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Essays on Bentham

Jurisprudence and Political Theory

H. L. A. Hart

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H. L. A. Hart



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Essays on Bentham Herbert L.A. Hart, 1982 Bentham's Theory of Law and Public Opinion Xiaobo Zhai, Michael Quinn, 2014-04-21 This collection represents the latest research from leading scholars whose work has helped to frame our understanding of Bentham since the publication of H L A Hart's *Essays on Bentham* The authors explore fundamental areas of Bentham's thought including the relationship between the rule of law and public opinion law and popular prejudices or manipulated tastes Bentham's methodology versus Hart's sovereignty and codification and the language of natural rights Drawing on original manuscripts and volumes in *The Collected Works of Jeremy Bentham* the chapters combine philosophical and historical approaches and offer new and more faithful interpretations of Bentham's legal philosophy and its development As a coherent whole the book challenges the dominant understandings of Bentham among legal philosophers and rescues him from some famous mischaracterizations Essays on Levinas and Law Desmond Manderson, 2008-12-18 This collection brings together major writers and major works on what Emmanuel Levinas means to law and injects Levinas provocative ethics right into the heart of living law radically changing our understanding of both **Theory of Legal Personhood** Visa A. J. Kurki, 2019 This work offers a new theory of what it means to be a legal person and suggests that it is best understood as a cluster property The book explores the origins of legal personhood the issues afflicting a traditional understanding of the concept and the numerous debates surrounding the topic Contested Truths Daniel T. Rodgers, 1998 This is a witty erudite and original synthesis which in spite of its brevity gives density and connectedness to two centuries of American political thought *Jeremy Bentham and Australia* Tim Causer, Margot Finn, Philip Schofield, 2022-04-28 *Jeremy Bentham and Australia* is a collection of scholarship inspired by Bentham's writings on Australia These writings are available for the first time in authoritative form in *Panopticon versus New South Wales* and other writings on Australia a volume in *The Collected*

Works of Jeremy Bentham published by UCL Press In the present collection a distinguished group of authors reflect on Bentham's Australian writings making original contributions to existing debates and setting agendas for future ones In the first part of the collection the works are placed in their historical contexts while the second part provides a critical assessment of the historical accuracy and plausibility of Bentham's arguments against transportation from the British Isles In the third part attention turns to Bentham's claim that New South Wales had been illegally founded and to the imperial and colonial constitutional ramifications of that claim Here authors also discuss Bentham's work of 1831 in which he supports the establishment of a free colony on the southern coast of Australia In the final part authors shed light on the history of Bentham's panopticon penitentiary scheme his views on the punishment and reform of criminals and what role if any religion had to play in that regard and discuss apparently panopticon inspired institutions built in the Australian colonies This collection will appeal to readers interested in Bentham's life and thought the history of transportation from the British Isles and of British penal policy more generally colonial and imperial history Indigenous history legal and constitutional history and religious history

The Routledge Companion to Philosophy of Law Andrei Marmor, 2012-04-27 The Routledge Companion to the Philosophy of Law provides a comprehensive non technical philosophical treatment of the fundamental questions about the nature of law Its coverage includes law's relation to morality and the moral obligations to obey the law the main philosophical debates about particular legal areas such as criminal responsibility property contracts family law law and justice in the international domain legal paternalism and the rule of law The entirely new content has been written specifically for newcomers to the field making the volume particularly useful for undergraduate and graduate courses in philosophy of law and related areas All 39 chapters written by the world's leading researchers and edited by an internationally distinguished scholar bring a focused philosophical perspective to their subjects The Routledge Companion to the Philosophy of Law promises to be a valuable and much consulted student resource for many years

Law and Society in England 1750-1950 William Cornish, Stephen Banks, Charles Mitchell, Paul Mitchell, Rebecca Probert, 2019-10-31 *Law and Society in England 1750-1950* is an indispensable text for those wishing to study English legal history and to understand the foundations of the modern British state In this new updated edition the authors explore the complex relationship between legal and social change They consider the ways in which those in power themselves imagined and initiated reform and the ways in which they were obliged to respond to demands for change from outside the legal and political classes What emerges is a lively and critical account of the evolution of modern rights and expectations and an engaging study of the formation of contemporary social administrative and legal institutions and ideas and the road that was travelled to create them The book is divided into eight chapters Institutions and Ideas Land Commerce and Industry Labour Relations The Family Poverty and Education Accidents and Crime This extensively referenced analysis of modern social and legal history will be invaluable to students and teachers of English law political science and social history

