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Natural Law Theory Contemporary Essays

Nigel Biggar, Rufus Black



Natural Law Theory Contemporary Essays:

Natural Law Theory Robert P. George, 1992 This volume presents twelve original essays by contemporary natural law theorists and their critics Natural law theory is enjoying a revival of interest today in a variety of disciplines including law philosophy political science and theology and religious studies These essays offer readers a sense of the lively contemporary debate among natural law theorists of different schools as well as between natural law theorists and their critics *Natural Law Theory* Robert P. George, 1992

Natural Law, Liberalism, and Morality Robert P. George, 2001 A number of leading defenders of natural law and liberalism offer frank and lively exchanges touching upon critical issues surrounding contemporary moral and political theory

Natural Law and Modern Moral Philosophy: Volume 18, Social Philosophy and Policy, Part 1 Ellen Frankel Paul, Fred D. Miller, Jr., Jeffrey Paul, 2001-01-29 The essays in this volume written by academic lawyers as well as legal and moral philosophers address some of the most intriguing questions raised by natural law theory and its implications for law morality and public policy Some of the essays explore the implications that natural law theory has for jurisprudence asking what natural law suggests about the use of legal devices such as constitutions and precedents Other essays examine the connections between natural law and natural rights

Natural Law and Contemporary Public Policy David Forte, 1998-08-01 Rooted in Western classical and medieval philosophies the natural law movement of the last few decades seeks to rediscover fundamental moral truths In this book prominent thinkers demonstrate how natural law can be used to resolve a wide range of complex social political and constitutional issues by addressing controversial subjects that include the family taxation war racial discrimination medical technology and sexuality This volume will be of value to those working in philosophy political science and legal theory as well as to policy analysts legislators and judges

Contemporary Perspectives on Natural Law Ana Marta González, 2008 This book is a major contribution to the renewed interest in natural law It provides the reader with a comprehensive overview of natural law both from a historical and a systematic point of view It ranges from the mediaeval synthesis of Aquinas through the early modern elaborations of natural law up to current discussions on the very possibility and practical relevance of natural law theory for the contemporary mind

Natural Law Alejandro Néstor García Martínez, Mario Šilar, José M. Torralba, 2009-03-26 Modern moral and political philosophy is in debt with natural law theory both in its ancient and mediaeval elaborations While the very notion of a natural law has proved highly controversial among 20th Century scholars the last decades have witnessed a renewed interest in it Indeed the threats and challenges as result of multiculturalism plural societies and global changes have generated a renewed attention to natural law theory Clearly it offers solid basis as possible framework to a better understanding of human goods without contradictions and partial bias The purpose of the present volume is to provide an overview of the history of this concept Cicero St Paul Aquinas Melanchthon Montaigne Descartes Leibniz Hume Burke Kant MacIntyre etc as well as a deep understanding of ongoing research both in Europe and in America Furthermore the

