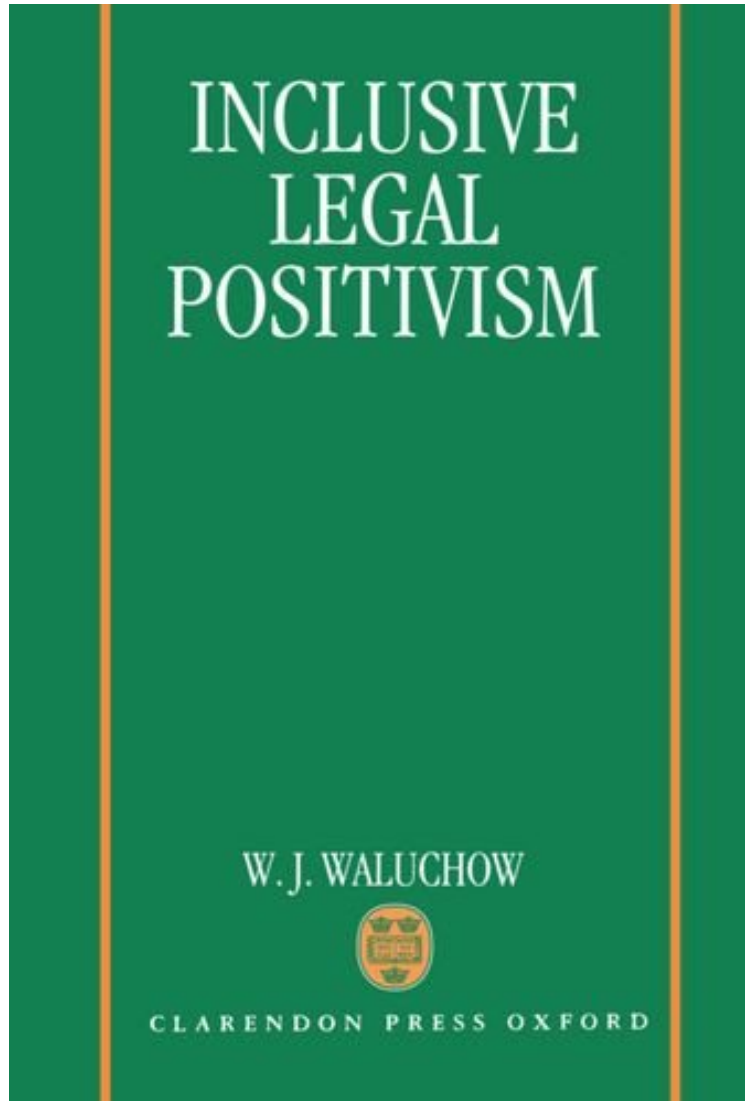


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## Inclusive Legal Positivism

*W. J. Waluchow*

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#3992627 in Books Oxford University Press, USA 1994-06-23 Original language: English PDF # 1 8.75 x .92 x 5.69l, 1.12 #File Name: 0198258127304 pages | File size: 72.Mb

**W. J. Waluchow : Inclusive Legal Positivism** before purchasing it in order to gage whether or not it would be worth my time, and all praised Inclusive Legal Positivism:

This book develops a general philosophical theory about the nature of law and its relationship with morality called inclusive legal positivism. In addition to articulating and defending his own version of legal positivism, which is a refinement and development of the views of H.L.A. Hart as expressed in his classic book *The Concept of Law*, the

author clarifies the terms of current jurisprudential debates about the nature of law. These debates are often clouded by failures to appreciate that different theorists are offering different kinds of theories and attempting to answer different questions. The clarity of Waluchow's work will help to remove the confusion often present in jurisprudential debate.

"Anyone wishing to see a well-argued defense of a legal theory that attempts to take legal phenomena at fact value would do well to read Waluchow's book."--The Philosophical From the Back CoverThis book develops a general theory of law, inclusive legal positivism, which seeks to remain within the tradition represented by authors such as Austin, Hart, MacCormick, and Raz, while sharing some of the virtues of both classical and modern theories of natural law, as represented by authors such as Aquinas, Fuller, Finnis, and Dworkin. Its central theoretical questions are: Does the existence or content of positive law ever depend on moral considerations? If so, is this fact consistent with legal positivism? The author shows how inclusive positivism allows one to answer yes to both of these questions. In addition to articulating and defending his own version of legal positivism, which is a refinement and development of the views of H.L.A. Hart as expressed in his classic book *The Concept of Law*, the author clarifies the terms of current jurisprudential debates about the nature of law. These debates are often clouded by failures to appreciate that different theorists are offering differing kinds of theories and attempting to answer different questions. There is also a failure, principally on the part of Ronald Dworkin, to characterize opposing theories correctly. The clarity of Waluchow's work will help to remove the confusion which has hitherto marred some jurisprudential debate, particularly about Dworkin's work.

About the Author  
W. J. Waluchow is an Associate Professor and Chair, Department of Philosophy at McMaster University.