

# Aquinas Moral Political And Legal Theory Modern So

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Transformations in Medieval and Early-Modern Rights Discourse Virpi Mäkinen 2006-02-27 Rights language is a fundamental feature of the modern world. Virtually all significant social and political struggles are waged, and have been waged for over a century now, in terms of rights claims. In some ways, it is precisely the birth of modern rights language that ushers in modernity in terms of moral and political thought, and the struggle for a modern way of life seems for many synonymous with the fight for a universal recognition of equal, individual human rights. Where did modern rights language come from? What kinds of rights discourses is it rooted in? What is the specific nature of modern rights discourse; when and where were medieval and ancient notions of rights transformed into it? Can one in fact find any single such transformation of medieval into modern rights discourse? This book brings together some of the most central scholars in the history of medieval and early-modern rights discourse. Through the different angles taken by its authors, the volume brings to light the multifaceted nature of rights languages in the medieval and early modern world.

Reason, Religion, and Natural Law Jonathan A. Jacobs 2012-11-08 This edited volume examines the ways in which theological considerations have figured in natural law theorizing, from Plato to Spinoza. Theological considerations have long had a pronounced role in Catholic natural law theories, but have not been seriously examined from a wider perspective. The contributors to this volume take a more inclusive view of the relation between conceptions of natural law and theistic claims and principles. They do not jointly defend one particular thematic claim, but articulate diverse ways in which natural law has both been understood and related to theistic claims. In addition to exploring Plato and the Stoics, the volume also looks at medieval Jewish thought, the thought of Aquinas, Scotus, and Ockham, and the ways in which Spinoza's thought includes resonances of earlier views and intimations of later developments. Taken as a whole, these essays enlarge the scope of the discussion of natural law through study of how the naturalness of natural law has often been related to theses about the divine. The latter are often crucial elements of natural law theorizing, having an integral role in accounting for the metaethical status and ethical bindingness of natural law. At the same time, the question of the relation between natural law and God — and the relation between natural law and divine command — has been addressed in a multiplicity of ways by key figures throughout the history of natural law theorizing, and these essays accord them the explanatory significance they deserve.

The Routledge Companion to Ethics John Skorupski 2010-06-21 The Routledge Companion to Ethics is an outstanding survey of the whole field of ethics by a distinguished international team of contributors. Over 60 chapters are divided into six clear sections: the history of ethics meta-ethics perspectives from outside ethics ethical perspectives morality debates in ethics. The Companion opens with a comprehensive historical overview of ethics, including chapters on Plato, Aristotle, Hume, and Kant, and ethical thinking in China, India and the Arabic tradition. The second part covers the domain of meta-ethics. The third part covers important challenges to ethics from the fields of anthropology, psychology, sociobiology and economics. The fourth and fifth sections cover competing theories of ethics and the nature of morality respectively, with entries on consequentialism, Kantian morality, virtue ethics, relativism, evil, and responsibility amongst many others. A comprehensive final section includes the most important topics and controversies in applied ethics, such as rights, justice and distribution, the end of life, the environment, poverty, war and terrorism. The Routledge Companion to Ethics is a superb resource for anyone interested in the subject, whether in philosophy or related disciplines such as politics, education, or law. Fully indexed and cross-referenced, with helpful further reading sections at the end of each chapter, it is ideal for those coming to the field of ethics for the first time as well as readers already familiar with the subject.

*Aquinas* John Finnis 1998 Founders of Modern Political and Social Thought Series Editor: Dr Mark Philp, Oriel College, University of Oxford Founders of Modern Political and Social Thought present critical examinations of the work of major political philosophers and social theorists, assessing both their initial contribution and continuing relevance to politics and society. Each volume provides a clear, accessible, historically-informed account of each thinker's work, focusing on a re-assessment of their central ideas and arguments. Founders encourage scholars and students to link their study of classic texts to current debates in political philosophy and social theory. This launch volume in the Founders of Modern Political and Social Thought series presents a critical examination of Machiavelli's thought, combining an accessible, historically-informed account of his work with a re-assessment of his central ideas and arguments. Maurizio Viroli challenges the accepted interpretations of Machiavelli's work, insisting that his republicanism was based not on a commitment to virtue, greatness, and expansion, but to the ideal of civic life protected by the shield of fair laws. His detailed study of how Machiavelli composed his famous work *The Prince* presents new interpretations, and he further argues that the most challenging and completely underestimated aspect of Machiavelli's thought is his philosophy of life, in particular his conceptions of love, women, irony, God, and the human condition. Viroli demonstrates that Machiavelli composed *The Prince*, and all his works, according to the rules of classical rhetoric and never intended to found the 'modern science of politics', aiming rather to continue and refine the practice of political theorising as a rhetorical endeavour taught by the Roman masters of civic philosophy. Viroli's Machiavelli, a serious challenge to contemporary methods of doing political theory, will be essential for advanced students of the history of political thought.

