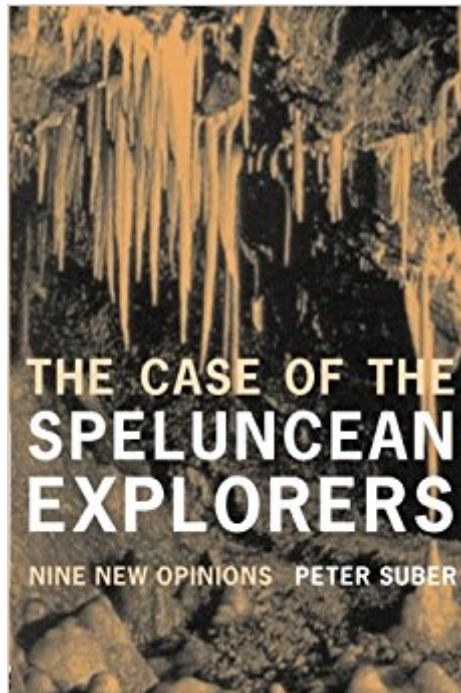




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The Case Of The Speluncean Explorers: Nine New Opinions



Synopsis

The Case of the Speluncean Explorers, written in 1949 by Lon Fuller, is the most famous fictitious legal case of all time. Describing a case of trapped travellers who are forced to cannibalize one of their team, it is used on courses in philosophy of law and Jurisprudence to show how their trial upon rescue touches on key concepts in philosophy and legal theory such as utilitarianism and naturalism. The Case of the Speluncean Explorers: Nine New opinions includes a reprint of Fuller's classic article and a much-needed revision of and addition to the five opinions originally expressed in the case by the five Supreme Court Judges. Peter Suber carefully and clearly introduces students to the main themes of Fuller's article before introducing nine new opinions. These opinions include perspectives from communitarian, feminist, multicultural, postmodern and economic theories of law, updating Fuller's original case and bringing contemporary theories of law to bear on the five original opinions. Why read this book? One reason is to get beyond sloganeering about "judicial activism" and "activist judges". The book is an enjoyable and even-handed way to understand what the debate is about. It doesn't tell you what to think, but illustrates the contending positions and lets you think for yourself. It will show you how judges with different moral and political beliefs interpret written law, how they use precedents, how they conceive the proper role of judges, how they conceive the relationship between law and morality, and how they defend their judicial practices against criticism. It anchors all of this in a Supreme Court hearing of a gripping, concrete case on which real people disagree. (Challenge: Take any view of how judges should interpret law, especially any view that makes it sound easy, and try it out on this case. How well can it respect the facts and law? How well can it answer the objections from judges who take other views? How well does it deliver justice?) The book uses no jargon and assumes no prior knowledge of law or legal philosophy.

Book Information

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Customer Reviews

"Suber's additions to this classic case are timely and substantially broaden the treatment of Fuller's original piece. The style is clean, direct and succinct. Suber does a fine job in identifying many of the issues Fuller could not have included."-Craig Ducat, Northern Illinois University "There is a real use for this book for courses on legal theory, and it will prove very useful in teaching."-Sandra E. Marshall, University of Sterling

Peter Suber is Professor of Philosophy at Earlham College. He is the author *The Paradox of Self Amendment* (1990). He is the author *The Paradox of Self Amendment* (1990).

Interesting and well written.

On a very superficial reading of the book, I guess it is possible to classify it as a powerful and frightening thriller. However this is certainly not the purpose of the book. "The Case of the Speluncean Explorers" is a powerful inquiry into the nature of law. These nine new opinions added by Peter Suber compose a rich increment to the original book, keeping the original work of Lon Fuller up to date with the contemporary debates in the philosophy of law.

This book tells a story that is increasingly touching and powerful: a group of friends decide to explore a cave, but when everything goes wrong, they are forced to create a new law inside the place in order to survive. By doing so, they forget the crowd of people outside who are trying to save them, and in this oppressive and dark place, they will have to do something terrible. Lon Fuller sets a tense and hair-raising climate, in which the characters will have to play a deadly game in order to choose the one who is going to be killed, because this is the only way they may escape, by eating someone, because the food ran out. Although this book is very interesting, I must say that it is also VERY frightening, and the experience that you will have here will be very similar to the one that those kids from The Blair Witch Project had, the sensation of loss. I study law, and my teacher told to the class that we should all read it, because it also brings a lot of informations about how the justice works, but what will always be reminded by anyone who read this book is the fear that Lon Fuller

develops. Lon Fuller isn't Stephen King, but, boy, here he writes something that is powerful and thrilling...

It's a fantastic account of legal thoughts in fictional form. But I am not sure whether people who are not interested in legal philosophy would like it.

The best way to have a solid approach to the difficult world of the law

now, i don't have time to write about it.....sorry

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