

Hart And Fuller Debate

Peter Cane

The Hart-Fuller Debate in the Twenty-First Century Peter Cane, 2010-02-16 This book presents the papers and comments on those papers delivered at a colloquium held at the Australian National University in December 2008 to celebrate 50 years since the publication in the Harvard Law Review of the famous and wide-ranging debate between HLA Hart and Lon L Fuller. These essays do not to re-run that debate and they are not confined to discussion of the jurisprudential issues canvassed by Hart and Fuller. Rather they pick up on strands in the debate and re-think them in the light of social, political and intellectual developments in the past 50 years and changed ways of understanding law and other normative systems. This collection looks forward rather than backward using the debate as a point of departure and inspiration.

The Hart-Fuller Debate in the Twenty-first Century Peter Cane, 2010 This book presents the papers and comments on those papers delivered at a colloquium held at the Australian National University in December 2008 to celebrate 50 years since the publication in the Harvard Law Review of the famous and wide-ranging debate between H.L.A. Hart and Lon L. Fuller.

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The Hart-Fuller Debate at Fifty, 2008

The Politics of Jurisprudence Roger B. M. Cotterrell, 1992 Selected by Choice magazine as an Outstanding Academic Title

Interpretation and Legal Theory Andrei Marmor, 2005-04-30 Prev. ed. published by: Oxford: Clarendon Press; New York: Oxford University Press, 1992.

Symposium New York University. School of Law, 2008

Jurisprudence Lecture Notes Peter Curzon, 1998-12 The Cavendish Law Cards cover the broad range of subjects available on the undergraduate law programme, as well as on the CPE/Diploma in Law course. Each one of the Cavendish LawCards is a complete, pocket-sized guide to key examinable areas of the law syllabus. Their concise text, user-friendly layout and compact format make the Cavendish LawCards ideal revision aids for identifying, understanding and committing to memory

the salient points of each topic.

The Concept of Ideals in Legal Theory Sanne Taekema, 2002-12-31 Talk about law often includes reference to ideals of justice, equality or freedom. But what do we refer to when we speak about ideals in the context of law? This book explores the concept of ideals by combining an investigation of different theories of ideals with a discussion of the role of ideals in law. A comparison of the theories of Gustav Radbruch and Philip Selznick leads up to a pragmatist theory of legal ideals, which provides an interesting new position in the debate about values in law between legal positivists and natural law thinkers. Attention for law's central ideals enables us to understand law's autonomous character, while at the same time tracing its connection to societal values. Essential reading for anyone interested in the role of values or ideals in law.

Ideology and Criminal Law Stephen Skinner, 2019-09-05 With populist, nationalist and repressive governments on the rise around the world, questioning the impact of politics on the nature and role of law and the state is a pressing concern. If we are to understand the effects of extreme ideologies on the state's legal dimensions and powers – especially the power to punish and to determine the boundaries of permissible conduct through criminal law – it is essential to consider the lessons of history. This timely collection explores how political ideas and beliefs influenced the nature, content and application of criminal law and justice under Fascism, National Socialism, and other authoritarian regimes in the twentieth century. Bringing together expert legal historians from four continents, the collection's 16 chapters examine aspects of criminal law and related jurisprudential and criminological questions in the context of Fascist Italy, Nazi Germany, Nazi-occupied Norway, apartheid South Africa, Francoist Spain, and the authoritarian regimes of Brazil, Romania and Japan. Based on original archival, doctrinal and theoretical research, the collection offers new critical perspectives on issues of systemic identity, self-perception and the foundational role of criminal law; processes of state repression and the activities of criminal courts and lawyers; and ideological aspects of, and tensions in, substantive criminal law.

