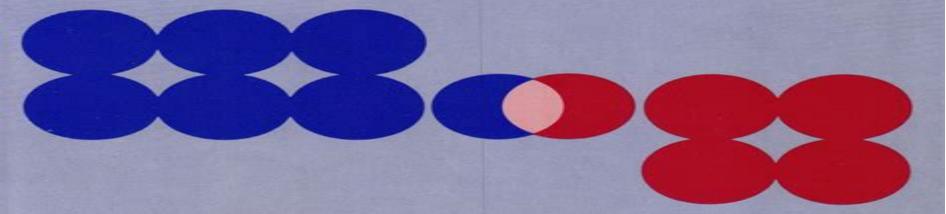


SEX, DRUGS, DEATH, and the LAW

An Essay on Human Rights and Overcriminalization



David A.J. Richards

Sex Drugs Death And The Law An Essay On Human Rights And Overcriminalization

David Pozen

Sex Drugs Death And The Law An Essay On Human Rights And Overcriminalization:

Sex, Drugs, Death, and the Law David A. J. Richards, 1986 Among the most commonly argued legal questions are those involving victimless crimes consensual adult sexual relations including homosexuality and prostitution the use of drugs and the right to die How can they be distinguished from proper crimes and how can we as citizens judge the complex moral and legal issues that such questions entail David Richards a teacher of law in the areas of constitutional and criminal law and a moral and legal philosopher concerned with the investigation of legal concepts applies an interdisciplinary approach to the question of overcriminalization he draws on legal and philosophical arguments and links the subject to history psychology social science and literature To demonstrate how gross and unjust overcriminalization has developed Professor Richards explores basic assumptions that often underlie the common American sense of proper criminalization and Justice Nicholas Bamforth, 1997-10-23 Against the background of the law reform debates around sexuality in Britain and America Bamforth examines what functions it is legitimate for the law to serve and how effective law can be in achieving social goals He provides a new and cogent argument for protecting lesbian and gay rights through law but is sceptical about how useful law can be in eradicating discriminatory social practices. This work sheds new light on the equal rights debate and raises issues of central importance to the role of law in society Yale Law Journal, 2013-04-26 One of the world's leading law journals is available as an ebook This issue of The Yale Law Journal the sixth of Volume 122 academic year 2012 2013 features new articles and essays on law and legal theory by internationally recognized scholars Contents include an article analyzing rape by deception and the mythical idea of sexual autonomy by Jed Rubenfeld an essay on extortion and the principle of abuse of property right by Larissa Katz and a book review essay on the new generation of civil rights lawyers and the construction of racial identity by Anthony Alfieri and Angela Onwuachi Willig The issue also features extensive student research in the form of Notes and Comments on such cutting edge subjects as mandatory arbitration and contract procedure the concept of ride through in bankruptcy law as an economic good kidney allocation and the limits of age discrimination law and how civil law jurisdictions treat amici curiae parties and briefs Quality ebook formatting includes fully linked notes and an active Table of Contents including linked Contents for individual articles and essays as well as active **A Moral Defense of Prostitution** Rob Lovering, 2021-07-09 Is prostitution immoral In this book Rob URLs in notes Lovering argues that it is not Offering a careful and thorough critique of the many twenty to be exact arguments for prostitution s immorality Lovering leaves no claim unchallenged Drawing on the relevant literature along with his own creative thinking Lovering offers a clear and reasoned moral defense of the world's oldest profession Lovering demonstrates convincingly on both consequentialist and nonconsequentialist grounds that there is nothing immoral about prostitution between consenting adults The legal implications of this view are also brought to bear on the current discourse surrounding this controversial topic **Identity and the Case for Gay Rights** David A. J. Richards, 1999 1 THE RACIAL ANALOGY

Resisting Injustice and the Feminist Ethics of Care in the Age of Obama David A.J. Richards, 2014-02-05 David A.J. Richards s Resisting Injustice and The Feminist Ethics of Care in The Age of Obama Suddenly All The Truth Was Coming Out builds on his and Carol Gilligan's The Deepening Darkness to examine the roots of the resistance movements of the 1960s the political psychology behind contemporary conservatism and President Obama's present day appeal as well as the reasons for the reactionary politics against him Richards begins by laying out the basics of the ethics of care and proposing an alternative basis for ethics relationality which is based in convergent findings in infant research neuroscience and evolutionary psychology He critically analyzes patriarchal politics and states that they are rooted in a reactionary psychology that attacks human relationality and ethics From there the book examines the 1960s resistance movements and argues that they were fundamentally oriented around challenging patriarchy Richards asserts that the reactionary politics in America from the 1960s to the present are in service of an American patriarchy threatened by the resistance movements ranging from the 1960s civil rights movements to the present gay rights movement Reactionary politics intend to marginalize and even reverse the ethical achievements accomplished by resistance movements creating in effect a system of patriarchy hiding in democracy Richards consequently argues that Obama's appeal is connected to his challenge to this system of patriarchy and will examine both Obama's appeal and the reactions against him in light of the 2012 presidential election. This book positions recent American political development in a broad analysis of the role of patriarchy in human oppression throughout history and argues that a feminist based ethics of care is necessary to form a more humane and inclusive democratic politics

