Sophie Loidolt

Einführung in die Rechtsphänomenologie
Eine historisch-systematische Darstellung

[Introduction to the Phenomenology of Law. A Historico-Systematic Account.]

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Since its very beginning, phenomenology has inspired trans- and interdisciplinary thought. Sophie Loidolt gives the first detailed systematic and historical account of the fruitful encounter between phenomenology, jurisprudence, and philosophy of law, starting with Adolf Reinach's »The Apriori Foundations of Civil Law« (1913) up to contemporary readings of Hannah Arendt and Emmanuel Levinas as »phenomenology of human rights«. The phenomenological topics that are the focus for these original and very diverse reflections on the »phenomenon of law«, are questions of inter/subjectivity, the constitution of meaning, the lifeworld and worldliness of law, social acts and social ontology, the genesis of (legal) orders, the ethical demand of alterity, the experience and evidence of law, an analysis of structures of validity and eidetical methods of investigation in legal and political science. The author elaborates on the views of Husserl, Scheler, Stein, Heidegger, Merleau-Ponty, Arendt and Levinas on questions of law and justice. It will also look at their interpreters in the field of legal theory, whose interests and background range from conceptions of the legal lifeworld (G. Husserl, Schütz, Amselek, Goyard-Fabre, Hamrick) up to legal positivism (Kaufmann, Schreier) and deontic logic (Gardies).


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