

# NATURAL

AND CONTEMPORARY PUBLIC POLICY

# LAW

EDITED BY DAVID P. FORTE

# Natural Law And Contemporary Public Policy

**J. Daryl Charles**



## **Natural Law And Contemporary Public Policy:**

**Natural Law and Contemporary Public Policy** David Forte, 1998-08-01 Rooted in Western classical and medieval philosophies the natural law movement of the last few decades seeks to rediscover fundamental moral truths In this book prominent thinkers demonstrate how natural law can be used to resolve a wide range of complex social political and constitutional issues by addressing controversial subjects that include the family taxation war racial discrimination medical technology and sexuality This volume will be of value to those working in philosophy political science and legal theory as well as to policy analysts legislators and judges *Natural Law and Religious Freedom* J. Daryl Charles, 2017-07-20 Every successive generation finds fresh reasons for the study of natural law Current interest in the natural law may well be due to a pervasive moral pessimism in the Western cultural context and wider contemporary geopolitical challenges Those geopolitical challenges result from two significant and worrisome global developments unprecedented violent persecution of religious minorities on several continents and a growing climate of secular hostility toward religious faith in Western societies *Natural Law and Religious Freedom* aims to address what is relatively absent from the literature by demonstrating the importance of natural law ethics in both establishing and preserving basic human rights of which religious freedom has pride of place Probing contemporary challenges to natural law thinking that are both internal and external to religious faith and examining the character and constitution of natural law ethics *Natural Law and Religious Freedom* will be of interest to theologians ethicists and philosophers as well as policy analysts politicians and activists who are concerned to anchor religious freedom and human rights policy considerations in an enduring way *Natural Law* Howard P. Kainz, 2004 Is there such a thing as an objective law of morality Natural law theorists maintain that there is and *Natural Law* probes the history and implications of this powerful concept Tracing the development of natural law from ancient times to the present the book also examines the leading figures transitions and turning points in the idea's evolution and brings a natural law approach to contemporary issues such as abortion homosexuality and assisted suicide *Natural Law, Economics and the Common Good* Samuel Gregg, Harold James, 2012-03-08 In the wake of the financial crisis of 2008 and ongoing debt related troubles there have been widespread calls to put banking and economic activity on a secure ethical foundation either by regulation or through voluntary reform In this volume a distinguished set of authors explore various economic philosophical and ethical ideas from historical contemporary and future looking perspectives At the core are two related ideas much mentioned but far more rarely examined the idea of natural law and that of the common good In these essays the foundations and meaning of these notions are carefully studied and put to work in examining the nature and scope of ethics in relation to global economics *The Rights of Strangers* Georg Cavallar, 2017-07-05 This study investigates the thinking of European authors from Vitoria to Kant about political justice the global community and the rights of strangers as one special form of interaction among individuals of divergent societies political communities and cultures Taking an interdisciplinary approach it covers

historical material from a predominantly philosophical perspective interpreting authors who have tackled problems related to the rights of strangers under the heading of international hospitality Their analyses of the *civitas maxima* or the *societas humani generis* covered the nature of the global commonwealth Their doctrines of natural law *ius naturae* were supposed to provide what we nowadays call theories of political justice The focus of the work is on international hospitality as part of the law of nations on its scope and justification It follows the political ideas of Francisco de Vitoria and the Second Scholastic in the 16th century of Alberico Gentili Hugo Grotius Samuel Pufendorf Christian Wolff Emer de Vattel Johann Jacob Moser and Immanuel Kant It draws attention to the international dimension of political thought in Thomas Hobbes John Locke Jean Jacques Rousseau David Hume Adam Smith and others This is predominantly a study in intellectual history which contextualizes ideas but also emphasizes their systematic relevance

**Truth** Kurt Pritzl, 2010 Fresh interpretations of the greatest philosophers on the nature of truth and speculative essays on truth in law the arts and science

**Aquinas and Modern Law** James Bernard Murphy, 2017-07-05 This volume collects some of the best recent writings on St Thomas s philosophy of law and includes a critical examination of Aquinas s theory of the relation between law and morality his natural law theory as well as the modern reformulation of his approach to natural rights The volume shows how Aquinas understood the importance of positive law and demonstrates the modern relevance of his writings by including Thomistic critiques of modern jurisprudence and examples of applications of Thomistic jurisprudence to specific modern legal problems such as federalism environmental policy abortion and euthanasia The volume also features an introduction which places Aquinas s writings in the context of modern jurisprudence as well as an extensive bibliography The volume is suited to the needs of jurisprudence scholars teachers and students and is an essential resource for all law libraries

Law and the Humanities Austin Sarat, Matthew Daniel Anderson, Cathrine O. Frank, 2010 A review and analysis of existing scholarship on the different national traditions and on the various modes and subjects of law and humanities