A-Z Guide to Modern Social and Political

Theorists Professor Stuart Sim, Noel Parker, 2014-06-03 The A Z Guide to Modern Social and Political Theories is a companion volume to the already published A Z Guide to Modern Literary and Cultural Theorists It ranges widely through the social sciences and related areas to identify thinkers who have had a major impact on the development of modern social and political theory and given clear accessible summaries of their work While the accent is on the later twentieth century several up and coming theorists are included to ensure a contemporary edge to the volume classic names in the field from the earlier twentieth century are not neglected and the collection also delves back into the nineteenth century for such founding figures of the social sciences as Marx and Comte The volume is therefore both up to date and mindful of the sources of modern debates

The Architecture of Rights David Frydrych, 2021-10-13 What is a right What if anything makes rights different from other features of the normative world such as duties standards rules or principles Do all rights serve some ultimate purpose In addition to raising these questions philosophers and jurists have long been aware that different senses of a right abound To help make sense of this diversity and to address the above questions they developed two types of accounts of rights models and theories This book explicates rights modelling and theorising and scrutinises their methodological underpinnings It then challenges this framework by showing why the theories ought to be abandoned In addition to exploring structural concerns the book also addresses the various ways that rights can be used It clarifies important differences between rights exercise enforcement remedying and vindication and identifies forms of legal rights claiming and rights invoking outside of institutional contexts

Rights, Groups, and Self-Invention Eric J. Mitnick, 2018-01-18 Group differentiated rights or rights that attach on the basis of membership in a particular social or cultural group are an increasingly common and controversial aspect of modern pluralistic legal systems Eric Mitnick offers the first comprehensive treatment of this important form of right The book describes and critically assesses the group differentiated form of right from within analytical constitutive and liberal theory It further examines the extent to which group differentiated rights constitute aspects of human identity and it asks whether this should be a cause for concern from the perspective of liberal theory The more detailed normative work advanced in the book contextually applies the constitutive understanding of rights and the principles of liberal membership to particular examples of group differentiated citizenship Such examples range from ascriptive statuses such as slavery and alienage to more affirmative classifications such as those apparent in the contexts of civil unions and affirmative action finally to the claims of religious and other cultural groups for official recognition and accommodation of group based beliefs and practices

Imagining Interest in Political Thought Stephen G. Engelmann, 2003-09-05 Engelmann revisits Jeremy Bentham's work in the context of later liberal political theorists

Key Thinkers, Past and Present (RLE Social Theory) Jessica Kuper, 2014-09-04 This volume provides a fascinating perspective on the social sciences through its examination of the leading proponents their ideas and careers It includes useful suggestions for further reading All the great names in the history of the subject are here Freud Marx Weber Adam

Smith and so on along with many less prominent but nevertheless important thinkers

Playing by the Rules Frederick Schauer, 1991-08-22 This is a philosophical but non technical analysis of the very idea of a rule Although focused somewhat on the role of rules in the legal system it is also relevant to the place of rules in morality religion etiquette games language and family governance In both explaining the idea of a rule and making the case for taking rules seriously the book is a departure both in scope and in perspective from anything that now exists

Research Handbook on Law and Utilitarianism Guillaume Tusseau, 2024-10-03 The Research Handbook on Law and Utilitarianism sheds light on contemporary legal culture and the ways in which it interacts with theories of justice Guillaume Tusseau brings together an interdisciplinary range of scholars to analyse the utilitarian standpoint on legal disciplines and legal governance as well as the contribution of utilitarian arguments to current legal debates

The Routledge Companion to Social and Political Philosophy Gerald Gaus, Fred D'Agostino, Ryan Muldoon, 2012-12-20 The Routledge Companion to Social and Political Philosophy is a comprehensive definitive reference work providing an up to date survey of the field charting its history and key figures and movements and addressing enduring questions as well as contemporary research Features unique to the Companion are an extensive coverage of the history of social and political thought including separate chapters on the development of political thought in the Islamic world India and China as well in modern Germany France and Britain a focus on the core concepts and the normative foundations of social and political theory a seven chapter section devoted exclusively to distributive justice the central issue of political philosophy since Rawls Theory of Justice extensive coverage of global justice and international issues which recently have emerged as vital topics an eight chapter section on issues in social and political philosophy The Companion is divided into eight thematic sections The History of Social and Political Theory Political Theories and Ideologies Normative Foundations The National State and Beyond Distributive Justice Political Concepts Concepts and Methods in Social Philosophy Issues in Social and Political Philosophy Comprised of sixty nine newly commissioned essays by leading scholars from throughout the world The Routledge Companion to Social and Political Philosophy is the most comprehensive and authoritative resource in social and political philosophy for students and scholars

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