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# The Notion of an Ideal Audience in Legal Argument

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# Nature Of Legal Argument

**Otto Christian Jensen**



## Nature Of Legal Argument:

The Nature of Legal Argument ,1957      The Nature of Legal Argument, by O. C. Jensen,... O. C. Jensen,1957

**Thomas Hobbes and the Debate over Natural Law and Religion** Stephen A. State,2013-07-18 The argument laid out in this book discusses and interprets the work of Hobbes in relation to religion It compares a traditional interpretation of Hobbes where Hobbes use of conventional terminology when talking about natural law is seen as ironic or merely convenient despite an atheist viewpoint with the view that Hobbes morality is truly traditional and Christian The book considers other thinkers of the age in tandem with Hobbes and discusses in detail his theology inspired by corporeal mechanics The position is that there are significant senses in which Hobbes can be said to be a traditional natural law theorist      **Research**

**Handbook on Natural Law Theory** Jonathan Crowe,Constance Youngwon Lee,2019 p p1 margin 0 0px 0 0px 0 0px 0 0px font 10 0px Arial p p2 margin 0 0px 0 0px 0 0px 0 0px font 10 0px Arial min height 11 0px span s1 font 10 0px Helvetica This thought provoking Research Handbook provides a snapshot of current research on natural law theory in ethics politics and law showcasing the breadth and diversity of contemporary natural law thought The Research Handbook on Natural Law Theory examines topics such as foundational figures in Western natural law theory natural law ideas in a variety of religious and cultural traditions normative foundations of natural law as well as issues of law and governance Featuring contributions by leading international scholars this Research Handbook offers a valuable resource for scholars in law philosophy religious studies and related fields      *On Law and the Nature of Legal Argument* George Custis Christie,1966      Hans Kelsen and the Natural Law Tradition Peter Langford,Ian Bryan,John McGarry,2019-03-19 Hans Kelsen and the Natural Law Tradition provides the first sustained examination of Hans Kelsen s critical engagement itself founded upon a distinctive theory of legal positivism with the Natural Law Tradition This edited collection commences with a comprehensive introduction which establishes the character of Kelsen s critical engagement as a general critique of natural law combined with a more specific critique of representative thinkers of the Natural Law Tradition The subsequent chapters are then devoted to a detailed analysis of Kelsen s engagement with prominent theorists from the Natural Law Tradition The volume concludes with an exploration focusing upon the delineation of a non positivist legal theory in the debate between Robert Alexy and Joseph Raz of the continued presence of Kelsenian legal positivism in contemporary legal theory      **Famous Legal Arguments** Moses

Field,1897      **The Nature of Legal Argument** Otto Christian Jensen,1957      **Natural Law in Jurisprudence and Politics** Mark C. Murphy,2006-03-13 Natural law is a perennial though poorly represented and understood issue in political philosophy and the philosophy of law In this 2006 book Mark C Murphy argues that the central thesis of natural law jurisprudence that law is backed by decisive reasons for compliance sets the agenda for natural law political philosophy demonstrating how law gains its binding force by way of the common good of the political community Murphy s work ranges over the central questions of natural law jurisprudence and political philosophy including the formulation and defense of the

natural law jurisprudential thesis the nature of the common good the connection between the promotion of the common good and requirement of obedience to law and the justification of punishment *Natural Moral Law in Contemporary Society* Holger Zaborowski, 2010-08 Natural law is a controversial subject but one of great significance in the ongoing and increasingly important discussion about the foundations of moral reasoning The essays of this volume examine natural moral law different natural law theories and the role that natural law can and should play in our contemporary society While some essays explore systematically the metaphysical and moral foundations of natural law others focus on questions related to the application of natural law in the political medical or legal realm or discuss historical questions that are closely related to the crisis and defense of natural law All contributors agree that natural law is a concept that cannot and must not be dismissed and that is in need of a careful retrieval While there are clearly differences in emphasis among the contributors most of them also agree that the defense of natural law the critique of the modern dismissal of natural law and of a modern non teleological understanding of nature and the proper use of philosophical reasoning are all closely related The book continues the ongoing Studies in Philosophy and the History of Philosophy series ABOUT THE EDITOR Holger Zaborowski is assistant professor of philosophy at the Catholic University of America He is the author of Robert Spaemann's Philosophy of the Human Person Nature Freedom and the Critique of Modernity and Eine Frage von Irre und Schuld Martin Heidegger und der Nationalsozialismus CONTRIBUTORS Joseph Cardinal Ratzinger Benedict XVI J Budziszewski Jean De Groot Jorge L A Garcia Luke Gormally Mary M Keys V Bradley Lewis Nelson Lund David S Oderberg John Rist Francis Slade and Robert Sokolowski

*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 **Writings and speeches hitherto uncollected, v. 3.**