specificity of these studies will be of particular value to philosophers law philosophers historians anthropologists sociologists and theologians and those concerned on such issues as the relation between law and moral norm law and practical reason and the presence of the idea of natural law in several prominent thinkers It includes a selected bibliography on natural law The book also provides an excellent introduction to several of the major topics in natural law theory making it useful both as a reference text and as a sourcebook for academics alike Natural law is a rich complex and highly disputed term Since its first appearances in the history of Western civilization it has been used both to point to God as the source of the moral order and to assert that there is an objective order of justice in nature that men and their laws ought to respect In modern times natural law theory gave birth to what we usually call human rights Unlike the meaning of the term the importance of an ongoing debate on natural law and on the theories related to it is undisputable This is why I welcome today this new collection of essays edited by Alejandro N stor Garc a Mart nez Mario ilar and Jos M Torralba Natural Law Historical Systematic and Juridical Approaches includes a wide variety of studies covering key authors and issues in natural law theory Younger students will appreciate the clarity of the chapters and more trained readers the detailed and accurate bibliographical references that each of them offers The editors s choice to go from a historical approach to contemporary theories and then to theoretical and more practical issues is also commendable Students in philosophy and in legal theory will greatly benefit from this book Fulvio Di Blasi author of God and the Natural Law A Rereading of Thomas Aquinas **The Invisible Origins of Legal Positivism** W.E. Conklin,2001-08-31 Conklin s thesis is that the tradition of modern legal positivism beginning with Thomas Hobbes postulated different senses of the invisible as the authorising origin of humanly posited laws Conklin re reads the tradition by privileging how the canons share a particular understanding of legal language as written Leading philosophers who have espoused the tenets of the tradition have assumed that legal language is written and that the authorising origin of humanly posited rules norms is inaccessible to the written legal language Conklin s re reading of the tradition teases out how each of these leading philosophers has postulated that the authorising origin of humanly posited laws is an unanalysable externality to the written language of the legal structure As such the authorising origin of posited rules norms is inaccessible or invisible to their written language What is this authorising origin Different forms include an originary author an a priori concept and an immediacy of bonding between person and laws In each case the origin is unwritten in the sense of being inaccessible to the authoritative texts written by the officials of civil institutions of the sovereign state Conklin sets his thesis in the context of the legal theory of the polis and the pre polis of Greek tribes The author claims that the problem is that the tradition of legal positivism of a modern sovereign state excises the experiential or bodily meanings from the written language of the posited rules norms thereby forgetting the very pre legal authorising origin of the posited norms that each philosopher admits as offering the finality that legal reasoning demands if it is to be authoritative **Reconciling Law and Morality in Human Rights Discourse** Willy Moka-Mubelo,2016-12-13 In

this book I argue for an approach that conceives human rights as both moral and legal rights. The merit of such an approach is its capacity to understand human rights more in terms of the kind of world free and reasonable beings would like to live in rather than simply in terms of what each individual is legally entitled to. While I acknowledge that every human being has the moral entitlement to be granted living conditions that are conducive to a dignified life, I maintain at the same time that the moral and legal aspects of human rights are complementary and should be given equal weight. The legal aspect compensates for the limitations of moral human rights, the observance of which depends on the conscience of the individual, and the moral aspect tempers the mechanical and inhumane application of the law. Unlike the traditional or orthodox approach which conceives human rights as rights that individuals have by virtue of their humanity, and the political or practical approach which understands human rights as legal rights that are meant to limit the sovereignty of the state, the moral legal approach reconciles law and morality in human rights discourse and underlines the importance of a legal framework that compensates for the deficiencies in the implementation of moral human rights. It not only challenges the exclusively negative approach to fundamental liberties but also emphasizes the necessity of an enforcement mechanism that helps those who are not morally motivated to refrain from violating the rights of others. Without the legal mechanism of enforcement, the understanding of human rights would be reduced to simply framing moral claims against injustices. From the moral legal approach, the protection of human rights is understood as a common and shared responsibility. Such a responsibility goes beyond the boundaries of nation states and requires the establishment of a cosmopolitan human rights regime based on the conviction that all human beings are members of a community of fate and that they share common values which transcend the limits of their individual states. In a cosmopolitan human rights regime, people are protected as persons and not as citizens of a particular state.

Aquinas's Theory of Natural Law Anthony J. Lisska, 1996. Aquinas needs no introduction as one of the greatest minds of the middle ages. Highly influential on the development of Christian doctrine, his ideas are still of fundamental philosophical importance. This new critique of his natural law theory discusses the theory's background in Aristotle and advances new interpretations of contemporary legal issues which hark back to Aquinas.

