

# Read Book Gandhi In Political Theory Truth Law And Experiment Pdf For Free

**Gandhi in Political Theory** Law and Truth Gandhi in Political Theory Law and Truth **Nomic Truth Approximation Revisited** **Law, Truth, and Reason Evidence Matters Speaking Truth to Power - A Theory of Whistleblowing How the Laws of Physics Lie Reasoning in Ethics and Law** The Law-Governed Universe The Concept of Ideals in Legal Theory **Neutrality and Theory of Law** Theory of Legal Evidence - Evidence in Legal Theory Introduction to Critical Legal Theory **Philosophical Foundations of Evidence Law** *Aristotle and The Philosophy of Law: Theory, Practice and Justice* *Legal Argumentation Theory: Cross-Disciplinary Perspectives* What is Justice? The Legal Theory of Ethical Positivism Law and Truth **What is a Law of Nature? Common Truths Truth, Autonomy, and Speech The Nature of the Law and Related Legal Writings** Gandhi in Political Theory **Truth Asking the Law Question Between Authority and Interpretation Philosophical Foundations of Evidence Law Natural Law and Practical Rationality Interpretation without Truth** Epistemology and Ontology Post-Truth, Philosophy and Law **Philosophy of Law and Legal Theory** *The Oxford Handbook of the Theory of International Law Beyond All Reason* **Law Between Truth and Power Confessions, Truth, and the Law**

*Beyond All Reason* Mar 31 2020 Would you want to be operated on by a surgeon trained at a medical school that did not evaluate

its students? Would you want to fly in a plane designed by people convinced that the laws of physics are socially constructed? Would you want to be tried by a legal system indifferent to the distinction between fact and fiction? These questions may seem absurd, but these are theories being seriously advanced by radical multiculturalists that force us to ask them. These scholars assert that such concepts as truth and merit are inextricably racist and sexist, that reason and objectivity are merely sophisticated masks for ideological bias, and that reality itself is nothing more than a socially constructed mechanism for preserving the power of the ruling elite. In *Beyond All Reason*, liberal legal scholars Daniel A. Farber and Suzanna Sherry mount the first systematic critique of radical multiculturalism as a form of legal scholarship. Beginning with an incisive overview of the origins and basic tenets of radical multiculturalism, the authors critically examine the work of Derrick Bell, Catherine MacKinnon, Patricia Williams, and Richard Delgado, and explore the alarming implications of their theories. Farber and Sherry push these theories to their logical conclusions and show that radical multiculturalism is destructive of the very goals it wishes to affirm. If, for example, the concept of advancement based on merit is fraudulent, as the multiculturalists claim, the disproportionate success of Jews and Asians in our culture becomes difficult to explain without opening the door to age-old anti-Semitic and racist stereotypes. If historical and scientific truths are entirely relative social constructs, then Holocaust denial becomes merely a matter of perspective, and Creationism has as much "validity" as evolution. The authors go on to show that rather than promoting more dialogue, the radical multiculturalist preferences for legal storytelling and identity politics over reasoned argument produces an insular set of positions that resist open debate. Indeed, radical multiculturalists cannot critically examine each others' ideas without incurring vehement accusations of racism and sexism, much less engage in

fruitful discussion with a mainstream that does not share their assumptions. Here again, Farber and Sherry show that the end result of such thinking is not freedom but a kind of totalitarianism where dissent cannot be tolerated and only the naked will to power remains to settle differences. Sharply written and brilliantly argued, this book is itself a model of the kind of clarity, civility, and dispassionate critical thinking which the authors seek to preserve from the attacks of the radical multiculturalists. With far-reaching implications for such issues as government control of hate speech and pornography, affirmative action, legal reform, and the fate of all minorities, *Beyond All Reason* is a provocative contribution to one of the most important controversies of our time.

**Neutrality and Theory of Law** Apr 24 2022 This book brings together twelve of the most important legal philosophers in the Anglo-American and Civil Law traditions. The book is a collection of the papers these philosophers presented at the Conference on Neutrality and Theory of Law, held at the University of Girona, in May 2010. The central question that the conference and this collection seek to answer is: Can a theory of law be neutral? The book covers most of the main jurisprudential debates. It presents an overall discussion of the connection between law and morals, and the possibility of determining the content of law without appealing to any normative argument. It examines the type of project currently being held by jurisprudential scholarship. It studies the different approaches to theorizing about the nature or concept of law, the role of conceptual analysis and the essential features of law. Moreover, it sheds some light on what can be learned from studying the non-essential features of law. Finally, it analyzes the nature of legal statements and their truth values. This book takes the reader a step further to understanding law.