*The Human Person and a Culture of Freedom* Peter A. Pagan Aguiar 2009 "Collection of essays on the metaphysical underpinnings of intellectual and individual freedom within a civic-political order or cultural milieu"--Provided by publisher.

**A Liberalism Safe for Catholicism?** Daniel Philpott 2017-06-30 This volume is the third in the "Perspectives from The Review of Politics" series, following *The Crisis of Modern Times*, edited by A. James McAdams (2007), and *War, Peace, and International Political Realism*,

edited by Keir Lieber (2009). In *A Liberalism Safe for Catholicism?*, editors Daniel Philpott and Ryan Anderson chronicle the relationship between the Catholic Church and American liberalism as told through twenty-seven essays selected from the history of the *Review of Politics*, dating back to the journal's founding in 1939. The primary subject addressed in these essays is the development of a Catholic political liberalism in response to the democratic environment of nineteenth- and twentieth-century America. Works by Jacques Maritain, Heinrich Rommen, and Yves R. Simon forge the case for the compatibility of Catholicism and American liberal institutions, including the civic right of religious freedom. The conversation continues through recent decades, when a number of Catholic philosophers called into question the partnership between Christianity and American liberalism and were debated by others who rejoined with a strenuous defense of the partnership. The book also covers a wide range of other topics, including democracy, free market economics, the common good, human rights, international politics, and the thought of John Henry Newman, John Courtney Murray, and Alasdair MacIntyre, as well as some of the most prominent Catholic thinkers of the last century, among them John Finnis, Michael Novak, and William T. Cavanaugh. This book will be of special interest to students and scholars of political science, journalists and policymakers, church leaders, and everyday Catholics trying to make sense of Christianity in modern society. Contributors: Daniel Philpott, Ryan T. Anderson, Jacques Maritain, Alvan S. Ryan, Heinrich Rommen, Josef Pieper, Yves R. Simon, Ernest L. Fortin, John Finnis, Paul E. Sigmund, David C. Leege, Thomas R. Rourke, Michael Novak, Michael J. Baxter, David L. Schindler, Joseph A. Komonchak, John Courtney Murray, Samuel Cardinal Stritch, Francis J. Connell, Carson Holloway, James V. Schall, Gary D. Glenn, John Stack, Glenn Tinder, Clarke E. Cochran, William A. Barbieri, Jr., Thomas S. Hibbs, Paul S. Rowe, and William T. Cavanaugh.

[St. Thomas Aquinas and the Natural Law Tradition](#) John Goyette 2004-09 To explore and evaluate the current revival, this volume brings together many of the foremost scholars on natural law. They examine the relation between Thomistic natural law and the larger philosophical and theological tradition. Furthermore, they assess the contemporary relevance of St. Thomas's natural law doctrine to current legal and political philosophy.

**Natural Moral Law in Contemporary Society** Holger Zaborowski 2010-08-01 The essays of this volume examine natural moral law, different natural law theories, and the role that natural law can and should play in our contemporary society

**Dividing the State** Paul Groarke 2018-01-18 The events of recent history affirm the urgent need for a satisfactory definition of the conditions under which a minority within a state has the legal right to secede. Although the concept of sovereignty has been progressively weakened, it still presents the major theoretical difficulty in this area. There is currently no source of international law that would give a legal body like a court the authority to recognize the division of an oppressive or illegitimate state into separate legal entities. This book accordingly argues for a global system of justice based on a domestic model of compulsory law. It considers some of the technical, procedural and evidentiary issues that would arise in instituting such a regime, and develops the conceptual framework essential for the provision of legal remedies for gross violations of our fundamental human rights.

