



Of Norms Jaap Hage

Luc J. Wintgens



Of Norms Jaap Hage:

Handbook of Legal Reasoning and Argumentation Giorgio Bongiovanni, Gerald Postema, Antonino Rotolo, Giovanni Sartor, Chiara Valentini, Douglas Walton, 2018-07-02 This handbook addresses legal reasoning and argumentation from a logical philosophical and legal perspective The main forms of legal reasoning and argumentation are covered in an exhaustive and critical fashion and are analysed in connection with more general types and problems of reasoning Accordingly the subject matter of the handbook divides in three parts The first one introduces and discusses the basic concepts of practical reasoning The second one discusses the general structures and procedures of reasoning and argumentation that are relevant to legal discourse The third one looks at their instantiations and developments of these aspects of argumentation as they are put to work in the law in different areas and applications of legal reasoning

Legislation in Context: Essays in Legisprudence Luc J. Wintgens, 2016-04-22 The essays in this volume set out to provide a rational framework for legislation Whilst legislation and regulation is the result of a political process this volume considers whether they can also be the object of theoretical study It examines the problems that are common to most European legal systems by applying the tools of legal theory to legislative problems legisprudence While traditional legal theory deals predominantly with the question of the application of law by a judge legisprudence enlarges the scope of study to include the creation of law by the legislator The essays published in the volume develop a new range of insights into the relationship between legislative problems and legal theory in a way that will interest legal scholars throughout the world Specifically the work will attract the attention of those involved with constitutional law EU law human rights law and legal theory

Phenomenology of Law and Normativity Panos Theodorou, Pedro Manuel Santos Alves, Anna Irene Baka, 2024-09-16 Against the widespread mainstream take on the philosophy of law this collected volume fills an important scholarly gap by introducing a phenomenological account of some of the major questions and themes of jurisprudence such as rights and norms This volume argues that wherever there is a demand for grounding normativity the phenomenological method can provide a priori albeit corrigible access to essential truths with reference to beings and their social relationships The present work reflects upon the place and potential impact on the theory of law and normativity stemming from the phenomenology of Edmund Husserl largely overlooked by legal philosophers and legal theorists Further coverage contains those who have built upon these ideas of Husserl such as Martin Heidegger Alfred Schutz Edith Stein Emmanuel Levinas and Adolf Reinach This text addresses new issues and questions from the general perspective of the phenomenology of law It is a response to those critical of phenomenology by presenting sober arguments in support of its potential for achieving a deeper grasp of legal normative concepts such as rights claims obligations promises and apologies Boundaries between law and morality as well as legal and social ontologies are approached from a phenomenological perspective It appeals to students researchers and professionals working in phenomenology ethics legal philosophy and human rights theory and practice Norms, Logics

and Information Systems Paul McNamara, Henry Prakken, 1999 This book presents research in an interdisciplinary field resulting from the vigorous and fruitful cross pollination between traditional deontic logic and computer science AI researchers have used deontic logic as one of the tools in modelling legal reasoning Computer scientists have discovered that computer systems including their interaction with other computer systems and with human agents can often be productively modelled as norm governed So for example deontic logic has been applied by computer scientists for specifying bureaucratic systems access and security policies and soft design or integrity constraints and for modelling fault tolerance In turn computer scientists and AI researchers have also discovered and made it clear to the rest of us that various formal tools e g nonmonotonic temporal and dynamic logics developed in computer science and artificial intelligence have interesting applications to traditional issues in deontic logic This volume presents some of the best work done in this area with the selection at once reflecting the general interdisciplinary and international character that this area of research has taken on as well as reflecting the more specific recent inter disciplinary developments between traditional deontic logic and computer science Hague Yearbook of International Law / Annuaire de La Haye de droit international, Vol. 37 (2024) Jure

Vidmar, 2025-12-15 The aim of the Hague Yearbook of International Law is to offer a platform for review of new developments in the field of international law In addition it devotes attention to developments in the international law institutions based in the international City of Peace and Justice The Hague This volume features a special issue on The Logic of International Law *Exceptions in International Law* Lorand Bartels, Federica Paddeu, 2020-06-18 Many international obligations are subject to exceptions These can be expressed in several ways an obligation may be vitiated by the presence of one of its constitutive negative requirements an obligation may be set aside by the application of another more specific rule or an actor might have a right to act in a certain way notwithstanding a contrary obligation Exceptions are also of fundamental practical importance for example they affect the allocation of the burden of proof This volume provides a systematic and analytic study of exceptions to legal obligations in international law and defences for breaches of these obligations It features contributions written by legal philosophers who introduce various theoretical approaches to the role of exceptions and scholars of international law who elaborate on generic issues applicable to exceptions in international law as well as examine specific issues arising from exceptions in their respective areas of expertise Topics covered include the use of force international criminal law human rights trade investment environment and jurisdictional immunities

Foundations and Building Blocks of Law Jaap Hage, 2018 There is no gap between Is and Ought but there is a gap between fact and norm There is a difference between legal powers and legal competences but there are no power conferring rules There is no obligation to comply with contracts There are no regulative rules and all rules are constitutive All these claims are controversial in the eyes of many legal theorists This book argues that they are all true or justified if understood in the proper context The argument starts from the relation between language and facts and continues with a distinction

between three kinds of facts and the role which rules play in the constitution of one of the three kinds Building on this foundation the book moves on to analyses of the building blocks of law duties obligations permissions juridical acts powers competences norms and rights Interwoven through these analyses the reader finds discussions of the alleged gap between Is and Ought and of the logic of normative notions deontic logic