[Post-Truth, Philosophy and Law](#) Jul 04 2020 In the wake of Brexit and Trump, the debate surrounding post-truth fills the newspapers and is at the center of the public debate. Democratic

institutions and the rule of law have always been constructed and legitimized by discourses of truth. And so the issue of "post-truth" or "fake truth" can be regarded as a contemporary degeneration of that legitimacy. But what, precisely, is post-truth from a theoretical point of view? Can it actually change perceptions of law, of institutions and political power? And can it affect our understanding of society and social relations? What are its ideological premises? What are the technical conditions that foster it? And most importantly, does it have anything to teach lovers of the truth? Pursuing an interdisciplinary perspective, this book gathers both well-known and newer scholars from a range of subject areas, to engage in a philosophical interrogation of the relationship between truth and law.

**Natural Law and Practical Rationality** Oct 07 2020 Natural law theory has been undergoing a revival, especially in political philosophy and jurisprudence. Yet, most fundamentally, natural law theory is not a political theory, but a moral theory, or more accurately a theory of practical rationality. According to the natural law account of practical rationality, the basic reasons for actions are basic goods that are grounded in the nature of human beings. Practical rationality aims to identify and characterize reasons for action and to explain how choice between actions worth performing can be appropriately governed by rational standards. These standards are justified by reference to features of the human goods that are the fundamental reasons for action. This book is a defence of a contemporary natural law theory of practical rationality, demonstrating its inherent plausibility and engaging systematically with rival egoist, consequentialist, Kantian and virtue accounts.

**Asking the Law Question** Jan 10 2021 Essential reading for all those who wish to understand why legal theory is important to legal education, and for those who wish to extend their understanding of this dynamic academic discipline. A variety of perspectives are drawn together including social, literary,

feminist and postmodernist theories.

### **Speaking Truth to Power - A Theory of Whistleblowing** Sep

29 2022 Whistleblowing is the public disclosure of information with the purpose of revealing wrongdoings and abuses of power that harm the public interest. This book presents a comprehensive theory of whistleblowing: it defines the concept, reconstructs its origins, discusses it within the current ethical debate, and elaborates a justification of unauthorized disclosures. Its normative proposal is based on three criteria of permissibility: the communicative constraints, the intent, and the public interest conditions. The book distinguishes between two forms of whistleblowing, civic and political, showing how they apply in the contexts of corruption and government secrecy. The book articulates a conception of public interest as a claim concerning the presumptive interest of the public. It argues that public interest is defined in opposition to corporate powers and its core content identified by the rights that are all-purposive for the distribution of social benefits. A crucial part of the proposal is dedicated to the impact of security policies and government secrecy on civil liberties. It argues that unrestrained secrecy limits the epistemic entitlement of citizens to know under which conditions their rights are limited by security policies and corporate interests. When citizens are denied the right to assess when these policies are prejudicial to their freedoms, whistleblowing represents a legitimate form of political agency that safeguards the fundamental rights of citizens against the threat of unrestrained secrecy by government power. Finally, the book contributes to shifting the attention of democratic theory from the procedures of consent formation to the mechanisms that guarantee the expression of dissent. It argues that whistleblowing is a distinctive form of civil dissent that contributes to the demands of institutional transparency in constitutional democracies and explores the idea that the way institutions are responsive to dissent determines the robustness of democracy,

and ultimately, its legitimacy. What place dissenters have within a society, whether they enjoy personal safety, legal protection, and safe channels for their disclosure, are hallmarks of a good democracy, and of its sense of justice.