[Natural Law and Thomistic Juridical Realism: Prospects for a Dialogue with Contemporary Legal Theory](#) Petar Popovic 2022-02-04 This book proposes a rather novel legal-philosophical approach to understanding the intersection between law and morality. It does so by analyzing

the conditions for the existence of a juridical domain of natural law from the perspective of the tradition of Thomistic juridical realism. In order to highlight the need to reconnect with this tradition in the context of contemporary legal philosophy, the book presents various other recent jurisprudential positions regarding the overlap between law and morality. While most authors either exclude a conceptual necessity for the inclusion of moral principles in the nature of law or refer to the purely moral status of natural law at the foundations of the legal phenomenon, the book seeks to elucidate the essential properties of the juridical status of natural law. In order to establish the juridicity of natural law, the book explores the relevant arguments of Thomas Aquinas and some of his main commentators on this issue, above all Michel Villey and Javier Hervada. It establishes that Thomistic juridical realism observes the juridical phenomenon not only from the perspective of legal norms or subjective individual rights, but also from the perspective of the primary meaning of the concept of right (*ius*), namely, the just thing itself as the object of justice. In this perspective, natural rights already possess a fully juridical status and can be described as natural juridical goods. In addition, from the viewpoint of Thomistic juridical realism, we can identify certain natural norms or principles of justice as the juridical title of these rights or goods. The book includes an assessment of the prospective points of dialogue with the other trends in Thomistic legal philosophy as well as with various accounts of the nature of law in contemporary legal theory.

Justice and Charity Michael P. Krom 2020-07-21 This book introduces Thomas Aquinas's moral, economic, and political thought, differentiating between philosophy (justice) and theology (charity) within each of the three branches of Aquinas's theory of human living. It shows how Aquinas's thought offers an integrated vision for Christian participation in the world, equipping readers to apply their faith to the complex moral, economic, and political problems of contemporary society. Written in an accessible style by an experienced educator, the book is well-suited for use in a variety of undergraduate courses and provides a foundation for understanding Catholic social teaching.

**St. Paul, the Natural Law, and Contemporary Legal Theory** Jane Adolphe 2012 St. Paul, the Natural Law, and Contemporary Legal Theory grew out of the Year of St. Paul (2008-2009) proclaimed by Pope Benedict XVI. It brings together the insights of Scripture scholars, theologians, philosophers and law professors on the ongoing importance of the natural law for legal theory and international relations. It argues that all human beings share certain common ethical standards based on the moral law written into the human heart.

**On Law, Morality, and Politics (Second Edition)** Thomas Aquinas 2003-03-07 The second edition retains the selection of texts presented in the first edition but offers them in new translations by Richard J Regan -- including that of his Aquinas, Treatise on Law (Hackett, 2000). A revised Introduction and glossary, an updated select bibliography, and the inclusion of summarising headnotes for each of the units -- Conscience, Law, Justice, Property, War and Killing, Obedience and Rebellion, and Practical Wisdom and Statecraft -- further enhance its usefulness.

*A Companion to Philosophy of Law and Legal Theory* Dennis Patterson 2010-01-15 The articles in this new edition of *A Companion to Philosophy of Law and Legal Theory* have been updated throughout, and the addition of ten new articles ensures that the volume continues to offer the most up-to-date coverage of current thinking in legal philosophy. Represents the definitive handbook of philosophy of law and contemporary legal theory, invaluable to anyone with an

interest in legal philosophy Now features ten entirely new articles, covering the areas of risk, regulatory theory, methodology, overcriminalization, intention, coercion, unjust enrichment, the rule of law, law and society, and Kantian legal philosophy Essays are written by an international team of leading scholars

**Catholic Social Thought** Jonathan Boswell 2000 These essays are an attempt to recover something of the form, style and force of Catholic non-official social thinking in the face of contemporary social thought and contemporary injustice in advanced societies. After an opening essay by the doyen of Catholic writers in this field, Jean-Yves Calvez, SJ, the book is divided into three sections. The first and largest group of essays discuss patterns and predicaments of Catholic social thought in general terms and from different points of view. The context here is partly the debate on modernity, high-modernity and post-modernity, partly the issue of how far and in what ways Catholic Social Thought can claim to be distinctive, relative to contemporary secular thought. The second section of the book focusses on relationships between Catholic social thought and its restatement, and a number of contemporary debates on public issues. Particular attention is given, in successive essays, to issues of anti-poverty, human rights, economic theory and international finance. A third and shorter section describes a number of institutional projects which attempt to carry Catholic social values forward into concrete action, focussing on work in health and welfare, grass roots economic co-operation, anti-poverty and international peace and justice. Final contributions by the reputed international scholar in this field, John Coleman, SJ, and the book editors, respectively evaluate the collection as a whole and discuss further steps.

