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## The obligation to obey in legal theory

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# The Obligation To Obey In Legal Theory

**Andrei Marmor**



## **The Obligation To Obey In Legal Theory:**

**The Obligation to Obey in Legal Theory** H. McCoubrey, 1997 This work on the obligatory character of law argues that much of the apparent inconsistency in this area derives from a misconception of conventional linguistic usage Legal obligation is seen as involving multiple linguistic usages including at least three different types of obligation *The Methodology of Legal Theory* Michael Giudice, Wil Waluchow, 2017-07-05 The last decade has witnessed a particularly intensive debate over methodological issues in legal theory The publication of Julie Dickson's *Evaluation and Legal Theory* 2001 was significant as were collective returns to H L A Hart's *Postscript to The Concept of Law* While influential articles have been written in disparate journals no single collection of the most important papers exists This volume the first in a three volume series aims not only to fill that gap but also propose a systematic agenda for future work The editors have selected articles written by leading legal theorists including among others Leslie Green Brian Leiter Joseph Raz Ronald Dworkin and William Twining and organized under four broad categories 1 problems and purposes of legal theory 2 the role of epistemology and semantics in theorising about the nature of law 3 the relation between morality and legal theory and 4 the scope of phenomena a general jurisprudence ought to address **A Companion to Philosophy of Law and Legal Theory** Dennis Patterson, 2010-01-15 The articles in this new edition of *A Companion to Philosophy of Law and Legal Theory* have been updated throughout and the addition of ten new articles ensures that the volume continues to offer the most up to date coverage of current thinking in legal philosophy Represents the definitive handbook of philosophy of law and contemporary legal theory invaluable to anyone with an interest in legal philosophy Now features ten entirely new articles covering the areas of risk regulatory theory methodology overcriminalization coercion unjust enrichment the rule of law law and society and Kantian legal philosophy Essays are written by an international team of leading scholars **Theories of Legal Obligation** Deryck Beyleveld, Stefano Bertea, 2024-04-06 This volume collects six original essays by internationally respected researchers who have devoted themselves to the study of legal obligation It brings together works that innovatively address key dimensions of the current debates concerning legal obligation from different and in some cases even opposing theoretical perspectives As a result the collection offers a comprehensive discussion of legal obligation that promises to significantly advance our understanding of the obligatory dimension of law What specifically connects the contributions gathered here is one common thread coming to terms with a notion legal obligation that is of both practical and theoretical importance On the one hand it is widely regarded as a fundamental legal concept by legal practitioners and laypeople alike as not only judges prosecutors lawyers and juries but also ordinary citizens make extensive use of obligation related terms and discourses On the other hand the notion of legal obligation is of paramount significance for the theory of law Indeed even legal theorists who quite understandably refuse to reduce the law to a mere obligation imposing device and opt instead for a view in which the normative dimension of the law also encompasses powers rights permissions privileges

and immunities duly acknowledge the centrality of legal obligation for the understanding and conceptualisation of law Hence the importance of the treatments presented in this volume

**The Blackwell Guide to the Philosophy of Law and Legal Theory** Martin P. Golding, William A. Edmundson, 2008-04-15 The Blackwell Guide to the Philosophy of Law and Legal Theory is a handy guide to the state of play in contemporary philosophy of law and legal theory Comprises 23 essays critical essays on the central themes and issues of the philosophy of law today written by an international assembly of distinguished philosophers and legal theorists Each essay incorporates essential background material on the history and logic of the topic as well as advancing the arguments Represents a wide variety of perspectives on current legal theory

**Jurisprudence (Legal Theory)** Dr Chandrani Shashikant Bagadi, 2023-07-12 Jurisprudence is the basis of all law Jurisprudence is the living science of Law Jurisprudence deals with the knowledge of the law and legal principles As it is the basis of law it is necessary to reach students It is solid foundation of knowledge and it also includes critical understanding Jurisprudence and Legal Theory Author has taught Jurisprudence for many years Author has tried to reach students in easy language Jurisprudence is the base of all subjects Author has tried his best to reach students through his book It includes all schools concepts sources Academically also it is useful for LL B LL M NET SET exam and research students This book aim is to give knowledge of what is law and explain the principles of Jurisprudence and Legal Theory to students advocate society and researchers As this is my effort to publish First Edition I therefore welcome if there are any suggestions to improve this book