**Truth** Feb 08 2021 \*Fresh interpretations of the greatest philosophers on the nature of truth and speculative essays on truth in law, the arts, and science\*

Epistemology and Ontology Aug 05 2020 Contents A. van Aaken: Synthesizing the Best of Two Worlds: A Combination of New Institutional Economics and Deliberative Theories D. Coskun: Law as symbolic form. Ernst Cassirer and the anthropocentric view of law L. De Sutter: How to Get Rid of Legal Theory? L. García Ruiz: On the Concept of Law and Its Place in the Legal-Philosophical Research N. Intzessiloglou: Socio-semiotic and socio-cybernetic approaches to legal regulation in an interdisciplinary framework L. Kaehler: The indeterminacy of legal indeterminacy M. Mahlmann: Kant's Conception of Practical Reason and the Prospects of Mentalism M. Mahlmann / J. Mikhail: Cognitive Science, Ethics and Law t G. Noll: The Exclusionary Construction of Human Rights in International Law and Political Theory C. Peterson: The Concept of Legal Dogmatics: From Fiction to Fact F. Puppo: Law, authority and freedom in Sophocles' Antigone M. Sandström: The Concept of Legal Dogmatics Revisited B. Schafer: Ontological commitment and the concept of legal system in comparative law and legal theory S. Schaumburg-Mueller: Truth, Law, and Human Rights P. Sommaggio: Boethius' definition of persona: a fundamental principle of modern legal thought X. Yu: Human Faculties and Human Societies - A Three Dimensional Cultural Epistemology W. Zaluski: The Concept of Kantian Rationality and Game Theory. *The Oxford Handbook of the Theory of International Law* May 02 2020 The Oxford Handbook of International Legal Theory provides an accessible and authoritative guide to the major thinkers, concepts, approaches, and debates that have shaped

contemporary international legal theory. The Handbook features 48 original essays by leading international scholars from a wide range of traditions, nationalities, and perspectives, reflecting the richness and diversity of this dynamic field. The collection explores key questions and debates in international legal theory, offers new intellectual histories for the discipline, and provides fresh interpretations of significant historical figures, texts, and theoretical approaches. It provides a much-needed map of the field of international legal theory, and a guide to the main themes and debates that have driven theoretical work in international law. The Handbook will be an indispensable reference work for students, scholars, and practitioners seeking to gain an overview of current theoretical debates about the nature, function, foundations, and future role of international law.

**Between Authority and Interpretation** Dec 09 2020 In this book Joseph Raz develops his views on some of the central questions in practical philosophy: legal, political, and moral. The book provides an overview of Raz's work on jurisprudence and the nature of law in the context of broader questions in the philosophy of practical reason. The book opens with a discussion of methodological issues, focusing on understanding the nature of jurisprudence. It asks how the nature of law can be explained, and how the success of a legal theory can be established. The book then addresses central questions on the nature of law, its relation to morality, the nature and justification of authority, and the nature of legal reasoning. It explains how legitimate law, while being a branch of applied morality, is also a relatively autonomous system, which has the potential to bridge moral differences among its subjects. Raz offers responses to some critical reactions to his theory of authority, adumbrating, and modifying the theory to meet some of them. The final part of the book brings together for the first time Raz's work on the nature of interpretation in law and the humanities. It includes a new essay explaining interpretive pluralism and the possibility of

interpretive innovation. Taken together, the essays in the volume offer a valuable introduction for students coming for the first time to Raz's work in the philosophy of law, and an original contribution to many of the current debates in practical philosophy.

**Gandhi in Political Theory** Mar 04 2023 Can Gandhi be considered a systematic thinker? While the significance of Gandhi's thought and life to our times is undeniable it is widely assumed that he did not serve any discipline and cannot be considered a systematic thinker. Despite an overwhelming body of scholarship and literature on his life and thought the presuppositions of Gandhi's experiments, the systematic nature of his intervention in modern political theory and his method have not previously received sustained attention. Addressing this lacuna, the book contends that Gandhi's critique of modern civilization, the presuppositions of post-Enlightenment political theory and their epistemological and metaphysical foundations is both comprehensive and systematic. Gandhi's experiments with truth in the political arena during the Indian Independence movement are studied from the point of view of his conscious engagement with method and theory rather than merely as a personal creed, spiritual position or moral commitment. The author shows how Gandhi's experiments are illustrative of his theoretical position, and how they form the basis of his opposition to the foundations of modern western political theory and the presuppositions of the modern nation state besides envisioning the foundations of an alternative modernity for India, and by its example, for the world.