**Miscellaneous papers, legal arguments, early addresses, etc** Daniel Webster, 1903 **Immovable Laws, Irresistible Rights** Christine Pierce, 2000 Same sex partnerships Pregnancy through in vitro fertilization Ending one's own life in dignity All are deemed inherently wrong by the standards of natural law ethics but for many people they represent legitimate life choices that are morally right Now a leading feminist critic of the natural law tradition explores the ongoing confrontation between natural law and moral rights to argue that rights constitute a more solid grounding for ethics in human affairs and for feminist thought In this volume Christine Pierce's important essays including the celebrated Natural Law Language and Women expand reflect and refine this central controversy Reaching back to Aristotle and Aquinas and drawing on modern papal encyclicals and Supreme Court cases Pierce demonstrates that the natural law tradition with its doctrine of a supposed

hierarchy of natural purpose has served to mystify women's nature and thereby justify restricting women to a predetermined social stratum. Addressing issues that concern not only feminism but legal theory as well, she defends her views on equality and universalization against a growing postmodern critique and presents rights theory as an alternative to an ethics of responsibility based on Aristotelian notions of friendship and trust. Through tightly constructed arguments presented in engaging prose, Pierce conveys her deep knowledge of legal philosophy and her passion for rights as she takes on such issues as AIDS, gay marriage, animal liberation, and feminist separatism. She combats the prevailing view of Plato as sexist and explores Sartre's views of holes and slime. She also examines the work of contemporary authors in ecology, biology, sociobiology, and religion to reveal their reliance on nature for ethical conclusions and she criticizes recent efforts to root a feminist natural law in Thomism. With natural law concepts now in fashion with many conservatives and even some Supreme Court justices, Pierce's essays offer a necessary perspective on where current legal and ethical thinking is headed. *Immovable Laws: Irresistible Rights* is invigorating reading for all scholars, students, and interested readers who seek a better understanding of these arguments and the issues affected by them. Law and Logic Joseph Horowitz, 2012-12-06. This book has two related aims: to investigate the frequently voiced claim that legal argument is nonformal in nature and within the limits of such an investigation to ascertain the most general proper ties of law as a rational system. Examination of a number of views of legal argument selected from recent discussions in Germany, Belgium, and the English-speaking countries will lead to the following main conclusions: The nonformalistic conceptions of the logic of legal argument are ambiguous and unclear. Moreover, insofar as these conceptions are capable of clarification in the light of recent analytical methodology, they can be seen to be either mistaken or else compatible with the formalistic position. Because law is socially directive and coordinative, it is dependent upon theoretical psycho-sociology and calls in principle for a deontic and inductive logic. The primary function of legal argument is to provide continuing reinterpretation and confirmation of legal rules conceived as theoretical prescriptions. On the basis of this conception, the old jurisprudence conflict between formalism and rule-scepticism appears substantially resolved. Aristotle, the founder of the theory of argument, conceived it as the science of establishing conclusions. In Aristotle's theory, and the theory of practical argument, was either neglected or relegated to an appendix to rhetoric.

**Christianity and Natural Law** Norman Doe, 2017-07-20. This book compares historical and modern natural law ideas across global Christian traditions and explores their use in church law. *Legal arguments and diplomatic papers* Daniel Webster, 1903. *Journal of the Society of Comparative Legislation* Society of Comparative Legislation, 1901. Essays on the Nature of Law and Legal Reasoning Robert S. Summers, 2019. *The Jeffersonian Cyclopaedia* Thomas Jefferson, 1900.

*New Essays on the Nature of Legal Reasoning* Mark McBride, James Penner, 2022-05-19. This is the first book to bring together distinguished jurisprudential theorists as well as up and coming scholars to critically assess the nature of legal reasoning. The volume is divided into 3 parts. The first part, General Jurisprudence and Legal Reasoning, addresses issues at

the intersection of general jurisprudence those pertaining to the nature of law itself and legal reasoning The second part Rules and Reasons addresses two concepts central to two prominent types of theory of legal reasoning The essays in the third and final part Doctrine and Practice delve into the mechanics of legal practice and doctrine from a legal reasoning perspective

## Unveiling the Energy of Verbal Artistry: An Psychological Sojourn through **Nature Of Legal Argument**

In a world inundated with monitors and the cacophony of instantaneous connection, the profound power and emotional resonance of verbal artistry frequently fade in to obscurity, eclipsed by the regular onslaught of noise and distractions. Yet, situated within the lyrical pages of **Nature Of Legal Argument**, a charming function of fictional brilliance that impulses with fresh emotions, lies an wonderful trip waiting to be embarked upon. Penned by a virtuoso wordsmith, that mesmerizing opus guides viewers on an emotional odyssey, gently revealing the latent potential and profound affect embedded within the complex internet of language. Within the heart-wrenching expanse with this evocative analysis, we will embark upon an introspective exploration of the book is central styles, dissect its captivating writing type, and immerse ourselves in the indelible impact it leaves upon the depths of readers souls.

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