Imposing Values N. Scott Arnold,2009-03-20 A major question for liberal politics and liberal political theory concerns the proper scope of government Liberalism has always favored limited government but there has been wide ranging dispute among liberals about just how extensive the scope of government should be Included in this dispute are questions about the extent of state ownership of the means of production redistribution of wealth and income through the tax code and transfer programs and the extent of government regulation One of N Scott Arnold's goals is to give an accurate characterization of both modern liberalism and classical liberalism explaining along the way why libertarianism is not the only form that classical liberalism can take The main focus of Arnold's book however concerns regulation specifically the modern liberal regulatory agenda as it has taken shape in contemporary American society This is the set of regulatory regimes favored by all modern liberals and opposed by all classical liberals It includes contemporary employment law in all its manifestations health and safety regulation and land use regulation The heart of the book consists of a systematic evaluation of arguments for and against all the items on this agenda It turns out that there are good arguments on both sides for most of these regulatory regimes Because of this and because someone s vision of the proper scope of government will ultimately prevail some procedural requirements that all liberals could agree to must be satisfied for one side to impose legitimately its values on the polity at large These procedural requirements are identified argued for and then applied to the elements of the modern

liberal regulatory agenda Arnold argues that many though not all of these elements have been illegitimately imposed on Paternalism John Kleinig. 1983 A Moral Defense of Recreational Drug Use Rob American society Lovering, 2015-08-12 Why does American law allow the recreational use of some drugs such as alcohol tobacco and caffeine but not others such as marijuana cocaine and heroin The answer lies not simply in the harm the use of these drugs might cause but in the perceived morality or lack thereof of their recreational use Despite strong rhetoric from moral critics of recreational drug use however it is surprisingly difficult to discern the reasons they have for deeming the recreational use of some drugs morally wrong In this book Rob Lovering lays out and dissects various arguments for the immorality of using marijuana cocaine heroin and other drugs recreationally He contends that by and large these arguments do not succeed Lovering s book represents one of the first works to systematically present analyze and critique arguments for the moral wrongness of recreational drug use Given this as well as the popularity of the morality based defense of the United States drug laws this book is an important and timely contribution to the debate on the recreational use of drugs and the Constitution David A.J. Richards, 2014-07-14 At stage center of the American drama maintains David A.J. Richards is the attempt to understand the implications of the Reconstruction Amendments Amendments Thirteen Fourteen and Fifteen to the United States Constitution Richards evaluates previous efforts to interpret the amendments and then proposes his own view together the amendments embodied a self conscious rebirth of America's revolutionary rights based constitutionalism Building on an approach to constitutional law developed in his Toleration and the Constitution and Foundations of American Constitutionalism Richards links history law and political theory In Conscience and the Constitution this method leads from an analysis of the Reconstruction Amendments to a broad discussion of the American constitutional system as a whole Richards s interpretation focuses on the abolitionists and their radical commitment to the dissenting conscience In his view the Reconstruction Amendments expressed not only the constitutional arguments of a particular historical period but also a general political theory developed by the abolitionists who restructured the American political community in terms of respect for universal human rights He argues further that the amendments make a claim on our generation to keep faith with the vision of the founders of 1865 In specific terms he points out what such allegiance would mean in the context of present day constitutional issues Originally published in 1993 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905 Drug Use and Drug Policy Marilyn D. McShane, Franklin P. Williams, 1997 The articles in this collection provide an overview of the research and writing on this The Constitution of the War on Drugs David Pozen, 2024 In The Constitution of the War topic between 1991 and 1995

on Drugs David Pozen provides an authoritative critical constitutional history of the drug war casting new light on both drug prohibition and U S constitutional development Pozen shows the plausibility of a constitutional path not taken in the 1960s and 1970s a path that would have led to a less punitive approach to drug control He explains how and why constitutional resistance to drug prohibition collapsed And he offers a roadmap to constitutional reform options available today