**Law, Truth, and Reason** Dec 01 2022 This book is an innovative contribution to analytical jurisprudence. It is mainly based on the distinct premises of linguistic philosophy and Carnapian semantics, but also addresses the issues of institutional philosophy, social pragmatism, and legal principles as envisioned by Dworkin, among others. Wróblewski's three ideologies



(bound/free/legal and rational) and Makkonen's three situations (isomorphic/semantically vague/normative gap) of judicial decision-making are further developed by means of 10 frames of legal analysis as discerned by the author. With the philosophical theories of truth serving as a reference, the frames of legal analysis include the isomorphic theory of law (Wittgenstein, Makkonen), the coherence theory of law (Alexy, Peczenik, Dworkin), the new rhetoric and legal argumentation theory (Perelman, Aarnio), social consequentialism (Posner), natural law theory (Fuller, Finnis), and the sequential model of legal reasoning by Neil MacCormick and the Bielefelder Kreis. At the end, some key issues of legal metaphysics are addressed, like the notion of legal systematics and the future potential of the analytical approach in jurisprudence.

**The Nature of the Law and Related Legal Writings** Apr 12 2021 During the course of his lifelong, wide-ranging reflections on history and philosophy, Eric Voegelin naturally was drawn to speculate on the nature of law. This volume consists of many of Voegelin's significant writings in this area, most notably the previously unpublished *The Nature of the Law*. Voegelin completed *The Nature of the Law* in 1957 while he was a member of the political science faculty of Louisiana State University and teaching a course in jurisprudence at the university's law school. In it he undertakes a philosophical analysis of the law to determine its nature, or essence, and comes to the conclusion that the law does not exist as a discrete entity but instead constitutes the structure of a society. The law, as Voegelin's analysis reveals, is not simply the command of a Leviathan handed down to others. Nor is it simply the result of a social compact among autonomous individuals or the expressed will of a majority securing its own self-defined, immediate worldly interest. It is rather a part of the order that a society discovers and specifies for itself in the effort to secure the common good. Thus laws and legal order have an integral relation with the

society that declares them, for in declaring laws the society in some sense structures itself. Also included in this volume is Voegelin's detailed outline for the jurisprudence course he taught at LSU from 1954 to 1957. The outline was distributed to Voegelin's students but otherwise has not been published. In this outline Voegelin is concerned more with the criteria for legal order than he is with the nature of law. Voegelin also prepared for his jurisprudence course supplementary notes that are essentially a compact statement of his views on the law, and the editors have included those notes here. Finally, the book contains reviews, written by Voegelin in 1941 and 1942, of four books on legal science and legal philosophy.

The Legal Theory of Ethical Positivism Sep 17 2021 The Legal Theory of Ethical Positivism re-establishes some of the dogmas of classical legal positivism regarding the separation of legislation and adjudication and the feasibility of institutionalizing the morally neutral application of rules as an ideal capable of significant realization. This is supplemented by an analysis of the formal similarities of the morally and legally adjudicative points of view which offers the prospects of attributing a degree of moral authority to positivistic rule application in particular cases. These theories are worked through in their application to specific problem areas, particularly freedom of communication.

Gandhi in Political Theory Mar 12 2021 Can Gandhi be considered a systematic thinker? While the significance of Gandhi's thought and life to our times is undeniable it is widely assumed that he did not serve any discipline and cannot be considered a systematic thinker. Despite an overwhelming body of scholarship and literature on his life and thought the presuppositions of Gandhi's experiments, the systematic nature of his intervention in modern political theory and his method have not previously received sustained attention. Addressing this lacuna, the book contends that Gandhi's critique of modern civilization, the presuppositions of post-Enlightenment political

theory and their epistemological and metaphysical foundations is both comprehensive and systematic. Gandhi's experiments with truth in the political arena during the Indian Independence movement are studied from the point of view of his conscious engagement with method and theory rather than merely as a personal creed, spiritual position or moral commitment. The author shows how Gandhi's experiments are illustrative of his theoretical position, and how they form the basis of his opposition to the foundations of modern western political theory and the presuppositions of the modern nation state besides envisioning the foundations of an alternative modernity for India, and by its example, for the world.