**A Theory of Legal Obligation** Stefano Berteau, 2019-10-03 Berteau puts forward a comprehensive and original theory of legal obligation understood as a distinctive legal concept

**Understanding Jurisprudence** Raymond Wacks, 2021 Understanding Jurisprudence provides an illuminating and engaging introduction to the central questions of legal theory It is the perfect starting point for those new to the subject

**Ethical Dimensions of Legal Theory**, 2021-11-15

**Oxford Studies in Philosophy of Law Volume 3** John Gardner, Leslie Green, Brian Leiter, 2018-09-13 Oxford Studies in Philosophy of Law is a forum for some of the best new philosophical work on law by both senior and junior scholars from around the world The essays range widely over issues in general jurisprudence the nature of law adjudication and legal reasoning the philosophical foundations of specific areas of law from criminal law to evidence to international law the history of legal philosophy and related philosophical topics that illuminate the problems of legal theory OSPL will be essential reading for philosophers academic lawyers political scientists and historians of law who wish to keep up with the latest developments in this flourishing field

**Moral Aspects of Legal Theory** David Lyons, 1993-01-29 In this volume Professor Lyons outlines his fundamental views about the nature of law and its relation to morality and justice

**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

**The Ethics of Deference** Philip Soper, 2002-10-24 Differs from standard approaches by focusing on the language of deference instead of obedience

**Republican Legal Theory** M. Sellers, 2003-09-07 Republican legal theory developed out of the jurisprudential and constitutional legacy of the Roman *res publica* as interpreted over two millennia in Europe and North America In this book the most comprehensive study of republican legal ideas to date Professor Sellers traces the development of republican legal theory Explaining the importance of popular sovereignty the rule of law the separation of powers and other essential republican legal characteristics he argues that these republican institutions have introduced a new era of justice into politics

**Evaluation and Legal Theory** Julie Dickson, 2001-05 If Raz and Dworkin disagree over how law should be characterised how are we their jurisprudential public supposed to go about adjudicating between the rival theories which they offer us To what considerations would those theorists themselves appeal in order to convince us that their accounts of law are accurate and successful Moreover what is it that makes an account of law successful Evaluation and Legal Theory tackles methodological or meta theoretical issues such as these and does so via attempting to answer the question to what extent and in what sense must a legal theorist make value judgements about his data in order to construct a successful theory of law Dispelling the obfuscatory myth that legal positivism seeks a value free account of law the author attempts to explain and defend Joseph Raz's position that evaluation is essential to successful legal theory whilst refuting John Finnis and Ronald Dworkin's contentions that the legal theorist must morally evaluate and morally justify the law in order to properly explain its nature The book does not claim to solve the many mysteries of meta legal theory but does seek to contribute to and engender rigorous and focused debate on this topic

**The Autonomy of Law** Robert P. George, 1996 This collection of essays from legal philosophers offers an assessment of the nature and viability of legal positivism It addresses questions such as to what extent is the law adequately described as autonomous and should legal theorists maintain a conceptual separation of law and morality

**Interpretation and Legal Theory** Andrei Marmor, 2005-04-25 This is a revised and extensively rewritten edition of one of the most influential monographs on legal philosophy published in recent years Writing in the introduction to the first edition the author characterized Anglophone philosophers as being divided and often wavering between two main philosophical objectives the moral evaluation of law and legal institutions and an account of its actual nature Questions of methodology have therefore tended to be sidelined but were bound to surface sooner or later as they have in the later work of Ronald Dworkin The main purpose of this book is to

provide a critical assessment of Dworkin's methodological turn away from analytical jurisprudence towards a theory of interpretation and the issues it gives rise to. The author argues that the importance of Dworkin's interpretative turn is not that it provides a substitute for semantic theories of law, a dubious concept, but that it provides a new conception of jurisprudence aiming to present itself as a comprehensive rival to the conventionalism manifest in legal positivism. Furthermore, once the interpretative turn is regarded as an overall challenge to conventionalism, it is easier to see why it does not confine itself to a critique of method. Law as interpretation calls into question the main tenets of its positivist rival in substance as well as method. The book re-examines conventionalism in the light of this interpretative challenge.

*Law Without Values* Albert W. Alschuler, 2000. Albert Alschuler's study of Holmes is very different from other books about him in that it is an exercise in debunking him.

