academic and non academic circles throughout history the world and its operation have been viewed in terms of cause and effect The principles of causation have been applied fruitfully across the sciences law medicine and in everyday life despite the lack of any agreed upon framework for understanding what causation ultimately amounts to In this engaging and accessible introduction to the topic Douglas Kutach explains and analyses the most prominent theories and examples in the philosophy of causation The book is organized so as to respect the various cross cutting and interdisciplinary concerns about causation such as the reducibility of causation its application to scientific modeling its connection to influence and laws of nature and its role in causal explanation Kutach begins by presenting the four recurring distinctions in the literature on causation proceeding through an exploration of various accounts of causation including determination difference making and probability raising He concludes by carefully considering their application to the mind body problem Causation provides a straightforward and compact survey of contemporary approaches to causation and serves as a friendly and clear guide for anyone interested in exploring the complex jungle of ideas that surround this fundamental philosophical topic Springs of Action Alfred R. Mele,1992-02-06 Tackling some central problems in the philosophy of action Mele constructs an explanatory model for intentional behavior

locating the place and significance of such mental phenomena as beliefs desires reason and intentions in the etiology of intentional action Part One comprises a comprehensive examination of the standard treatments of the relations between desires beliefs and actions In Part Two Mele goes on to develop a subtle and well defended view that the motivational role of intentions is of a different sort from that of beliefs and desires Mele also offers a provocative explanation of how we come to have intentions and elaborates on his earlier work concerning akratic failures of will

Essays on Actions and Events

Donald Davidson,2001-09-27 Donald Davidson has prepared a new edition of his classic 1980 collection of Essays on Actions and Events including two additional essays This seminal work on the nature of human action features influential discussions of such topics as freedom to act weakness of the will the logical form of talk about actions intentions and causality the logic of practical reasoning Hume s theory of the indirect passions and the nature and limits of decision theory a classic in its field P F Strawson Donald Davidson has prepared a new edition of his classic 1980 collection of Essays on Actions and Events including two additional essays In this seminal investigation of the nature of human action Davidson argues for an ontology which includes events along with persons and other objects Certain events are identified and explained as actions when they are viewed as caused and rationalized by reasons these same events when described in physical biological or physiological terms may be explained by appeal to natural laws The mental and the physical thus constitute irreducibly discrete ways of explaining and understanding events and their causal relations Among the topics discussed are freedom to act weakness of the will the logical form of talk about actions intentions and causality the logic of practical reasoning Hume s theory of the indirect passions and the nature and limits of decision theory The introduction cross references and appendices emphasize the relations between the essays and explain how Davidson s views have developed

Justice for Some Noura Erakat,2019

The struggle for Palestinian sovereignty has been a quest for inclusion in and recognition from a world order that left them behind Sovereignty has become a trap for Palestinians and getting out is a matter of political vision and will The law does not determine any particular outcome it only promises the contest over one While Jewish and Palestinian sovereignty are incommensurable their belonging is not The law is not just and justice is not rule based

What We Owe to Each Other T.

M. Scanlon,2000-11-15 This magnificent book opens up a novel arresting position on matters that have been debated for thousands of years Times Literary Supplement How do we judge whether an action is morally right or wrong If an action is wrong what reason does that give us not to do it Why should we give such reasons priority over our other concerns and values In this book T M Scanlon offers new answers to these questions as they apply to the central part of morality that concerns what we owe to each other According to his contractualist view thinking about right and wrong is thinking about what we do in terms that could be justified to others and that they could not reasonably reject He shows how the special authority of conclusions about right and wrong arises from the value of being related to others in this way and he shows how familiar moral ideas such as fairness and responsibility can be understood through their role in this process of mutual

justification and criticism Scanlon bases his contractualism on a broader account of reasons value and individual well being that challenges standard views about these crucial notions He argues that desires do not provide us with reasons that states of affairs are not the primary bearers of value and that well being is not as important for rational decision making as it is commonly held to be Scanlon is a pluralist about both moral and non moral values He argues that taking this plurality of values into account contractualism allows for most of the variability in moral requirements that relativists have claimed while still accounting for the full force of our judgments of right and wrong **Explaining the Normative** Stephen P.

Turner,2010-05-10 Explaining the Normative is the first systematic historically grounded critique of normativism It identifies the standard normativist pattern of argument and shows how this pattern depends on circularities preferred descriptions problematic transcendental arguments and regress arguments ending in mysteries Jacket

Reasons For Action And The Law: Bestsellers in 2023 The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous compelling novels captivating the hearts of readers worldwide. Lets delve into the realm of top-selling books, exploring the engaging narratives that have captivated audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This poignant tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can succeed. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids absorbing storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Reasons For Action And The Law : Delia Owens "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a brilliant and gripping novel that will keep you guessing until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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