**Truth, Autonomy, and Speech** May 14 2021 Choice Magazine Outstanding Academic Titles 2005 Winner Amidst the vast array of literature on the First Amendment, it is rare to hear a fresh voice speak about the First Amendment, but in *Truth, Autonomy, and Speech*, Susan H. Williams presents a strikingly original interpretation and defense of the First Amendment, written from a feminist perspective. Drawing on work from several disciplines—including law, political theory, philosophy, and anthropology—the book develops alternative accounts of truth and autonomy as the foundations for freedom of expression. Building on feminist understandings of self and the social world, Williams argues that both truth and autonomy are fundamentally relational. With great clarity and insight, Williams demonstrates that speech is the means by which we create rather than discover truth and the primary mechanism through which we tell the stories that constitute our autonomy. She examines several controversial issues in the law of free speech—including campaign finance reform, the public forum doctrine, and symbolic speech—and concludes that the legal doctrine through which we interpret and apply the First Amendment should be organized to protect speech that serves the purposes of truth and autonomy.

Law and Truth Feb 03 2023

*Legal Argumentation Theory: Cross-Disciplinary Perspectives* Nov 19 2021 This book offers its readers an overview of recent developments in the theory of legal argumentation written by representatives from various disciplines, including argumentation theory, philosophy of law, logic and artificial intelligence. It presents an overview of contributions representative of different academic and legal cultures, and different continents and countries. The book contains contributions on strategic maneuvering, argumentum ad absurdum, argumentum ad hominem, consequentialist argumentation, weighing and balancing, the relation between legal argumentation and truth, the distinction between the context of discovery and context of justification, and the role of constitutive and regulative rules in legal argumentation. It is based on a selection of papers that were presented in the special workshop on Legal Argumentation organized at the 25th IVR World Congress for Philosophy of Law and Social Philosophy held 15-20 August 2011 in Frankfurt, Germany.

**Philosophical Foundations of Evidence Law** Nov 07 2020

"Philosophical Foundations of Evidence Law presents a cross-disciplinary overview of the core issues in the theory and methodology of adjudicative evidence and factfinding, assembling the major philosophical and interdisciplinary insights that define evidence theory, as related to law, in a single book. The volume presents contemporary debates on truth, knowledge, rational beliefs, proof, argumentation, explanation, coherence, probability, economics, psychology, bias, gender, and race. It covers different theoretical approaches to legal evidence, including the Bayesian approach, scenario theory, and inference to the best explanation. The volume's contributions come from scholars spread across three continents and twelve different countries, whose common interest is evidence theory as related to law"-- from publisher's website.

**Reasoning in Ethics and Law** Jul 28 2022 Legal and moral

[digitaltutorials.jrn.columbia.edu](http://digitaltutorials.jrn.columbia.edu)

reasoning share much methodology, and they address similar problems. This volume charts two shared problems: the relation between theory, principles and particular judgments; and the role of facts and factual assertions in normative settings. The relation between 'theory' and 'practice' and between 'principle' and 'particular judgment' has become the subject of much debate in moral philosophy. In the ongoing debate, some moral philosophers refer to legal philosophy for a support of their views on the primacy of 'practice' over 'theory'. According to them, legal philosophy should have a more balanced view in that relation. In the contributions to Part One this claim is critically analysed. The role of the facts is underestimated in discussions on legal reasoning and legal theory, as well as moral reasoning and ethical theory. Factual statements enter into moral and legal discussions not only because they link the conclusion with a rule. They also play a role as background assumptions in supporting a theory. Its focus on the role of facts in normative reasoning makes this book of special interest to scholars of legal and moral argumentation.

*Between Truth and Power* Jan 28 2020 This work explores the relationships between legal institutions and political and economic transformation. It argues that as law is enlisted to help produce the profound economic and sociotechnical shifts that have accompanied the emergence of the informational economy, it is changing in fundamental ways.

What is Justice? Oct 19 2021 Kelsen, Hans. What is Justice? Justice, Law and Politics in the Mirror of Science. Berkeley: University of California Press, 1957. [vi], 397 pp. Reprinted 2000 by The Lawbook Exchange, Ltd. ISBN 1-58477-101-1. Cloth. New. \$95. \* Through the lens of science, Kelsen proposes a dynamic theory of natural law, examines Platonic and Aristotelian doctrines of justice, the idea of justice as found in the holy scriptures, and defines justice as "...that social order under whose protection the search for truth can prosper. 'My' justice, then, is the justice of freedom, the justice of peace, the justice of

democracy-the justice of tolerance." (p. 24).

