

Philosophical issues in law

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John Oberdiek, Philosophical issues in tort law

Though this tripartite classification is an improvement, some maintain that further distinctions should be drawn Duff 2007, 263—298; Simester 2012. It may then be argued that people's lives should be regulated by the law not in order to further any secular human purposes but because conformity to God's will is in itself meritorious or obligatory. Satisfaction is guaranteed with every order.

Philosophical Problems in the Law by David M. Adams

Assuming that the prosecution must prove every element of the revised offence, this move brings the law into conformity with a purely procedural PI. Finally, critical theories of law, such as critical legal studies and feminist jurisprudence, challenge more traditional forms of legal philosophy.

Theories of Criminal Law (Stanford Encyclopedia of Philosophy)

Thus, although in general the law excludes reports of statements as evidence of the facts stated, it may admit such reports for other purposes, and in fact draws a distinction between statements of fact and what J. What we should make of this proposal depends on what a public wrong is Lamond 2007; Lee 2015; Edwards and Simester 2017.

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But reflection on what is thus identified by the common usage of such terms shows that the area they cover is one of great internal complexity; laws differ radically both in content and in the ways in which they are created, yet despite this heterogeneity they are interrelated in various complex ways so as to constitute a characteristic structure or system. The Laws of War, Jeff McMahan 25. It will never be tolerated, under any circumstances and your case will be referred to the Dean — WITHOUT EXCEPTION AND IMMEDIATELY.

PHIL 114 A: Philosophical Issues in the Law

The constraint to which most attention has been paid is the so-called harm principle.

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For words or in certain cases gestures, as in voting or other forms of behavior to have such operative effect, there must exist legal rules providing that if the words or gestures are used in appropriate circumstances by appropriately qualified persons, the general law or the legal position of individuals is to be taken as changed. Functionally, this is a version of the curial view.

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For example, I cannot avoid the benefits of laws ensuring clean air.

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