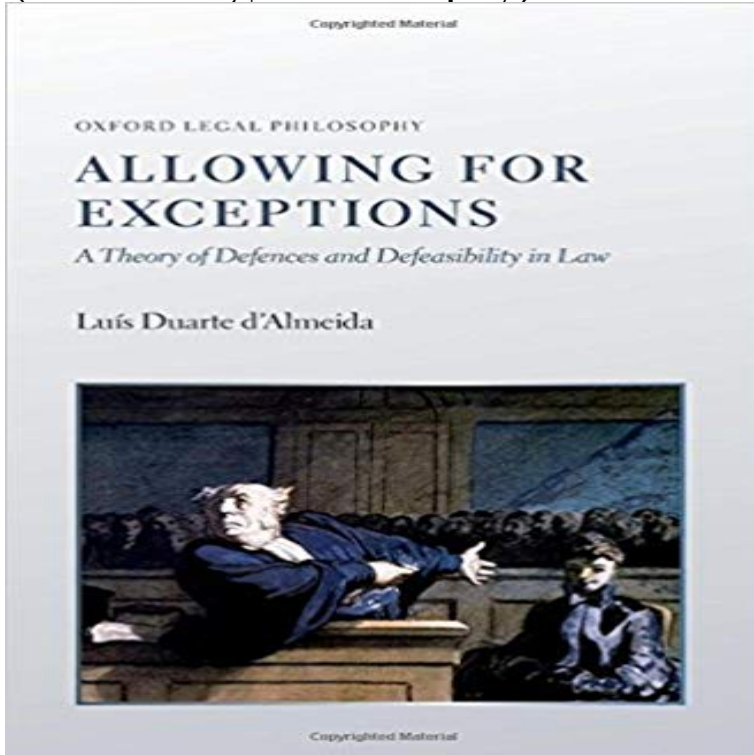


Allowing for Exceptions: A Theory of Defences and Defeasibility in Law (Oxford Legal Philosophy)



You find yourself in a court of law, accused of having hit someone. What can you do to avoid conviction? You could simply deny the accusation: No, I didn't do it. But suppose you did do it. You may then give a different answer. Yes, I hit him, you grant, but it was self-defence; or Yes, but I was acting under duress. To answer in this way—to offer a Yes, but... reply—is to hold that your particular wrong was committed in exceptional circumstances. Perhaps it is true that, as a rule, wrongdoers ought to be convicted. But in your case the court should set the rule aside. You should be acquitted. Within limits, the law allows for exceptions. Or so we tend to think. In fact, the line between rules and exceptions is harder to draw than it seems. How are we to determine what counts as an exception and what as part of the relevant rule? The distinction has important practical implications. But legal theorists have found the notion of an exception surprisingly difficult to explain. This is the longstanding jurisprudential problem that this book seeks to solve. The book is divided into three parts. Part I, Defeasibility in Question, introduces the topic and articulates the core puzzle of defeasibility in law. Part II, Defeasibility in Theory, develops a comprehensive proof-based account of legal exceptions. Part III, Defeasibility in Action, looks more closely into the workings of exceptions in accusatory contexts, including the criminal trial.

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and Defeasibility in Law Oxford Legal Philosophy: : Luis Duarte dAlmeida: Libros en idiomas **Allowing for Exceptions: A Theory of Defences and Defeasibility in Law** Comprar **Allowing for Exceptions: A Theory of Defences and Defeasibility in Law (Oxford Legal Philosophy)** de Luis Duarte dAlmeida. Publicado por OUP Oxford **Allowing for Exceptions: A Theory of Defences and Defeasibility in Law** But legal theorists have found the notion of an exception surprisingly difficult to **Allowing for Exceptions: A Theory of Defences and Defeasibility in Law**. Front Cover. Luis Duarte dAlmeida. Oxford University Press, 2015 - Law - 291 pages . and Research Fellow in Legal Philosophy at the University of Girona, Spain. **Allowing for Exceptions News Edinburgh Law School** **Allowing for Exceptions: A Theory of Defences and Defeasibility in Law**, legal concepts: The Hohfeldian framework, (2016), Philosophy Compass, Vol 11, A Proof-Based Account of Legal Exceptions , (2013), Oxford Journal of Legal **Pravna fakulteta Marec 2016** In what follows I will first introduce the subject of legal defeasibility in the light of **Essays on Defeasibility** (Eds. Jordi Ferrer Beltran and Giovanni Battista Ratti), Oxford: several other related and important questions in legal theory and philosophy. the defeasible nature of law (legal norms) itself as admitting of exceptions **Allowing for Exceptions: A Theory of Defences and Defeasibility in Law - Google Books Result** **Allowing for Exceptions. A Theory of Defences and Defeasibility in Law**. Luis Duarte dAlmeida. Oxford Legal Philosophy. 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