

The Emergence of Normative Orders

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Emergence Normative Orders Jerzy Stelmach

**Bartosz Brożek, Julia Stanek, Jerzy
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Law as an Artifact Luka Burazin, Kenneth Einar Himma, Corrado Roversi, 2018-08-08 This volume assembles leading scholars to examine how their respective theoretical positions relate to the artifactual nature of law It offers a complete analysis of what is ontologically entailed by the claim that law including legal systems legal norms and legal institutions is an artifact and what consequences if any this claim has for philosophical accounts of law Examining the artifactual nature of law draws attention to the role that intention function and action play in the ontological structure of law and how these attributes interact with rules It puts the role of author and authorship at the center of its analysis of legal ontology and widens the scope that functional analysis can legitimately have in legal theory emphasizing how the content of law depends on how it is used Furthermore the appeal to artifacts brings to the fore questions about the significance of concepts for the existence of law and makes available new tools for legal interpretation The notion of artifactuality offers a starting point from which to approach the basic dilemma of whether it is meaningful to search for essential necessary and sufficient features of law a question that in current legal theory is put when deciding what kind of enterprise legal theory is from a methodological point of view namely whether it is descriptive or prescriptive This volume unearths insights and observations of value to all those looking to deepen their understanding of how the law is understood and experienced

Russian Legal Realism Bartosz Brożek, Julia Stanek, Jerzy Stelmach, 2019-01-07 This edited volume explores ideas of legal realism which emerge through the works of Russian legal philosophers Apart from the well known American and Scandinavian versions of legal realism there also exists a Russian one readers will discover fresh perspectives and that the collection of early twentieth century ideas on law discussed in Russia can be understood as a unified school of legal thought as Russian legal realism These chapters by renowned European and Eastern European legal philosophers add to ongoing discussions about the nature of law especially in the context of developments around our scientific knowledge about the mind and behaviour Analyses of legal phenomena carried out by legal realists in Russia offer novel arguments in favour of embracing psychological and sociological perspectives on the law The book includes analysis of the St Petersburg school of legal philosophy and Leon Petra ycki s psychological theory of law This original and multifaceted research on Russian realists is of considerable value to an international audience Researchers and postgraduate students of law legal theory and legal ethics will find the book particularly appealing but it will also interest those investigating the philosophy or sociology of law or legal history

The Emergence of Normative Orders Jerzy Stelmach, Bartosz Brozek, Lukasz Kurek, 2016 This collection of essays assesses the origins of various rule based systems including but not limited to morality rationality and justice from the perspectives of both philosophy and psychology The reader will learn about diverse cognitive and neurocognitive phenomena that are responsible for the emergence of normative orders such as imitation time preferences and the dual processing mind Furthermore the essays include different philosophical insights into the genealogy of norms Subject Philosophy Psychology

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