Hart, Fuller, and Everything After Allan C Hutchinson, 2023-02-23 More has been said about the Hart-Fuller debate than can be considered healthy or productive even within the precious world of jurisprudential scholarship – too much philosophising about how law has revelled in its own abstractness and narrowness. But the mission of this book is distinctly and determinedly different – it is not to rework these already-rehashed ideas, but to reject them entirely. Rather than add to the massive jurisprudential literature that has been generated by all and sundry, the book criticises and abandons the project that Hart and Fuller set in motion. It contends that the turn that was taken in 1957 has led down a series of cul-de-sacs, blind alleys, and dead-ends to nowhere useful or illuminating. It is more than past time to leave their debate behind and strike out in an entirely new and more promising direction. The book insists that not only law, but also all theorising about law, is political in all its derivations, dimensions, and directions.

More-or-less Moral-less Richard Nicholas Bryant, 1982

Collaboration in Authoritarian and Armed Conflict Settings Juan Espindola, Leigh A. Payne, 2022-06-16

Collaboration in Authoritarian and Armed Conflict Settings offers an array of examples to demonstrate the ubiquity of collaboration and its extension over territory and time. It also teases out a framework for examining collaboration, merging history, philosophy, political science, sociology, law, and literary studies.

Criminalizing Dissent Rob Watts, 2019-06-25 While liberal-democratic states like America, Britain and Australia claim to value freedom of expression and the right to dissent, they have always actually criminalized dissent. This disposition has worsened since 9/11 and the 2008 Great Recession. This ground-breaking study shows that just as dissent involves far more than protest marches, so too liberal-democratic states have expanded the criminalization of dissent. Drawing on political and social theorists like Arendt, Bourdieu and Isin, the book offers a new way of thinking about politics, dissent and its criminalization relationally. Using case studies like the Occupy movement, selective refusal by Israeli soldiers, urban squatters, democratic education and violence by anti-Apartheid activists, the book highlights the many forms dissent takes along with the many ways liberal-democratic states criminalize it. The book highlights the mix of fear and delusion in play when states privilege security to protect an imagined 'political order' from difference and disagreement. The book makes a major contribution to political theory, legal studies and sociology. Linking legal, political and normative studies in new ways, Watts shows that ultimately liberal-democracies rely more on sovereignty and the capacity for coercion and declarations of legal 'states of exception' than on liberal-democratic principles. In a time marked by a deepening crisis of democracy, the book argues dissent is increasingly valuable.

Advances in Experimental Philosophy of Law Karolina Prochownik, Stefan Magen, 2023-05-18 Only recently have philosophers and psychologists begun to consider empirical research methods to inform questions and debates in legal philosophy. With the field ripe for further experimental inquiry, this collection explores the most topical empirical developments and anticipates future research directions. Bringing together legal scholars, psychologists, and philosophers, chapters address questions such as: Do people share a stable set of intuitions about what the law is? What are common perceptions about causation, intentionality, and culpability, and are they consistent with the corresponding legal concepts? To what extent can experimental research methods advance theoretical debates in legal philosophy about the nature of law? With fascinating implications for legal philosophy, ethics, and moral psychology, *Advances in Experimental Philosophy of Law* sets the agenda for the emerging field of experimental jurisprudence and will be of interest to both researchers and practitioners alike.

Revisiting the Rule of Law Kristen Rundle, 2023-01-05 This Element offers an accessible introduction to theoretical writing on the rule of law for anyone who wants to understand more about how we think and write about this central idea of legal and political thought. Part 1, 'Approaching the Rule of Law', examines the methods through which the idea of the rule of

law is typically approached by those who set out to theorise it. Part 2, 'Untangling the Rule of Law', asks whether it is possible to untangle the rule of law from the various contributions, companions, connections, confluences and controversies with which it tends to be associated. Part 3, 'Revisiting the Rule of Law', signals to new frontiers of rule of law thought by addressing the assumptions about legal form that shape its theoretical treatment, and by investigating what we know about the people who carry its burdens and benefit from its offerings.