Handbook on Public and Private Security Erwin Blackstone, Simon Hakim, Brian J. Meehan, 2023-11-08 This Handbook discusses the use of public private partnerships in law enforcement and security Written by international experts across multiple disciplines chapters include case studies and cross sectional industry wide studies of private security performance in comparison with public police and collaborated experiences of the two sectors The Handbook uses existing experiences and public economics to suggest how to improve security and social welfare through greater competition and cooperation between public and private security This volume provides an integrated framework to assist policymakers in both public and private agencies This Handbook will be an important reference for scholars in public economics public administration criminology and criminal justice as well as professionals and policymakers in the public and private sectors **Economic Anatomy of a Drug War** David W. Rasmussen, Bruce L. Benson, 1994 This book explores the economics of illicit drug markets the connection between these markets and other crime and the adjustments these markets make when faced with changes in drug enforcement Focusing specifically on the most recent escalation of drug enforcement during the period from 1984 1989 Rasmussen and Benson adopt an economic perspective to explore the origins and effects of American drug policy Rasmussen and Benson argue that effective drug policy is only possible if we realize that increasing drug enforcement can be a tragedy of the commons because criminal justice resources are diverted from other uses and many unintended consequences are generated by politically popular drug enforcement initiatives Italian American David A.I. Richards, 1999-07-01 When southern Italians began emigrating to the U S in large numbers in the 1870s part of the new immigration from southern and eastern rather than northern Europe they were seen as racially inferior what David A J Richards terms nonvisibly black The first study of its kind Italian American explores the acculturation process of Italian immigrants in terms of then current patterns of European and American racism Delving into the political and legal context of flawed liberal nationalism both in Italy the Risorgimento and the United States Reconstruction Amendments Richards examines why Italian Americans were so reluctant to influence depictions of themselves and their own collective identity He argues that American racism could not have had the durability or political power it has had either in the popular understanding or in the corruption of constitutional ideals unless many new immigrants themselves often regarded as racially inferior had been drawn into accepting and supporting many of the terms of American racism With its unprecedented focus on Italian American identity and an interdisciplinary approach to comparative culture and law this timely study sheds important light on the history and contemporary importance of identity and multicultural politics in American political and

constitutional debate The Rich Get Richer and the Poor Get Prison Jeffrey Reiman, Paul Leighton, 2016-11-10 For nearly 40 years this classic text has taken the issue of economic inequality seriously and asked Why are our prisons filled with the poor Why aren t the tools of the criminal justice system being used to protect Americans from predatory business practices and to punish well off people who cause widespread harm The Rich Get Richer shows readers that much that goes on in the criminal justice system violates citizens sense of basic fairness It presents extensive evidence from mainstream data that the criminal justice system does not function in the way it says it does nor in the way that readers believe it should The authors develop a theoretical perspective from which readers might understand these failures and evaluate them morally and they to do it in a short and relatively inexpensive text written in plain language New to this edition Presents recent data comparing the harms due to criminal activity with the harms of dangerous but not criminal corporate actions Presents new data on recent crime rate declines which are paired with data on how public safety is not prioritized by the U S government Updates statistics on crime victimization wealth and discrimination plus coverage of the increasing role of criminal justice fines and fees in generating revenue for government Updates on the costs to society of white collar crime Updates and deepened analysis of why fundamental reforms are not undertaken Streamlined and condensed prose for greater clarity

Nomination of Judge Clarence Thomas to be Associate Justice of the Supreme Court of the United States United States. Congress. Senate. Committee on the Judiciary, 1993 The Rise of Gay Rights and the Fall of the British Empire David A. J. Richards, 2013-04-22 This book argues that there is an important connection between ethical resistance to British imperialism and the ethical discovery of gay rights By closely examining the roots of liberal resistance in Britain and resistance to patriarchy in the United States this book shows that fighting the demands of patriarchal manhood and womanhood plays an important role in countering imperialism Advocates of feminism and gay rights in particular the Bloomsbury Group in Britain play an important public function in the criticism of imperialism because they resist the gender binary s role in rationalizing sexism and homophobia in both public and private life The connection between the rise of gay rights and the fall of empire illuminates larger questions of the meaning of democracy and of universal human rights as shared human values that have appeared since World War II The book also casts doubt on the thesis that arguments for gay rights must be extrinsic to democracy and that they must reflect Western as opposed to African or Asian values To the contrary gay rights arise from within liberal democracy and its critics polemically use such opposition to cover and rationalize their own failures of democracy **On the Moral Right to Get High** Rob Lovering, 2025-06-29 Is getting high immoral In this book Rob Lovering defends the claim that it is not More specifically he argues that recreational drug use of which getting high is a token is neither intrinsically nor generally extrinsically immoral In other words he contends that recreational drug use is neither immoral in and of itself nor generally immoral due to an immoral making factor with which it may be contingently linked e g harm Lovering does so by offering two arguments for recreational drug use s ultima facie all

things considered moral permissibility and critiquing twenty four arguments for its immorality Meant to be a companion to Lovering s A Moral Defense of Recreational Drug Use Palgrave Macmillan 2015 which was written for a general audience this book is written for an academic specifically philosophical audience and explores recreational drug use in a deeper more philosophically and empirically rigorous way **Criminal Behavior Systems** Marshall Clinard, Richard Quinney, John Wildeman, 2014-10-24 An important classic especially useful for courses in criminal behavior and personality this text begins with a discussion of the construction of types of crime and then formulates and utilizes a typology of criminal behavior systems

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