Natural and Political Conceptions of Community Christoph Haar 2019-02-04 Natural and Political Conceptions of Community demonstrates how the early modern Jesuits recruited the household community when reflecting on the political community, integrating an account of human nature with a notion of politics as the sphere of law, rights, and virtues.

*Natural Law Theory* Robert P. George 1994 This volume presents twelve original essays by contemporary natural law theorists and their critics. Natural law theory is enjoying a revival of interest today in a variety of disciplines, including law, philosophy, political science, and theology and religious studies. These essays offer readers a sense of the lively contemporary debate among natural law theorists of different schools, as well as between natural law theorists and their critics.

**Creon's Ghost Law Justice and the Humanities** Tomain 2009-02-16 Creon's Ghost examines the enduring problem of the relationship between man's law and a "higher" law from the perspective of core humanities texts and through discussion of hotly debated contemporary legal conundrums. Today, such issues as intelligent design in school curricula, same-sex marriage, and faith-based government grants are all examples of the interaction between man's law and some other set of moral principles. As these debates are considered in this book, the author uses texts such as Antigone and Plato's Republic and pairs them with the most important jurisprudence texts of the 20th century to explore different approaches to the contemporary conflict or court ruling under consideration. Creon's Ghost demonstrates that the humanities can both illuminate our understanding of contemporary problems and that "classic" texts can be read alongside jurisprudential texts, thus enriching our understanding of and appreciation for law.

Aquinas's Theory of Natural Law Anthony J. Lisska 1996 This new critique of Aquinas's theory of natural law discusses the background of the theory in Aristotle and advances new interpretations of contemporary legal issues which hark back to Aquinas.

Reason, Morality, and Law John Keown 2013-03-21 This volume gathers leading moral, legal, and political philosophers alongside theologians to examine John Finnis' work. The book offers the first sustained critical study of Finnis' contribution across the philosophy of rationality, legal and political philosophy, and theology. It includes a substantial response from Finnis himself in which he defends and develops his ideas.

*Human Rights and Moral Reasoning* Shortall Michael 2009 This study is a response to the observation of the critical importance of human rights in the ethical discourse of the public sphere. Yet despite the broad consensus there exists a plurality of approaches to their exposition and justification; each bound to a particular way of moral theology requires that such models be taken seriously. To this end it presents a comparative investigation of three theorists, each representative of a different tradition of enquiry...

**Aquinas and Modern Law** James Bernard Murphy 2017-07-05 This volume collects some of the best recent writings on St. Thomas's philosophy of law and includes a critical examination of Aquinas's theory of the relation between law and morality, his natural law theory, as well as the modern reformulation of his approach to natural rights. The volume shows how Aquinas understood the importance of positive law and demonstrates the modern relevance of his writings by including Thomistic critiques of modern jurisprudence and examples of applications of Thomistic jurisprudence to specific modern legal problems such as federalism, environmental policy, abortion and euthanasia. The volume also features an introduction which places Aquinas's writings in the context of modern jurisprudence as well as an extensive bibliography. The volume is suited to the needs of jurisprudence scholars, teachers and students and is an essential resource for all law libraries.

**The Philosophy of Positive Law** James Bernard Murphy 2008-10-01 In this first book-length study of positive law, James Bernard Murphy rewrites central chapters in the history of jurisprudence by uncovering a fundamental continuity among four great legal philosophers: Plato, Thomas Aquinas, Thomas Hobbes, and John Austin. In their theories of positive law, Murphy argues, these thinkers represent successive chapters in a single fascinating story. That story revolves around a fundamental ambiguity: is law positive because it is deliberately imposed (as opposed to customary law) or because it lacks moral necessity (as opposed to natural law)? These two senses of positive law are not coextensive yet the discourse of positive law oscillates unstably between them. What, then, is the relation between being deliberately imposed and lacking moral necessity? Murphy demonstrates how the discourse of positive law incorporates both normative and descriptive dimensions of law, and he discusses the relation of positive law not only to jurisprudence but also to the philosophy of language, ethics, theories of social order, and biblical law.