The Foundation of Norms in Islamic Jurisprudence and Theology Omar Farahat, 2019-01-31 This book offers a new way of understanding classical Islamic theories, holding that divine revelation is necessary for the knowledge of norms and its reading of the issue of reason breaks new ground in Islamic theology, law and ethics. It will appeal to students and scholars of Islamic studies, Islamic ethics, law and post-colonial theory.

Informers Up Close Mark A. Drumbl, Barbora Holá, 2024-04-17 Informers are generally reviled. After all, 'snitches get stitches.' Informers who report to repressive regimes are particularly disdained. While informers may themselves be victims enlisted by the state, their actions cause other individuals to suffer significant harm. Informers, then, are central to the proliferation of endemic human rights abuses. Yet, little is known about exactly why ordinary people end up informing on--at times betraying--other people to state authorities. Through a case-study of Communist Czechoslovakia (1945-1989) that draws from secret police archives, oral histories, and a broad gamut of secondary sources, this book unearths what fuels informers to speak to the secret police in repressive times and considers how transitional justice should approach informers once repression ends. This book unravels the complex drivers behind informing and the dynamics of societal reactions to informing. It explores the agency of both informers and secret police officers. By presenting informers 'up close', and the relationships between informers and secret police officers in high resolution, this book centres the role of emotions in informer motivations and underscores the value of dignity and reconciliation in transitional reconstruction. This book also leverages research from informing in repressive states to better understand informing in so-called liberal democratic states, which, after all, also rely on informers to maintain law and preserve order. To learn more, read the introduction and conclusion from the book's symposium: <https://opiniojuris.org/2024/08/19/introduction-to-the-sympo>
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The Cambridge Companion to the Rule of Law Jens Meierhenrich, Martin Loughlin, 2021-08-12 The Cambridge Companion to the Rule of Law introduces students, scholars, and practitioners to the theory and history of the rule of law, one of the most frequently invoked-and least understood-ideas of legal and political thought and policy practice. It offers a

comprehensive re-assessment by leading scholars of one of the world's most cherished traditions. This high-profile collection provides the first global and interdisciplinary account of the histories, moralities, pathologies and trajectories of the rule of law. Unique in conception, and critical in its approach, it evaluates, breaks down, and subverts conventional wisdom about the rule of law for the twenty-first century.

Harvard Law Review: Volume 127, Number 2 - December 2013 Harvard Law Review, 2013-12-10 The December 2013 issue of the Harvard Law Review is dedicated to the memory of Ronald Dworkin, with In Memoriam essays offered by Richard Fallon, Jr., Charles Fried, John C.P. Goldberg, Frances Kamm, Frank Michelman, Martha Minow, and Laurence Tribe. The issue features an article by David Pozen entitled The Leaky Leviathan: Why the Government Condemns and Condone Unlawful Disclosures of Information. The issue also includes essays by Nicola Lacey and Geoffrey Shaw examining a previously lost writing by H.L.A. Hart on discretion, as well as the publication of Hart's essay, Discretion, itself, which he wrote while visiting at Harvard in 1956-1957. Student Notes explore such subjects as regulation of the shadow banking system, vagueness and delegation in the CFAA, and the good faith exception to the exclusionary rule. In addition, student contributions explore Recent Cases on First Amendment commercial speech doctrine and pharmaceutical marketing, school finance under state law, duty of a school to protect from bullying, warrantless search of cell phone data, and untimely raising of ineffective assistance of counsel in a habeas petition after counsel failure. A Recent Legislation summary explores restrictions on War Powers in the context of Guantanamo detainees, and a summary of Recent Legislative Debate involves the filibuster of a Texas abortion bill. Finally, there are also several summaries of Recent Publications. The Harvard Law Review is offered in a quality digital edition, featuring active Contents, linked notes, active URLs in notes, and proper formatting. The contents of Volume 127, Number 2 (Dec. 2013) include scholarly articles and essays by leading academic figures.

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