Legal Knowledge Based Systems Joost Breuker, Jaap C. Hage, R. V. de Mulder, 1991

A Treatise of Legal Philosophy and General Jurisprudence Enrico Pattaro, 2005-05-25

A Treatise of Legal Philosophy and General Jurisprudence is the first ever multivolume treatment of the issues in legal philosophy and general jurisprudence from both a theoretical and a historical perspective The work is aimed at jurists as well as legal and practical philosophers Edited by the renowned theorist Enrico Pattaro and his team this book is a classical reference work that would be of great interest to legal and practical philosophers as well as to jurists and legal scholar at all levels The work is divided The theoretical part published in 2005 consisting of five volumes covers the main topics of the contemporary debate the historical part consisting of six volumes Volumes 6 8 published in 2007 Volumes 9 and 10 published in 2009 Volume 11 published in 2011 and volume 12 forthcoming in 2012 2013 accounts for the development of legal thought from ancient Greek times through the twentieth century The entire set will be completed with an index Volume 1 The Law and the Right a Reappraisal of the Reality that ought to be by Enrico Pattaro This work brings out and recovers the normative dimension of law called the reality that ought to be placing within this reality the idea of what is right Part I reconstructs the current as well as the traditional civil law conception of the reality that ought to be and raises some critical theoretical issues Part II introduces some basic concepts on language and behaviour and presents a conception of norms as beliefs Part III aims to find explanations for the idea of a reality that ought to be Part IV consists of inquiries focussed on Homeric epic the natural law school and the normativistic view of positive law

Legal Knowledge Based Systems, 1996

Papers presented at JURIX 96 conference held on December 13 1996 in Tilburg The Netherlands

Our Knowledge of the Law George Pavlakos, 2007-06-14 In this book the author argues that knowledge is the outcome of an activity of judging which is constrained by reasons reflexive

Current Law Index, 2007

Information Technology and the Law, 1996

Maastricht Journal of European and Comparative Law, 2002

Index to Legal Periodicals & Books, 2005

Concepts in Law Jaap C. Hage, Dietmar von der Pfordten, 2009-08-24 During the last decades legal theory has focused almost completely on norms rules and arguments as the constitutive elements of law Concepts were mostly neglected The contributions to this volume try to remedy this neglect by elucidating the role concepts play in law from different perspectives A main aim of this volume is to initiate a debate about concepts in law ke Fr ndberg gives an overview of the many different uses of concepts in law and shows amongst others that concepts in the law should not be confused with the role of concepts in descriptions of the law Dietmar von der Pfordten criticizes the restriction to norms as parts of the law in contemporary legal theory by questioning what concepts are and what their function is both in general and in legal

conceptual schemes Giovanni Sartor assumes the inferential analysis of meaning proposed by Alf Ross in his ground breaking paper *T t* and addresses the question how possession of a concept including the rules defining it is possible without endorsing these rules Jaap Hage argues that 1 legal status words such as owner have a meaning because they denote things or relations in institutional reality 2 the meaning of these words consists in this denotation relation 3 knowledge of this meaning presupposes knowledge of the rules governing these words Torben Spaak contributes to this volume with an exemplary analysis of one of the most central concepts of the law namely that of a legal power Lorenz K hler discusses the role of concepts in determining the scope of application of legal rules and raises from this perspective the question to what extent legal concept formation can be arbitrary Ralf Poscher argues that as soon as a concept is used in stating the law the precise scope of application of this concept has become a legal matter This means that the use of moral concepts in the law does not automatically lead to a moral import into the law Dennis Patterson holds that Hart s concept of law can be understood as a so called practice theory and provides an overview of such a theory *Cutting Through the "misfit" Jungle* Juan Casado Asensio,2008 □□□□□□□□□□ ,2009-12 **Mathematical Reviews** ,2000 Bibliografisch Repertorium Van de Wijsbegeerte ,2007

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Table of Contents Of Norms Jaap Hage

1. Understanding the eBook Of Norms Jaap Hage
 - The Rise of Digital Reading Of Norms Jaap Hage
 - Advantages of eBooks Over Traditional Books
2. Identifying Of Norms Jaap Hage
 - 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 Of Norms Jaap Hage
 - User-Friendly Interface
4. Exploring eBook Recommendations from Of Norms Jaap Hage
 - Personalized Recommendations

- Of Norms Jaap Hage User Reviews and Ratings
- Of Norms Jaap Hage and Bestseller Lists
- 5. Accessing Of Norms Jaap Hage Free and Paid eBooks
 - Of Norms Jaap Hage Public Domain eBooks
 - Of Norms Jaap Hage eBook Subscription Services
 - Of Norms Jaap Hage Budget-Friendly Options
- 6. Navigating Of Norms Jaap Hage eBook Formats
 - ePub, PDF, MOBI, and More
 - Of Norms Jaap Hage Compatibility with Devices
 - Of Norms Jaap Hage Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Of Norms Jaap Hage
 - Highlighting and Note-Taking Of Norms Jaap Hage
 - Interactive Elements Of Norms Jaap Hage
- 8. Staying Engaged with Of Norms Jaap Hage
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Of Norms Jaap Hage
- 9. Balancing eBooks and Physical Books Of Norms Jaap Hage
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Of Norms Jaap Hage
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Of Norms Jaap Hage
 - Setting Reading Goals Of Norms Jaap Hage
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Of Norms Jaap Hage
 - Fact-Checking eBook Content of Of Norms Jaap Hage

- 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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