**On Law, Morality, and Politics (Second Edition)** Thomas Aquinas 2003-11-04 The second edition of Aquinas, *On Law, Morality, and Politics* retains the selection of texts presented in the first edition but offers them in new translations by Richard J. Regan--including that of his *Aquinas, Treatise on Law* (Hackett, 2000). A revised Introduction and glossary, an updated select bibliography, and the inclusion of summarizing headnotes for each of the units--

Conscience, Law, Justice, Property, War and Killing, Obedience and Rebellion, and Practical Wisdom and Statecraft—further enhance its usefulness.

**The Foundations of Natural Morality** S. Adam Seagrave 2014-05-05 Recent years have seen a renaissance of interest in the relationship between natural law and natural rights. During this time, the concept of natural rights has served as a conceptual lightning rod, either strengthening or severing the bond between traditional natural law and contemporary human rights. Does the concept of natural rights have the natural law as its foundation or are the two ideas, as Leo Strauss argued, profoundly incompatible? With *The Foundations of Natural Morality*, S. Adam Seagrave addresses this controversy, offering an entirely new account of natural morality that compellingly unites the concepts of natural law and natural rights. Seagrave agrees with Strauss that the idea of natural rights is distinctly modern and does not derive from traditional natural law. Despite their historical distinctness, however, he argues that the two ideas are profoundly compatible and that the thought of John Locke and Thomas Aquinas provides the key to reconciling the two sides of this long-standing debate. In doing so, he lays out a coherent concept of natural morality that brings together thinkers from Plato and Aristotle to Hobbes and Locke, revealing the insights contained within these disparate accounts as well as their incompleteness when considered in isolation. Finally, he turns to an examination of contemporary issues, including health care, same-sex marriage, and the death penalty, showing how this new account of morality can open up a more fruitful debate.

*Natural Reason and Natural Law* James Carey 2019-04-05 Natural law, according to Thomas Aquinas, has its foundation in the evidence and operation of natural, human reason. Its primary precepts are self-evident. Awareness of these precepts does not presuppose knowledge of, or even belief in, the existence of God. The most interesting criticisms of Thomas Aquinas's natural-law teaching in modern times have been advanced by the political philosopher Leo Strauss and his followers. The purpose of this book is to show that these criticisms are based on misunderstandings and that they are inconclusive at best. Thomas Aquinas's natural-law teaching is fully rational. It is accessible to man as man.

**Aquinas and Modern Law** James Bernard Murphy 2017-07-05 This volume collects some of the best recent writings on St. Thomas's philosophy of law and includes a critical examination of Aquinas's theory of the relation between law and morality, his natural law theory, as well as the modern reformulation of his approach to natural rights. The volume shows how Aquinas understood the importance of positive law and demonstrates the modern relevance of his writings by including Thomistic critiques of modern jurisprudence and examples of applications of Thomistic jurisprudence to specific modern legal problems such as federalism, environmental policy, abortion and euthanasia. The volume also features an introduction which places Aquinas's writings in the context of modern jurisprudence as well as an extensive bibliography. The volume is suited to the needs of jurisprudence scholars, teachers and students and is an essential resource for all law libraries.

*Rawls and Law* Thom Brooks 2017-07-05 John Rawls (1921-2002) is widely held to be amongst the most important political philosophers for over a century. This volume, which is the first work of its kind to publish in one place the most influential essays in the field, features articles on a wide range of subjects including constitutionalism, democratic theory, egalitarianism, feminism, global justice, political liberalism, the rule of law, and public reason. The collection informs scholars and students coming to the study of Rawls's work for the first time of the

importance and complexity of Rawl's ideas, and sheds light on how these ideas might be further improved and applied.

**Modern Jurisprudence** Sean Coyle 2014-12-01 This book provides a concise and accessible guide to modern jurisprudence, offering an examination of the major theories and systematic discussion of themes such as legality and justice. It gives readers a better understanding of the rival viewpoints by exploring the historical developments which give modern thinking its distinctive shape, and placing law in its political context. A key feature of the book is that readers are not simply presented with opposing theories, but are guided through the rival standpoints on the basis of a coherent line of reflection from which an overall sense of the subject can be gained. Chapters on Hart, Fuller, Rawls, Dworkin and Finnis take the reader systematically through the terrain of modern legal philosophy, tracing the issues back to fundamental questions of philosophy, and indicating lines of criticism that build to a fresh and original perspective on the subject.