Natural Law, Laws of Nature, Natural Rights Francis Oakley, 2005-09-22. Choice Outstanding Academic Title 2006. The existence and grounding of human or natural rights is a heavily contested issue today, not only in the West but in the debates raging between fundamentalists and liberals or modernists in the Islamic world. So too are the revised versions of natural law espoused by thinkers such as John Finnis and Robert George. This book focuses on three bodies of theory that developed between the thirteenth and seventeenth centuries: 1) the foundational belief in the existence of a moral juridical natural law embodying universal norms of right and wrong and accessible to natural human reason; 2) the understanding of scientific uniformities of nature as divinely imposed laws which rose to prominence in the seventeenth century; and 3) finally, the notion that individuals are bearers of inalienable natural or human rights. While seen today as distinct bodies of theory often locked in mutual

conflict they grew up inextricably intertwined The book argues that they cannot be properly understood if taken each in isolation from the others St. Thomas Aquinas and the Natural Law Tradition John Goyette, Mark S. Latkovic, Richard S. Myers, 2004-09 Papers from a conference held in June 2000 in Michigan **Justifying Judgment** Vincent Joseph Samar, 1998 Samar philosophy Loyola U seeks to develop a metatheory of law that judges could use to decide very hard cases in which the law offers no firm precedents or it is not clear whether the applicable law is just He discusses theories of political philosophy that set a foundation for the duty to obey law presents a natural law justification for a legal system containing morally just laws uses his metatheory to resolve five historically significant constitutional cases and offers suggestions for legal education Annotation copyrighted by Book News Inc Portland OR The Canadian Journal of Law and Jurisprudence, 2004 **Narrative and the Natural Law** Pamela M. Hall, 1994 This study offers an alternative to rigid legalistic interpretations of the substantial discussions of law in Thomas Aquinas's Summa theologiae and defends his ethics from charges of excessive legalism **The Revival of Natural Law** Nigel Biggar, Rufus Black, 2000 Natural law theory has been enjoying a significant revival in recent times Led by Germain Grisez in the USA and John Finnis in the UK one school of thinkers has been articulating a highly developed system of natural law built upon a sophisticated account of practical reasoning and a rich and flexible understanding of the human good However long standing prejudices against old style natural law among moral philosophers and Protestant ethicists together with the new theory's appropriation by conservatives in the impassioned debate between the Vatican and dissenting theologians in the United States have prevented the Finnis Grisez version from being adequately appreciated Providing a clear and substantive introduction to the theory for those who are new to it this book then broadens assesses and advances the debate about it examining crucial philosophical theological and ethical issues and opening up discussion beyond the confines of the Roman Catholic Church Part 1 on philosophical issues starts with two broad chapters that locate the Grisez school in relation to modern moral philosophy and the Roman Catholic philosophical tradition of Thomism and then follows these with further chapters on two crucial issues the possibility of consensus on the human good and the nature of moral absolutes Part 2 on theological dimensions begins with a Lutheran critique of Grisez locates him in relation to the ethics of two very prominent 20th century Protestants Karl Barth and Stanley Hauerwas and then explores the major area of theological controversy within the Roman Catholic community how to conceive of the Church's authority with regard to moral matters Part 3 subjects the school's thought to critical examination in a broad range of ethical fields bioethics gender sex and the environment A concluding chapter then develops eight topics that recur in the course of the book the status of ethical realism in the contemporary intellectual climate whether realism is best conceived in rationalist or naturalist terms whether marriage should be counted as a basic good whether physical pleasure should not be counted a basic good whether it is always wrong to act deliberately against a basic good the problems of moral certainty and authority the rapprochement between Protestant and Roman Catholic ethics and finally whether

ethical understanding is really independent of one's anthropological point of view Drawing together North American European and Australian contributors from across moral philosophy and Protestant ethics as well as from Roman Catholic moral theology this book opens up the debate about the Finnis Grisez theory highlighting its strengths and weaknesses in order to advance current discussion about natural law in moral theology and in moral and legal philosophy *A Book of Modern Essays* Bruce McCullough, Edwin Berry Burgum, 1926 Essays on Some Disputed Questions in Modern International Law Thomas Joseph Lawrence, 1885 **Natural Law Theory** Robert P. George, 1997-07-01 **Subject Guide to Books in Print**, 1996

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