**Modern Just War Theory** Michael P. Farrell, 2013-06-20 Contributions to Illuminations A Scarecrow Press Series of Guides to Research in Religion provide students and scholars lay readers and clergy with a road map to research in key areas of religious study All commonly constructed with introductions to the topic and reviews of key thinkers concepts and events each volume includes surveys of the primary and secondary sources with critical evaluations of their places in the canon of thought and research on the topic Focusing primarily on the knowledge required by today s students and scholars each guide is a must have for any student of religion The twentieth century saw an explosion of wars and an accompanying explosion of literature on the morality of war Thinking among Christian clerics and scholars on the idea of just war shifted with developments on the battlefield Alternatives to just war theory such as pacifism and realism found new proponents in the published work of the neo Anabaptists and Niebhurians Meanwhile proponents of Christian just war theory had to address challenges from competing ideologies as well as ththose presented by the changing nature of warfare

**Modern Just War Theory A Guide to Research** by

scholar and librarian Michael Farrell serves as a manual for students and scholars studying Christian just war theory helping them navigate the wealth of just war literature produced in the twentieth and twenty first centuries Farrell s guide provides an introduction to the major developments of just war theory in the twentieth century including sections on how to research just war theory an overview of some of the most important theorists and developments of the twentieth century and discussions of key search terms and related topics Farrell then surveys and evaluates key primary and secondary sources for researchers on just war theory as well as related sources on Christian realism and the responses of just war theorists to proponents of pacifism and secular just war theories Modern Just War Theory will appeal to students and scholars of theology military history international law and Christian ethics      *Retrieving the Natural Law* J. Daryl Charles,2008-04-14 J Daryl Charles argues that a traditional metaphysics of natural law lies at the heart of the present reconstructive project and that a revival in natural law thinking is of the highest priority for the Christian community as we contend in rather than abdicate the public square Nowhere is this more on display than in the realm of bioethics where the most basic moral questions human personhood human rights versus responsibilities the reality of moral evil the basis of civil society are being debated from publisher description      **Natural Law and Modern Society** Sean Coyle,2023 Natural Law and Modern Society presents a new theory of natural law grounded in the thought of Saint Thomas Aquinas aimed at answering questions relevant to the ethics and morality of the theory of law obligation and political authority from the domestic realm to international community      **God and the Constitution** Paul Marshall,2002-08-13 This book is an indispensable guide for Christians interested in exploring how they can interject their religious convictions into their political actions      The Cloaking of Power Paul O. Carrese,2010-02-15 How did the US judiciary become so powerful powerful enough that state and federal judges once vied to decide a presidential election What does this prominence mean for the law constitutionalism and liberal democracy In *The Cloaking of Power* Paul O Carrese provides a provocative analysis of the intellectual sources of today s powerful judiciary arguing that Montesquieu in his *Spirit of the Laws* first articulated a new conception of the separation of powers and strong but subtle courts Montesquieu instructed statesmen to cloak power by placing judges at the center of politics while concealing them behind juries and subtle reforms Tracing this conception through Blackstone Hamilton and Tocqueville Carrese shows how it led to the prominence of judges courts and lawyers in America today But he places the blame for contemporary judicial activism squarely at the feet of Oliver Wendell Holmes Jr and his jurisprudential revolution which he believes to be the source of the now prevalent view that judging is merely political To address this crisis Carrese argues for a rediscovery of an independent judiciary one that blends prudence and natural law with common law and that observes the moderate jurisprudence of Montesquieu and Blackstone balancing abstract principles with realistic views of human nature and institutions He also advocates for a return to the complex constitutionalism of the American founders and Tocqueville and for judges who understand their responsibility to elevate citizens above individualism instructing them in