*Catholic Higher Education* Melanie Morey 2010-05-28 Today, Catholic colleges and universities are dealing with critical questions about what constitutes Catholic collegiate identity. Based on their research, Morey and Piderit describe the present situation and offer concrete suggestions for enhancing Catholic identity, culture, and mission at all Catholic colleges and universities. The authors define the critical issues and analyze and address them by using the rich construct of culture, particularly organizational culture; and they provide four different models of how Catholic colleges and universities can operate and successfully compete as religiously distinctive institutions in the higher education market.

Every Good Path Andrew Errington 2019-12-26 Andrew Errington brings the book of Proverbs into discussion with two significant accounts of the nature and foundation of practical reason in Christian ethics: those of Thomas Aquinas and Oliver O'Donovan. Aiming to move towards a framework for understanding Christian moral reasoning, this book develops a significant critique of aspects of Aquinas's thought and provides a major engagement with O'Donovan's moral theology. Errington argues that the way the Book of Proverbs conceives of wisdom presents an important challenge to the Western theological and philosophical tradition. Instead of a perfection of theoretical knowledge, wisdom in Proverbs is a practical knowledge of how to act well, grounded in the reality of the world God has made. Discussing the complexities of practical reason, moral reasoning in Aquinas, world order and deliberation in the work of O'Donovan, and the place of created order in Christian Ethics, this volume is invaluable for scholars and general readers in reconfiguring moral theology.

*Natural Law Jurisprudence in U.S. Supreme Court Cases since Roe v. Wade* Charles P. Nemeth 2020-02-20 Since America's founding, natural law principles play a critical role in the development of rights and human dignity. Commencing with the notion that rights are derived from a higher, metaphysical power over mere promulgation and human legislation, the natural law advocate sees law and human rights in the context of a more perpetual and perennial philosophy. Coupled with this is the view that the natural law provides a series of undeniable precepts for human operations or a natural prescription for human life based on the natural order. Hence early court cases tend to emphasize the "natural" versus the unnatural and just as compellingly argue that the natural order, aligned with the eternal law, delivers a measure for human action. Earlier US Supreme Court cases often use this sort of language in granting or denying rights in certain human activity. As a result, a survey of some of the most

significant landmark cases from the Supreme Court are assessed in "Natural Law and the US Supreme Court since Roe v. Wade" and by implication, those cases which seem to disregard these fundamental principles, such as the slavery decisions, are highlighted.

**Creon's Ghost Law Justice and the Humanities** Tomain 2009-02-16 Creon's Ghost examines the enduring problem of the relationship between man's law and a "higher" law from the perspective of core humanities texts and through discussion of hotly debated contemporary legal conundrums. Today, such issues as intelligent design in school curricula, same-sex marriage, and faith-based government grants are all examples of the interaction between man's law and some other set of moral principles. As these debates are considered in this book, the author uses texts such as Antigone and Plato's Republic and pairs them with the most important jurisprudence texts of the 20th century to explore different approaches to the contemporary conflict or court ruling under consideration. Creon's Ghost demonstrates that the humanities can both illuminate our understanding of contemporary problems and that "classic" texts can be read alongside jurisprudential texts, thus enriching our understanding of and appreciation for law.

Aquinas as Authority Harm J. M. J. Goris 2002 There is no doubt that Thomas Aquinas, together with Augustine, is among the most influential authorities in the history of Western Christian theology. Through the centuries, theologians and philosophers have interpreted Aquinas and (re-)constructed his thought in various ways. As a result of this, a very rich variety of theological and philosophical positions have appeared that claim to be inspired by the thought of Thomas Aquinas. Positions like these are often labelled as a form of 'Thomism'. Although this can be helpful in bringing some order into the history of thought, there is also a deceptive side to it. Any classification runs the risk of obscuring the multiplicity of interests that have inspired the use of Aquinas as authority. On closer investigation many questions arise. What aims did Aquinas' recipients have in mind and how did an appeal to Aquinas function in their attempts to reach these aims? To what extent has their adoption of Aquinas' ideas and approaches been successful or unsuccessful in answering new questions, and in meeting the problems of their times? And, finally, what can we learn from these divergent forms of 'Thomism'? To these questions the Thomas Institute at Utrecht devoted its second conference, which was held from Thursday December 14 to Saturday December 16, 2000. This book collects a selection of the studies that were presented.

