

# OBJECTIVITY IN LAW AND MORALS

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**CAMBRIDGE STUDIES IN  
PHILOSOPHY AND LAW**

# Objectivity In Law And Morals

**Philip Soper**

## **Objectivity In Law And Morals:**

Objectivity in Law and Morals Brian Leiter,2000-10-02 The seven original essays included in this volume offer a sophisticated perspective on issues about the objectivity of legal interpretation and judicial decision making. They examine objectivity from both metaphysical and epistemological perspectives and develop a variety of approaches constructive and critical to the fundamental problems of objectivity in morality. This is the first volume to consider the intersection between objectivity in ethics and the objectivity in law. It presents a state of the art survey of live issues in metaethics and examines their relevance to theorizing about law and adjudication. Truth and Objectivity in Law and Morals II André Ferreira Leite de Paula,Andrés Santacoloma Santacoloma,Gonzalo Villa Rosas,2016 Objectivity and truth are highly contested issues in contemporary Legal and Moral Philosophy. There are a full range of approaches from the very skeptic and pessimistic positions to the most contemplative and optimistic conceptions which defend their possibility not only within the theoretical but also within the practical thought. Any possible approach should be diverse enough in order to integrate among others the concepts of facts existence justifiability language emotions disagreement and a degree of relatedness between law and morals. This book addresses these topics from various points of view. It is comprised of a selection of the papers presented at the Second Special Workshop Truth and Objectivity in Law and Morals held at the 27th World Congress of the IVR in Washington D C USA 2015. The compilation is divided into four parts that focus on objectivity and truth in law legal reasoning and Kelsen's Theory of Law as well as objectivity and truth in morals. Objectivity and the Rule of Law Matthew

Kramer,2007-06-11 What is objectivity What is the rule of law Are the operations of legal systems objective If so in what ways and to what degrees are they objective Does anything of importance depend on the objectivity of law These are some of the principal questions addressed by Matthew H Kramer in this lucid and wide ranging study that introduces readers to vital areas of philosophical enquiry. As Kramer shows objectivity and the rule of law are complicated phenomena each comprising a number of distinct though overlapping dimensions. Although the connections between objectivity and the rule of law are intimate they are also densely multi faceted. Truth and Objectivity in Law and Morals Hajime Yoshino,Andrés

Santacoloma Santacoloma,Gonzalo Villa Rosas,2016 This volume contains a selection of papers presented at the special workshop Truth and Objectivity in Law and Morals held at the 26th World Congress of the IVR. The papers deal with diverse but correlated issues such as the search for truth in and through legal argumentation the intelligible character of rules inside theories of interpretation which guarantee the coherence and the integrity of law the role of hermeneutic analysis in the construction of the objectivity of law the procedural and contextual aspects of objectivity in legal reasoning the role of objectivity in the distinction between the context of justification and the context of discovery the problem about truth of normative propositions and legal statements the incompatibility of non factualism with the traditional account of validity and legality as well as the possibility of objectivity in morals. Objectivity in Ethics and Law Michael S. Moore,2004 This

volume collects six of Michael Moore's influential studies on moral and legal objectivity. Presented in an accessible format the essays are brought together by a thought provoking introduction. Contents Introduction ETHICS Moral reality Moral reality revisited Good without God LAW Law as justice The plain truth about legal truth Legal reality a naturalist approach to legal ontology NAME INDEX

**Positive Law and Objective Values** Andrei Marmor, 2001 This book presents a comprehensive defence of legal positivism on the basis of a novel account of social conventions. Marmor argues that the law is founded on constitutive conventions and that consequently moral values cannot determine what the law is. On the basis of a theory of social conventions and an analysis of law's authoritative nature the book sets out the scope of law in relation to moral and other critical values. The book also maintains however that moral values are objective. It comprises a detailed analysis of the concept of objectivity arguing that many aspects of the law and of moral values are metaphysically objective.

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

**Meta-ethics, Moral Objectivity and Law** Veronica Rodriguez-Blanco, 2004 The book shows the relevance of meta ethical and metaphysical considerations to determine the nature of law and the connection between objective moral and legal judgements. The investigation analyses the legal theories of Ronald Dworkin, Jürgen Habermas and Michael Moore. The conclusion of the scrutiny is that the discussed views fail to explain the plausible links between objective moral and legal judgements. The lesson to learn from the failure of these philosophical perspectives is that we need to revise fundamental meta ethical conceptions within law. In addition to the view that meta ethical and metaphysical considerations play a central role in our understanding of objective moral and legal judgements we enforce the idea that it is necessary to revise our meta ethical and metaphysical premises in jurisprudence. Epistemic and meta ethical abstinence in legal theory in this way is challenged by a number of criticisms. The outcome of our reflection is that in legal theory as in many other disciplines we need to take truth and objectivity seriously.

**Law and Objectivity** Kent Greenawalt, 1995-06-29 A third involves appropriate levels of generality for legal standards and the claim of some feminists that in its abstractness and generality the law is overly masculine

**Law and Interpretation** Andrei Marmor, 1995 Interest in interpretation has emerged in recent years as one of the main intellectual paradigms of legal scholarship. This collection of new essays in law and interpretation provides the reader with an overview of this important topic written by some of the most distinguished scholars in the field. The book begins with interpretation as a general method of legal theorizing and thus provides critical assessment of the recent interpretative turn in jurisprudence. Further chapters include essays on the nature of interpretation its objectivity the possible determinacy of legal standards and their nature. Concluding with a series of articles on the role of legislative intent in the interpretation of statutes this work offers new and refreshing insights into this old controversy.

*Judicial Review in an Objective Legal System* Tara Smith, 2015-08-07 How should courts interpret the law. While all agree that courts must be objective people differ sharply over what this demands in practice fidelity to the text To the will of the people To certain

moral ideals In Judicial Review in an Objective Legal System Tara Smith breaks through the false dichotomies inherent in dominant theories various forms of originalism living constitutionalism and minimalism to present a new approach to judicial review She contends that we cannot assess judicial review in isolation from the larger enterprise of which it is a part By providing careful clarification of both the function of the legal system as well as of objectivity itself she produces a compelling firmly grounded account of genuinely objective judicial review Smith s innovative approach marks a welcome advance for anyone interested in legal objectivity and individual rights **Finney's Lectures on Systematic Theology**

Charles G. Finney,1878 **System of Christian Ethics** Isaak August Dorner,August Dorner,August Johannes Dorner,1887

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