

1. Record Nr.	UNINA9910784836903321
Autore	Olsen Henrik Palmer
Titolo	Law in its own right // Henrik Palmer Olsen and Stuart Toddington
Pubbl/distr/stampa	Oxford ; ; Portland, Oregon : , : Hart Publishing, , 1999
ISBN	1-4725-6204-6 1-281-04185-8 9786611041854 1-84731-302-7
Edizione	[1st ed.]
Descrizione fisica	1 online resource (172 p.)
Collana	Legal theory today
Disciplina	340/.1
Soggetti	Law - Philosophy Legal positivism Natural obligations
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	1. The State of Legal Theory Today -- 2. The Good Sense of Legal Positivism -- 3. Legal Theory in Sociological Terms -- 4. Legality, Morality or 'The People'? -- 5. Law as a Social Contrast -- 6. The Elements of 'Transport Autonomy.
Sommario/riassunto	"What, precisely, is the relationship between legality and morality? Does legal validity rest upon moral validity? Are legal obligations moral obligations? For some years now schools of jurisprudential Naturalism and Positivism have become increasingly ambiguous in their responses to these questions. Olsen and Toddington argue that equivocation on the central issue here - that of obligation - has brought legal theory to the point where leading legal positivists and natural lawyers no longer retain significant differences. Instead, they allege, we are left with the remnants of what has always been, philosophically, a phoney war. The authors of this lucid and refreshing analysis of the concept of law, arguing from the perspectives of social science and political philosophy, show that jurisprudence must acknowledge that the political, the moral, and the legal are located within a continuum of practical reason, and that law's 'autonomy' from morality can not entail its 'separation' from it."--Bloomsbury Publishing.