**Philosophy of Law** John Finnis 2011-04-07 John Finnis has been a central figure in the fundamental re-shaping of legal philosophy over the past half-century. This volume of his Collected Essays shows the full range and power of his contributions to the philosophy of law. The volume collects nearly thirty papers: on the foundations of law's authority; major theories and theorists of law; legal reasoning; revolutions, rights and law; and the logic of law-making. The essays collected include Finnis' recent appreciations and root-and-branch critiques of Hart's legal and political theories, his engagements with other central figures and works in the field, including Dworkin's Law's Empire; Raz on authority and coordination; Coleman, Leiter and Gardner on legal positivism and naturalism; Aquinas as founder of legal positivism; Weber on the fact-value distinction and legitimation; Unger on indeterminacy in law; Posner on intention and economics; Kelsen and courts on revolutions; game-theory and rational-choice theory; with misinterpreters of Hohfeld on rights logic; John Paul II on voting for unjust laws; analogy's role in legal reasoning; the distribution of constitutional authority in the Empire and its dissolution; the judicial opportunism of separation of powers doctrine in the Australian

constitution; the architecture of Blackstone's Commentaries; restitution in civil wrongs; and many other aspects of law and legal theory. Several papers bring to bear his extensive work as a constitutional adviser and lawyer on persistent problems of constitutional theory. Previously unpublished papers include two on critical or post-modern legal theory, and an introduction reflecting on legal philosophy's development and future.

Nature as Reason Jean Porter 2005 This noteworthy book develops a new theory of the natural law that takes its orientation from the account of the natural law developed by Thomas Aquinas, as interpreted and supplemented in the context of scholastic theology in the twelfth and thirteenth centuries. Though this history might seem irrelevant to twenty-first-century life, Jean Porter shows that the scholastic approach to the natural law still has much to contribute to the contemporary discussion of Christian ethics. Aquinas and his interlocutors provide a way of thinking about the natural law that is distinctively theological while at the same time remaining open to other intellectual perspectives, including those of science. In the course of her work, Porter examines the scholastics' assumptions and beliefs about nature, Aquinas's account of happiness, and the overarching claim that reason can generate moral norms. Ultimately, Porter argues that a Thomistic theory of the natural law is well suited to provide a starting point for developing a more nuanced account of the relationship between specific beliefs and practices. While Aquinas's approach to the natural law may not provide a system of ethical norms that is both universally compelling and detailed enough to be practical, it does offer something that is arguably more valuable -- namely, a way of reflecting theologically on the phenomenon of human morality.

**Reassessing the Liberal State** Timothy Fuller 2001 This collection of essays revisits Jacques Maritain's book, *Man and the State*--the University of Chicago Walgreen lectures of 1949--and critically engages its greatest themes and arguments: the character of the modern state and its relation to the body politic, the state's functions and claims, the basis of authority, the foundation of human rights and natural law, structural pluralism, Church and State relations, national sovereignty, and the prospects for world government. The contributors address whether Maritain has successfully accomplished his project of engaging modernity from the perspective of a 20th century disciple of Thomas Aquinas; whether his reformulations and revisions of the modern state are philosophically sound and prudent; and whether his developments of Aristotle and Aquinas are faithful to the sources. Maritain, drawing upon the philosophy of Aquinas, represents a significant achievement: he provides a viable reassessment of the liberal state, uniting Thomistic and Aristotelian traditions with the human rights thrust of modern political philosophy. In short, Maritain reassesses the liberal state in light of ancient and medieval political traditions, seeking to find what is true, enduring, and practical in the modern liberal state, while criticizing its excesses and reconceptualizing its philosophical foundations. The contributors to this collection find Maritain has achieved much in the accomplishment of this project. Some continue this project by applying Maritain's philosophy to contemporary issues. Other contributors find it helpful, however, to compare Maritain to other contemporary political philosophers, and to question his use of the philosophy of Aquinas. Maritain's political philosophy, and *Man and the State* in particular, is worth continued study. Although his influence was greatest in the 1950s and 1960s and his philosophy has been displaced by new trends, his work shows a remarkable resilience and relevance to the issues of the day, offering a deeper philosophical foundation and more flexible set of tools for analysis than currently provided. Timothy Fuller, professor of political science and acting president of Colorado College, is the editor of *Leading and Leadership* and

