

Klaus Mathis *Editor*

Efficiency, Sustainability, and Justice to Future Generations

Efficiency Sustainability And Justice To Future Generations Law And Philosophy Library

Richard K. Gardner, Phyllis Grumm



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Efficiency, Sustainability, and Justice to Future Generations Klaus Mathis, 2011-08-13 Fifty years after the famous essay *The Problem of Social Cost* 1960 by the Nobel laureate Ronald Coase Law and Economics seems to have become the lingua franca of American jurisprudence and although its influence on European jurisprudence is only moderate by comparison it has also gained popularity in Europe A highly influential publication of a different nature was the Brundtland Report 1987 which extended the concept of sustainability from forestry to the whole of the economy and society According to this report development is sustainable when it meets the needs of the present without compromising the ability of future generations to meet their own needs A key requirement of sustainable development is justice to future generations It is still a matter of fact that the law as well as the theories of justice are generally restricted to the resolution of conflicts between contemporaries and between people living in the same country This in turn raises a number of questions what is the philosophical justification for intergenerational justice What bearing does sustainability have on the efficiency principle How do we put a policy of sustainability into practice and what is the role of the law in doing so The present volume is devoted to these questions In Part One Law and Economics the role of economic analysis and efficiency in law is examined more closely Part Two Law and Sustainability engages with the themes of sustainable development and justice to future generations Finally Part Three Law Economics and Sustainability addresses the interrelationships between the different aspects

Law and Economics in Europe Klaus Mathis, 2013-11-11 This anthology illustrates how law and economics is developing in Europe and what opportunities and problems both in general and specific legal fields are associated with this approach within the legal traditions of European countries The first part illuminates the differences in the development and reception of the economic analysis of law in the American Common Law system and in the continental European Civil Law system The second part focuses on the different ways of thinking of lawyers and economists which clash in economic analysis of law The third part is devoted to legal transplants which often accompany the reception of law and economics from the United States Finally the fourth part focuses on the role economic analysis plays in the law of the European Union This anthology with its 14 essays from young European legal scholars is an important milestone in establishing a European law and economics culture and tradition

Objectivity in Law and Legal Reasoning Jaakko Husa, Mark Van Hoecke, 2013-01-28 Legal theorists consider their discipline as an objective endeavour in line with other fields of science Objectivity in science is generally regarded as a fundamental condition informing how science should be practised and how truths may be found Objective scientists venture to uncover empirical truths about the world and ought to eliminate personal biases prior commitments and emotional involvement However legal theorists are inevitably bound up with a given legal culture Consequently their scholarly work derives at least in part from this environment and their subtle interaction with it This book questions critically in novel ways and from various perspectives the possibilities of objectivity of legal theory in the twenty first century It transpires that legal

theory is unavoidably confronted with varying conceptions of law underlying ideologies approaches to legal method argumentation and discourse etc which limit the possibilities of objectivity in law and in legal reasoning The authors of this book reveal some of these underlying notions and discuss their consequences for legal theory *Critiquing Sustainability, Changing Philosophy* Jenneth Parker, 2014-03-21 To increasing numbers of people sustainability is the key challenge of the twenty first century In the many fields where it is a goal persistent problems obstruct the efforts of those trying to make a difference The task of this book is to provide an overview of the current state of philosophy in the context of what philosophy is could be or should be in relation to sustainability and the human future on Earth The book is conceived as a contribution to the UN Decade of Education for Sustainable Development helping to link work on philosophy and sustainability Critiquing Sustainability Changing Philosophy focusses on the importance of philosophical work to the formation and effectiveness of global civil society and social movements for sustainability in the context of the Anthropocene age of the Earth It takes a transdisciplinary systems approach that challenges philosophy and concludes by proposing a greatly enhanced role for philosophy in contributing to global public reason for sustainability This book will be of interest to philosophers sustainability practitioners and thinkers policy makers and all those engaged in the global movement for sustainability