law and right      **Legality and Community** Philip Selznick, 2002 Bridging sociology legal and social theory and moral philosophy this volume explores the significance of Philip Selznick's work in a variety of social contexts particularly the search for responsive law and governance humane institutions and a balance between freedom and communal life      From the Bottom Up Kent Greenawalt, 2016-05-02 Kent Greenawalt's *From the Bottom Up* constitutes a collection of articles and essays written over the last five decades of his career They cover a wide range of topics many of which address ties between political and moral philosophy and what the law does and should provide A broad general theme is that in all these domains what really is the wisest approach to difficult circumstances often depends on the particular issues involved and their context Both judges and scholars too often rely on abstract general formulations to provide answers A notable example in political philosophy was the suggestion of the great and careful scholar John Rawls that laws should be based exclusively on public reason The essays explain that given uncertainty of what people perceive as the line between public reason and their religious convictions the inability of public reason to resolve some difficult questions such as what we owe to higher animals and the feeling of many that their religious understanding should count urging exclusive reliance on public reason is not a viable approach Other essays show similar problems with asserted bases for legal interpretations and the content of provisions such as the First Amendment      **The Contribution of Natural Law Theory to Moral and Legal Debate Concerning Suicide, Assisted Suicide, and Euthanasia** Craig Paterson, 2010-05-13      The Contribution of Natural Law Theory to Moral and Legal Debate Concerning Suicide, Assisted Suicide, and Voluntary Euthanasia Craig Paterson, 2001      *Natural Rights and the Right to Choose* Hadley Arkes, 2002-09-02 Over the last thirty years the American political class has come to talk itself out of the doctrines of natural rights that formed the main teaching of the American Founders and Abraham Lincoln With that move it has removed the ground for its own rights Ironically this transition has been made without awareness with a serene conviction that constitutional rights are being expanded In the name of privacy and autonomy new claims of liberty have been unfolded all of them bound up in some way with the notion of sexual freedom The right to choose an abortion has been the right to shift the political class from doctrines of natural right This new right overturned the liberal jurisprudence of the New Deal placing jurisprudence on a different foundation If there is a right to abortion it has been detached from the logic of natural rights and stripped of moral substance      *WAS FRANKENSTEIN REALLY UNCLE SAM?* Richard J. Rolwing, 2007-09-05 This is one of four volumes on the Declaration of Independence Formatted in 365 essays of about 400 words each Rolwing examines nearly all the major writers on our Basic Charter most of whom repudiate it He focuses on their manifold criticisms and rejections reveals their multiple distortions and misunderstandings rebukes their self contradictions and inconsistencies and pities their general theophobia He argues that while America was Founded almost completely by Protestant Christians the only two deists were not even deists what was Founded was formally only a philosophical product not a faith based or Christian one although the philosophy had been more Catholic than Protestant

Rolwing makes a great deal of American history law ethics politics philosophy and theology easily accessible to the average reader Each 5 minute essay can give you a high for the whole day Certainly the Declaration is worth many an hour explaining and defending it Mr Rolwing seeks to make the problems brought up about the document capable of being understood by both scholar and ordinary citizen Fr James Schall S J     *The Role of Ethics in International Law* Donald Earl Childress, III, 2011-11-14 The purpose of this book is to explore what role ethical discourse plays in public and private international law The book seeks 1 to delineate the role of ethical investigation in creating sustaining challenging and changing international law and 2 to open up a conversation between two related disciplines public and private international law that frequently labor in different vineyards By examining the role of ethical discourse in international law s public and private dimensions this volume will hopefully open new avenues for cross disciplinary exchange in these important fields and related disciplines The chapters in this book show that there is a way to engage the ethical dimension of international law without seeking to use ethics as raw politics and the will to power

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## **Table of Contents Natural Law And Contemporary Public Policy**

1. Understanding the eBook Natural Law And Contemporary Public Policy
  - The Rise of Digital Reading Natural Law And Contemporary Public Policy
  - Advantages of eBooks Over Traditional Books
2. Identifying Natural Law And Contemporary Public Policy
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Natural Law And Contemporary Public Policy
  - User-Friendly Interface
4. Exploring eBook Recommendations from Natural Law And Contemporary Public Policy
  - Personalized Recommendations
  - Natural Law And Contemporary Public Policy User Reviews and Ratings
  - Natural Law And Contemporary Public Policy and Bestseller Lists
5. Accessing Natural Law And Contemporary Public Policy Free and Paid eBooks
  - Natural Law And Contemporary Public Policy Public Domain eBooks



- Natural Law And Contemporary Public Policy eBook Subscription Services
- Natural Law And Contemporary Public Policy Budget-Friendly Options
- 6. Navigating Natural Law And Contemporary Public Policy eBook Formats
  - ePub, PDF, MOBI, and More
  - Natural Law And Contemporary Public Policy Compatibility with Devices
  - Natural Law And Contemporary Public Policy Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Natural Law And Contemporary Public Policy
  - Highlighting and Note-Taking Natural Law And Contemporary Public Policy
  - Interactive Elements Natural Law And Contemporary Public Policy
- 8. Staying Engaged with Natural Law And Contemporary Public Policy
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Natural Law And Contemporary Public Policy
- 9. Balancing eBooks and Physical Books Natural Law And Contemporary Public Policy
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Natural Law And Contemporary Public Policy
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Natural Law And Contemporary Public Policy
  - Setting Reading Goals Natural Law And Contemporary Public Policy
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Natural Law And Contemporary Public Policy
  - Fact-Checking eBook Content of Natural Law And Contemporary Public Policy
  - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks

#### 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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