Introduction to Critical Legal Theory Feb 20 2022 Introduction to Critical Legal Theory provides an accessible introduction to the study of law and legal theory. It covers all the seminal movements in classical, modern and postmodern legal thought, engaging the reader with the ideas of jurists as diverse as Aristotle, Hobbes and Kant, Marx, Foucault and Dworkin. At the same time, it impresses the interdisciplinary nature of critical legal thought, introducing the reader to the philosophy, the economics and the politics of law. This new edition focuses even more intently upon the narrative aspect of critical legal thinking and the re-emergence of a distinctive legal humanism, as well as the various related challenges posed by our 'new' world order. Introduction to Critical Theory is a comprehensive text for both students and teachers of legal theory, jurisprudence and related subjects.

*Law and Truth* Aug 17 2021 Taking up a single question--"What does it mean to say a proposition of law is true?"--this book advances a major new account of truth in law. Drawing upon the later philosophy of Wittgenstein, as well as more recent postmodern theory of the relationship between language, meaning, and the world, Patterson examines leading contemporary jurisprudential approaches to this question and finds them flawed in similar and previously unnoticed ways. He offers a powerful alternative account of legal justification, one in which linguistic practice--the use of forms of legal argument--holds the key to legal meaning.

**How the Laws of Physics Lie** Aug 29 2022 In this sequence of philosophical essays about natural science, Nancy Cartwright argues that fundamental explanatory laws, the deepest and most admired successes of modern physics, do not in fact describe the regularities that exist in nature. Yet she is not 'anti-realist'. Rather, she draws a novel distinction, arguing that theoretical entities, and the complex and localized laws that describe them, can be interpreted realistically, but that the simple unifying laws

of basic theory cannot.

**Law** Feb 29 2020 Interpretivist theories of law / Nicos Stavropoulos -- How facts make law / Mark Greenberg -- On the normative significance of brute facts / Ram Neta -- On practices and the law / Mark Greenberg -- Supervenience, value, and legal content / Enrique Villanueva -- Reasons without values? / Mark Greenberg -- Theory, practice and ubiquitous interpretation : the basics / Martin Stone -- Law as a reflective practice / Scott Hershovitz -- On reflective practices and 'substituting for God' / Martin Stone -- Metasemantics and objectivity / Ori Simchen -- Can objectivity be grounded in semantics? / Michael S. Moore -- A hybrid theory of claim-rights / Gopal Sreenivasan -- Is the will theory of rights superseded by the hybrid theory? / Horacio Spector -- In defense of the hybrid theory / Gopal Sreenivasan.

Theory of Legal Evidence - Evidence in Legal Theory Mar 24 2022

This book addresses theoretical problems concerning legal evidence. The concept of evidence is expected to fulfill a number of distinct roles in science and philosophy, but also in legal theory and law, some of which are complementary, while others are conflicting. In their profession, lawyers have to deal with evidence and proof. Yet the legal concept of evidence is constantly changing, and the debate concerning the distinction between a legal concept of evidence, the ordinary concept of evidence and the concept of evidence in science is far from being settled. What is more, the problem of evidence is central to both epistemology and the philosophy of science, and by extension to our academic thinking on law. In short, legal theorists' interest in evidence may include such diverse objects as a bloody knife, sensory data, linguistic entities or psychologically recognized beliefs. The book surveys selected theoretical roles that the concept of evidence plays and explores their relations and interconnections. The content is divided into three parts, investigating: (1) evidence in epistemology and the philosophy of science, which focuses on evidence methodologies and the

problem of proof in legal scholarship; (2) evidence in legal theory and legal philosophy, where particular attention is paid to the interplay between evidence, legal reasoning and the binding force of such reasoning; and (3) evidence in law, where theoretical problems pertaining to witnesses, expert opinions, explanations of the accused, statistical evidence and neuroscientific evidence are examined.

Law and Truth Apr 05 2023 Starting from the question 'what is legal knowledge?', Patterson examines the answers provided by the principal contemporary theories of jurisprudence, and concludes that they are all bound up with the nature of justification.