DIREITO TRIBUTÁRIO E ANÁLISE ECONÔMICA DO DIREITO: Segurança jurídica e consequencialismo nos limites da norma tributária Vinícius Simões Borges Espinheira Fonseca, 2022-02-02 Este livro analisa a relação entre o Direito Tributário e a Análise Econômica do Direito em torno da regra matriz de incidência tributária Para tanto em primeiro lugar expõe a Análise Econômica do Direito luz da proposta essencialmente consequencialista de aplicação do Direito feita por Richard Posner e em segundo lugar com esteio na teoria geral dos sistemas autopoieticos e na teoria da norma jurídica trata da função e da estrutura do Direito Tributário dando enfoque normativo jurídico tributário de conduta Desse modo o livro estabelece as premissas sobre as quais se ergue o Direito Tributário e os limites que elas implicam para a adoção da abordagem da Análise Econômica do Direito no que tange aplicação desse ramo do Direito Fruto da dissertação de Mestrado do autor o livro pretende em última análise contribuir para a promoção da segurança jurídica na Ciência do Direito Tributário

Democracy, Equality, and Justice Matt Matravers, Lukas Meyer, 2015-04-08 In addressing democracy equality and justice together the book stimulates discussions that go beyond the sometimes increasingly technical and increasingly discrete literatures that now dominate the study of each concept The chapters fall into four categories on justice and democracy justice and equality justice and community and justice and the future Concerns of justice unite all the chapters in this volume However these concerns now manifest themselves in interesting and new directions Politically the book confronts urgent problems of democracy equality community and of how to respond to potentially catastrophic climate change The response to these problems cannot only be pragmatic and piecemeal What emerges are a number of interlinking questions and themes that together constitute the central core of contemporary political philosophy This book was previously published as a special

issue of the Critical Review of Social and Political Philosophy *Peace, Discontent and Constitutional Law* Martin Below, 2021-05-23 This book offers a multi discursive analysis of the constitutional foundations for peaceful coexistence the constitutional background for discontent and the impact of discontent and the consequences of conflict and revolution on the constitutional order of a democratic society which may lead to its implosion It explores the capacity of the constitutional order to serve as a reliable framework for peaceful co existence while allowing for reasonable and legitimate discontent It outlines the main factors contributing to rising pressure on constitutional order which may produce an implosion of constitutionalism and constitutional democracy as we have come to know it The collection presents a wide range of views on the ongoing implosion of the liberal democratic constitutional consensus which predetermined the constitutional axiology the institutional design the constitutional mythology and the functioning of the constitutional orders since the last decades of the 20th century The constitutional perspective is supplemented with perspectives from financial EU labour and social security law administrative law migration and religious law Liberal viewpoints encounter radical democratic and critical legal viewpoints The work thus allows for a plurality of viewpoints theoretical preferences and thematic discourses offering a pluralist scientific account of the key challenges to peaceful coexistence within the current constitutional framework The book provides a valuable resource for academics researchers and policymakers working in the areas of constitutional law and politics Bowker's Law Books and Serials in Print ,1993 **The Philosopher's Index** ,2009 Vols for 1969 include a section of abstracts Science, Technology and Society ,1982 **Subject Guide to Books in Print** ,1993 **Yearbook of International Organizations** , **Publishers, Distributors, & Wholesalers of the United States** ,2000 *Current Law Index* ,1999 *Choice* Richard K. Gardner,Phyllis Grumm,1976 **APAIS, Australian Public Affairs Information Service** ,1990 Vol for 1963 includes section Current Australian serials a subject list *Forthcoming Books* Rose Arny,1993-12 Current Index to Journals in Education ,1991 *The Human Right to a Green Future* Richard P. Hiskes,2009 This book presents an argument for establishing environmental human rights as the legitimate possession of both present and future generations It uses these rights to clean air water and soil to make an argument for justice across generations that is for recognizing the obligation that present generations have to preserve the environment and natural resources for future generations *Justice to Future Generations and the Environment* Hendrik Philip Visser 't Hooft,1999-06-30 This book contributes to the discussion about obligations to future generations by arguing that a principle of justice according to which we must share the environmental resources of the planet with future generations must be considered to be part of the just basic structure of society The argument is based on a close study of Rawls theory of justice and particularly of its treatment of the future generations issue But the author claims that the affirmation of a principle of justice towards future generations must be accompanied by the attempt to articulate the motives that shape a concern with the fate of future persons in the first place In order to consider and further its real chances we must put the perspective of

justice between generations with its very detached character within the context of our view from the present such as it is situated in historical time This opens a fascinating but difficult field of inquiry about inter generational value and its different aspects Although it is centred on the theory of justice and on general ethics the book also pays attention to the legal issues raised by the notion of a future oriented just basic structure of society

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