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KARL-FRANZENS-UNIVERSITÄT GRAZ
UNIVERSITY OF GRAZ
Institut für Rechtswissenschaftliche Grundlagen



GRAZ JURISPRUDENCE

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Deontic Modalities and Legal Positions

Vortrag in englischer Sprache

16.10.2018 | 18:30-20:00 Uhr

HS 15.11

RESOWI-Zentrum, Universitätsstraße 15,
Bauteil B, 1. Obergeschoß, 8010 Graz

GRAZ JURISPRUDENCE TALKS

Under a Hohfeldian scheme of correlativity and accepting the premise by which only norms confer legal positions or, in other words, that legal positions are just the outcome of norms, from that follows that a full frame of legal positions depends solely on the distinct combinations of the variables connected to norm's deontic modalities and, simultaneously, that the structure of norms has to somehow entail room for those positions. Analyzing this in the field of primary norms and considering atomistic legal positions in a norm individuation basis, the talk addresses these specific topics and, particularly, some problems regarding legal positions related to permissive norms such as if there is normative stand for half liberties or if a possible duty of non-interference might be qualified as an autonomous legal position.