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Virtue Jurisprudence

In the philosophy of law, virtue jurisprudence is the set of theories of law related to virtue ethics. By making the aretaic turn in legal theory, virtue jurisprudence focuses on the importance of character and human excellence or virtue to questions about the nature of law, the content of the law, and judging.

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Abstract and Keywords. Recently, legal scholars have brought renewed attention to the question of what modern law may have to learn from Aristotle specifically, and from virtue ethics generally. This new virtue jurisprudence movement is situated in the debate over normative legal theory, yet it has taken on a decidedly practical question: What would happen if virtue ethics were transplanted into normative legal theory?

Virtue Jurisprudence - Oxford Handbooks

Abstract. "Virtue jurisprudence" is a normative and explanatory theory of law that utilizes the resources of virtue ethics to answer the central questions of legal theory. The main focus of the essay is the development of a virtue-centered theory of judging. The exposition of the theory begins with exploration of defects in judicial character such as corruption and incompetence.

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Virtue jurisprudence : definition of Virtue jurisprudence ...

Towards a Virtue Jurisprudence A full account of the implications of virtue ethics and epistemology for legal theory is a very large topic. Among the issues raised by virtue jurisprudence are the following: Virtue ethics has implications for an account of the proper ends of legislation.

Legal Theory Blog: Legal Theory Lexicon: Virtue Jurisprudence

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(PDF) Virtue Jurisprudence: An Aretaic Theory of Law

While the effect of virtue jurisprudence on constitutional adjudication has been explored, (12) the question of whether or not the Constitution may reasonably be interpreted as consistent with the ends of law according to virtue jurisprudence is valid and as yet little-discussed.

"Virtue Jurisprudence and the American Constitution" by ...

The English word is derived from the Latin, iurisprudentia. Juris is the genitive form of jus meaning law, and prudentia meaning prudence (also: discretion, foresight, forethought, circumspection). It refers to the exercise of good judgment, common sense, and caution, especially in the conduct of practical matters.

Jurisprudence - Wikipedia

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Virtue Jurisprudence: A Virtue-Centered Theory of Judging ...

Virtue jurisprudence is an approach to legal theory that develops the implications of virtue ethics and virtue politics for the law. Recent work on virtue jurisprudence has emphasized a NeoAristotelian approach. This essay develops a virtue jurisprudence in the Confucian tradition.

"Confucian Virtue Jurisprudence" by Linghao Wang and ...

In the philosophy of law, virtue jurisprudence is the name given to theories of law related to virtue ethics. By making the aretaic turn in legal theory, virtue jurisprudence focuses on the importance of character and human excellence or virtue to questions about the nature of law, the content of the law, and judging.

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Abstract. This book is the first authoritative text on virtue jurisprudence - the belief that the final end of law is not to maximize preference satisfaction or protect certain rights and privileges, but to promote human flourishing. Scholars of law, philosophy and politics illustrate here the value of the virtue ethics tradition to modern legal theory.

Colin Patrick Farrelly & Lawrence Solum (eds.), Virtue ...

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Virtue Jurisprudence by C. Farrelly, 9780230552890, available at Book Depository with free delivery worldwide.

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The Limits of Virtue Jurisprudence — Experts@Minnesota

Besides utilitarianism and Kantianism, natural law jurisprudence has in common with virtue ethics that it is a live option for a first principles ethics theory in analytic philosophy. The concept of natural law was very important in the development of the English common law .

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