The Voice of Liberal Learning: Michael Oakeshott on Education. John P. Hittinger is professor of philosophy at the United States Air Force Academy and coeditor of Liberalism at the Crossroads: An Introduction to Contemporary Liberal Theory and its Critics. Contributors: J. Budziszewski, Joseph M. DeTorre, Gregory Doolan, Desmond FitzGerald, Timothy Fuller, John R. Goodreau, Catherine Green, William Haggerty, James G. Hanink, Jeanne M. Heffernan, John P. Hittinger, Russell Hittinger, Richard Lemp, V. Bradley Lewis, Nicholas C. Lund-Molfese, John G. Trapani, Jr., Deborah Wallace, Henk E. S. Woldring, and Michael Woodward

**African Legal Theory and Contemporary Problems** Oche Onazi 2013-11-26 The book is a collection of essays, which aim to situate African legal theory in the context of the myriad of contemporary global challenges; from the prevalence of war to the misery of poverty and disease to the crises of the environment. Apart from being problems that have an indelible African mark on them, a common theme that runs throughout the essays in this book is that African legal theory has been excluded, under-explored or under-theorised in the search for solutions to such contemporary problems. The essays make a modest attempt to reverse this trend. The contributors investigate and introduce readers to the key issues, questions, concepts, impulses and problems that underpin the idea of African legal theory. They outline the potential offered by African legal theory and open up its key concepts and impulses for critical scrutiny. This is done in order to develop a better understanding of the extent to which African legal theory can contribute to discourses seeking to address some of the challenges that confront African and non-African societies alike.

*The Ethics of Aquinas* Stephen J. Pope 2002 In this comprehensive anthology, twenty-seven outstanding scholars from North America and Europe address every major aspect of Thomas Aquinas's understanding of morality and comment on his remarkable legacy. The opening chapters of *The Ethics of Aquinas* introduce readers to the sources, methods, and major themes of Aquinas's ethics. Part II of the book provides an extended discussion of ideas in the Second Part of the *Summa Theologiae*, in which contributors present cogent interpretations of the structure, major arguments, and themes of each of the treatises. The third and final part examines the legacy of Thomistic ethics for the twentieth century and today. These essays reflect a diverse group of scholars representing a variety of intellectual perspectives. Contributors span numerous fields of study, including intellectual history, medieval studies, moral philosophy, religious ethics, and moral theology. This remarkable variety underscores how interpretations of Thomas's ethics continue to develop and evolve -- and stimulate fervent discussion within the academy and the church. Book jacket.

**After the Natural Law** John Lawrence Hill 2016 The "natural law" worldview developed over the course of almost two thousand years beginning with Plato and Aristotle and culminating with St. Thomas Aquinas in the thirteenth century. This tradition holds that the world is ordered, intelligible and good, that there are objective moral truths which we can know and that human beings can achieve true happiness only by following our inborn nature, which draws us toward our own perfection. Most accounts of the natural law are based on a God-centered understanding of the world. *After the Natural Law* traces this tradition from Plato and Aristotle to Thomas Aquinas and then describes how and why modern philosophers such as Descartes, Locke and Hobbes began to chip away at this foundation. The book argues that natural law is a necessary foundation for our most important moral and political values – freedom, human rights, equality, responsibility and human dignity, among others. Without a theory of natural law, these values lose their coherence: we literally cannot make sense of

them given the assumptions of modern philosophy. Part I of the book traces the development of natural law theory from Plato and Aristotle through the crowning achievement of Thomas Aquinas. Part II explores how modern philosophers have systematically chipped away at the only coherent foundation for these values. As a result, our most important moral and political ideals today are incoherent. Modern political and moral thinkers have been led either to dilute the meaning of such terms as freedom or the moral good – or abandon these ideas altogether. Thus, modern philosophy and political thought are leading us either toward anarchy or totalitarianism. The conclusion, entitled "Why God Matters", shows how even the philosophical assumptions of the natural law depend on a personal God.