The Law-Governed Universe Jun 26 2022 John T. Roberts presents and defends a radically new theory of laws of nature, the Measurability Account. Though consistent with a Humean ontology, Roberts's theory differs sharply from the most influential Humean theory of laws, David Lewis's Best-System Analysis. Unlike other Humean theories, the Measurability Account affirms that there is an important sense in which the laws govern the universe, rather than simply describing it economically. Yet unlike non-Humean theories, it requires only minimal metaphysical commitments. In this way, it combines the advantages of Humean and non-Humean approaches to laws, while avoiding the pitfalls of each. At the heart of the Measurability Account are two new ideas: that lawhood is not a property of facts but rather a role that a proposition can play within a scientific theory, and that what is essential to laws is that they guarantee the reliability of methods of measuring natural quantities. On the basis of these ideas, Roberts argues that we can offer an informative and compelling explanation of why laws have the peculiar counterfactual resilience that sets them apart from accidental uniformities.

The Concept of Ideals in Legal Theory May 26 2022 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.

**Common Truths** Jun 14 2021 Addresses the questions philosophers have asked for centuries about the ground for man's actions. Why be moral? What is law? What are the limits of coercion within a just and free society? These and similar questions are ancient yet timely; and today, as always, they demand answers. Explicates the historical, theoretical, legislative and juridical aspects of natural law doctrine. The essayists reveal the comprehensiveness and, consequently, the usefulness of natural law theory in deriving human solutions to the problems confronting contemporary society.

**Interpretation without Truth** Sep 05 2020 This book engages in an analytical and realistic enquiry into legal interpretation and a selection of related matters including legal gaps, judicial fictions, judicial precedent, legal defeasibility, and legislation. Chapter 1 provides an outline of the central theoretical and methodological tenets of analytical realism. Chapter 2 presents a conceptual apparatus concerning the phenomenon of legal interpretation, which it subsequently applies to investigate the truth-in-legal-interpretation issue. Chapters 3 to 6 argue for a theory of legal interpretation - pragmatic realism - by outlining a theory of interpretive games, revisiting the debate between literalism and contextualism in contemporary philosophy of

language, and underscoring the many shortcomings of the container-retrieval view and pragmatic formalism. In turn, Chapter 7, focusing on comparative legal theory, advocates an interpretation-sensitive theory of legal gaps, as opposed to purely normativist ones. Chapter 8 explores the connection between judicial reasoning and judicial fictions, casting light on the structure and purpose of fictional reasoning. Chapter 9 provides an analytical enquiry into judicial precedent, examining a variety of ideal-typical systems in terms of their normative or de iure relevance. Chapter 10 addresses defeasibility and legal indeterminacy. In closing, Chapter 11 highlights the central tenets of a realistic theory of legislation.

**Philosophy of Law and Legal Theory** Jun 02 2020 This carefully selected set of readings presents some of the most important articles in the field. The collection is essential reading for anyone with an interest in legal philosophy. Gathers together some of the most important articles in the field of philosophy of law and legal theory. Complements Dennis Patterson's *A Companion to Philosophy of Law and Legal Theory* (Blackwell, 1999). Represents essential reading for the beginning law student.

**Gandhi in Political Theory** May 06 2023

**Philosophical Foundations of Evidence Law** Jan 22 2022 Philosophy has a strong presence in evidence law and the nature of evidence is a highly debated topic in both general and social epistemology; legal theorists working in the evidence law area draw on different underlying philosophical theories of knowledge, inference and probability. Core evidentiary concepts and principles, such as the presumption of innocence, standards of proof, and others, reply on moral and political philosophy for their understanding and interpretation. Written by leading scholars across the globe, this volume brings together philosophical debates on the nature and function of evidence, proof, and law of evidence. It presents a cross-disciplinary overview of central

issues in the theory and methodology of legal evidence and covers a wide range of contemporary debates on topics such as truth, proof, economics, gender, and race. The volume covers different theoretical approaches to legal evidence, including the Bayesian approach, scenario theory and inference to the best explanation. Divided in to five parts, *Philosophical Foundations of Evidence Law*, covers different theoretical approaches to legal evidence, including the Bayesian approach, scenario theory and inference to the best explanation.