*The Disintegration of Natural Law Theory* Pauline C. Westerman, 2014-10-21. John Finnis's proposal to rehabilitate Aquinas's natural law theory as an appropriate foundation of legal and moral theory rests on the assumption that Aquinas's theory can be restored by eliminating the mistaken interpretations of subsequent natural law theorists. This book challenges that assumption. After a brief analysis of Aquinas, the theories of Suarez, Grotius, and Pufendorf are investigated. It is argued that their theories are not mistakes but attempts at solving problems inherent in natural law theory. As these attempts all fail, tensions remain and ultimately lead to the demise of the theory. Finally, it is argued that Finnis, running into the same problems, cannot hope to restore Aquinas's theoretical edifice.

Modern Legal Theory & Judicial Impartiality Ofer Raban, 2012-09-10. This book argues that at the core of legal philosophy's principal debates there is essentially one issue: judicial impartiality. Keeping this issue to the forefront, Raban's approach sheds much light on many difficult and seemingly perplexing jurisprudential debates. *Modern Legal Theory and Judicial Impartiality* offers a fresh and penetrating examination of two of the most celebrated modern legal theorists, HLA Hart and Ronald Dworkin. The book explains the relations between these two scholars and other theorists and schools of thought, including Max Weber, Lon Fuller, and the law and economics movement, offering both novices and experts an innovative and lucid look at modern legal theory. The book is written in an engaging and conversational style, tackling highly sophisticated issues in a concise and accessible manner. Undergraduates in jurisprudence and legal theory, as well as more advanced readers, will find it clear and challenging.

This book delves into The Obligation To Obey In Legal Theory. The Obligation To Obey In Legal Theory is a vital topic that needs to be grasped by everyone, from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into The Obligation To Obey In Legal Theory, encompassing both the fundamentals and more intricate discussions.

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- Chapter 4: The Obligation To Obey In Legal Theory in Specific Contexts
- Chapter 5: Conclusion

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6. In chapter 5, this book will draw a conclusion about The Obligation To Obey In Legal Theory. This chapter will summarize the key points that have been discussed throughout the book.

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## **Table of Contents The Obligation To Obey In Legal Theory**

1. Understanding the eBook The Obligation To Obey In Legal Theory
  - The Rise of Digital Reading The Obligation To Obey In Legal Theory
  - Advantages of eBooks Over Traditional Books
2. Identifying The Obligation To Obey In Legal Theory
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an The Obligation To Obey In Legal Theory
  - User-Friendly Interface
4. Exploring eBook Recommendations from The Obligation To Obey In Legal Theory
  - Personalized Recommendations
  - The Obligation To Obey In Legal Theory User Reviews and Ratings
  - The Obligation To Obey In Legal Theory and Bestseller Lists
5. Accessing The Obligation To Obey In Legal Theory Free and Paid eBooks
  - The Obligation To Obey In Legal Theory Public Domain eBooks
  - The Obligation To Obey In Legal Theory eBook Subscription Services
  - The Obligation To Obey In Legal Theory Budget-Friendly Options
6. Navigating The Obligation To Obey In Legal Theory eBook Formats
  - ePub, PDF, MOBI, and More
  - The Obligation To Obey In Legal Theory Compatibility with Devices
  - The Obligation To Obey In Legal Theory Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of The Obligation To Obey In Legal Theory
  - Highlighting and Note-Taking The Obligation To Obey In Legal Theory
  - Interactive Elements The Obligation To Obey In Legal Theory



8. Staying Engaged with The Obligation To Obey In Legal Theory
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers The Obligation To Obey In Legal Theory
9. Balancing eBooks and Physical Books The Obligation To Obey In Legal Theory
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection The Obligation To Obey In Legal Theory
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine The Obligation To Obey In Legal Theory
  - Setting Reading Goals The Obligation To Obey In Legal Theory
  - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of The Obligation To Obey In Legal Theory
  - Fact-Checking eBook Content of The Obligation To Obey In Legal Theory
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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web this method can be used to determine the distance between any two points in a coordinate plane and is summarized in the distance formula  $d = \sqrt{(x_2 - x_1)^2 + (y_2 - y_1)^2}$  the point that is at the same distance from two points  $a(x_1, y_1)$  and  $b(x_2, y_2)$  on a line is called the midpoint you

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