*Aristotle and The Philosophy of Law: Theory, Practice and Justice*

Dec 21 2021 The book presents a new focus on the legal philosophical texts of Aristotle, which offers a much richer frame for the understanding of practical thought, legal reasoning and political experience. It allows understanding how human beings interact in a complex world, and how extensive the complexity is which results from humans' own power of self-construction and autonomy. The Aristotelian approach recognizes the limits of rationality and the inevitable and constitutive contingency in Law. All this offers a helpful instrument to understand the changes globalisation imposes to legal experience today. The contributions in this collection do not merely pay attention to private virtues, but focus primarily on public virtues. They deal with the fact that law is dependent on political power and that a person can never be sure about the facts of a case or about the right way to act. They explore the assumption that a detailed knowledge of Aristotle's epistemology is necessary, because of the direct connection between Enlightened reasoning and legal positivism. They pay attention to the concept of proportionality, which can be seen as a precondition to discuss liberalism.

**What is a Law of Nature?** Jul 16 2021 This is a study of a crucial and controversial topic in metaphysics and the philosophy of science: the status of the laws of nature. D. M. Armstrong works out clearly and in comprehensive detail a largely original view that laws are relations between properties or universals. The

theory is continuous with the views on universals and more generally with the scientific realism that Professor Armstrong has advanced in earlier publications. He begins here by mounting an attack on the orthodox and sceptical view deriving from Hume that laws assert no more than a regularity of coincidence between instances of properties. In doing so he presents what may become the definitive statement of the case against this position.

Professor Armstrong then goes on to establish his own theory in a systematic manner defending it against the most likely objections, and extending both it and the related theory of universals to cover functional and statistical laws. This treatment of the subject is refreshingly concise and vivid: it will both stimulate vigorous professional debate and make an excellent student text.

**Confessions, Truth, and the Law** Dec 29 2019 An analysis of the Miranda decision and the rights of the accused in the criminal justice system

**Evidence Matters** Oct 31 2022 Is truth in the law just plain truth - or something sui generis? Is a trial a search for truth? Do adversarial procedures and exclusionary rules of evidence enable, or impede, the accurate determination of factual issues? Can degrees of proof be identified with mathematical probabilities? What role can statistical evidence properly play? How can courts best handle the scientific testimony on which cases sometimes turn? How are they to distinguish reliable scientific testimony from unreliable hokum? These interdisciplinary essays explore such questions about science, proof, and truth in the law. With her characteristic clarity and verve, Haack brings her original and distinctive work in theory of knowledge and philosophy of science to bear on real-life legal issues. She includes detailed analyses of a wide variety of cases and lucid summaries of relevant scientific work, of the many roles of the scientific peer-review system, and of relevant legal developments.

**Nomic Truth Approximation Revisited** Jan 02 2023 This monograph presents new ideas in nomic truth approximation. It

features original and revised papers from a (formal) philosopher of science who has studied the concept for more than 35 years. Over the course of time, the author's initial ideas evolved. He discovered a way to generalize his first theory of nomic truth approximation, viz. by dropping an unnecessarily strong assumption. In particular, he first believed to have to assume that theories were maximally specific in the sense that they did not only exclude certain conceptual possibilities, but also that all non-excluded possibilities were in fact claimed to be nomically possible. Now, he argues that the exclusion claim alone, or for that matter the inclusion claim alone, is sufficient to motivate the formal definition of being closer to the nomic truth. The papers collected here detail this generalized view of nomic truthlikeness or verisimilitude. Besides this, the book presents, in adapted form, the relation with several other topics, such as, domain revision, aesthetic progress, abduction, inference to the best explanation, pragmatic aspects, probabilistic methods, belief revision and epistemological positions, notably constructive realism. Overall, the volume presents profound insight into nomic truth approximation. This idea seeks to determine how one theory can be closer to, or more similar to, the truth about what is nomically, e.g. physically, chemically, biologically, possible than another theory. As a result, it represents the ultimate goal of theory oriented empirical science. Theo Kuipers is the author of *Studies in Inductive Probability and Rational Expectation* (1978), *From Instrumentalism to Constructive Realism* (2000) and *Structures in Science* (2001). He is the volume-editor of the *Handbook on General Philosophy of Science* (2007). In 2005 there appeared two volumes of *Essays in Debate with Theo Kuipers*, entitled *Confirmation, Empirical Progress, and Truth Approximation and Cognitive Structures in Scientific Inquiry*.