

# Natural Rights

- ▶ From the Declaration of Independence:
- ▶ We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

# Natural Rights A New Theory

**Gerald Gaus, Fred D'Agostino, Ryan  
Muldoon**



## **Natural Rights A New Theory:**

**Natural Rights: a New Theory** Richard D. Fuerle, 2003-11-14 Do you have a right to your car your house or even to your life Why Because the government says you do Suppose they change their minds Wouldnt it be better if you could prove that you have a right to your property including your own body This book offers such a proof The proof begins with the premise that people have free will A right is defined as a valid claim to the use of a physical thing and the author argues that free will implies that the first person to use an unclaimed physical thing acquires a right to that use For example we acquire rights to use our bodies when we first use them Rights are transferred to another person when the right holder abandons his right and the other person claims it Rights are violated when another person uses the same physical thing in a way that conflicts with our use Difficult questions are tackled in this book such as What rights can children acquire Can we acquire rights to intellectual property How can retribution against criminals be implied by free will Does a judge violate rights if he sentences a defendant who is in fact innocent And do rights conflict with survival

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*The Idea of Natural Rights* Brian Tierney, 2001 This series originally published by Scholars Press and now available from Eerdmans is intended to foster exploration of the religious dimensions of law the legal dimensions of religion and the interaction of legal and religious ideas institutions and methods Written by leading scholars of law political science and related fields these volumes will help meet the growing demand for literature in the burgeoning interdisciplinary study of law and religion

*Natural Rights Theories* Richard Tuck, 1979 The origins of natural rights theories in medieval Europe and their development in the seventeenth century

**A Holistic Approach to Rights** Eugene Schlossberger, 2008 Applying new theories about rights to pressing social issues A Holistic Approach to Rights suggests major changes are needed in the ways we think about rights and formulating social policy Part I analyzes rights as networks of warrants socially recognized sanctions for doing saying demanding believing feeling or thinking something as one s due On this account rights are more varied and play a more diverse and open ended role in legal and moral thinking than most

theories of rights allow A new theory of natural rights treats them as claims that every person has upon the state as a condition of legitimacy to make adequate provision for those features of human life that require force against persons to be justified Moral rights such as the right to the truth derive from team loyalty due fellow members of the moral community and can be lost by someone who acts in ways that undermine the moral enterprise Part II provides detailed analyses of affirmative action group rights the rights of future generations reproductive rights the use of new reproductive technologies and speech rights Specific conclusions include an innovative proposal for regulating violence and pornography in the media

**Fichte's Foundations of Natural Right** Gabriel Gottlieb, 2016-09-15 This Guide examines Fichte's main political concepts including morality the summons social contract freedom the body and human rights *The Problem of Natural Law* Douglas Kries, 2007-01-01 The Problem of Natural Law takes up the problem of how natural law theory might be made a serious contender in modern moral political and legal debate Author Douglas Kries takes as his starting point the question of how human beings are said to know the natural law which is a question that has traditionally been answered by appealing to the notion of conscience Since Thomas Aquinas articulated the classic formulation of natural law theory the book begins with an analysis of Thomas's notion of conscience It then examines both the philosophical and theological objections that have been raised against the Thomistic notion of conscience and argues that this long standing teaching could and should be bracketed by contemporary natural law theory On the basis of this reformulation of natural law Kries then proceeds to show how reviving natural law theory might be possible in the contemporary context though it will need to be preceded by a reformulation of the natural law theory itself especially with respect to the doctrine of conscience If this is accomplished Thomistic natural law will be better situated to respond to its three most important contemporary critics the existentialism of Sartre the deontologism of Kant and the political hedonism of Hobbes Human Rights, Ownership, and the Individual Rowan Cruft, 2019-09-12 Is it defensible to use the concept of a right Can we justify rights central place in modern moral and legal thinking or does the concept unjustifiably side line those who do not qualify as right holders Rowan Cruft develops a new account of rights Moving beyond the traditional interest theory and will theory he defends a distinctive addressive approach that brings together duty bearer and right holder in the first person This view has important implications for the idea of natural moral rights that is rights that exist independently of anyone's recognizing that they do Cruft argues that only moral duties grounded in the good of a particular party person animal group are naturally owed to that party as their rights He argues that human rights in law and morality should be founded on such recognition independent rights In relation to property however matters are complicated because much property is justifiable only by collective goods beyond the rightholder's own good For such property Cruft argues that a new non rights property system that resembles markets but is not conceived in terms of rights would be possible The result of this study is a partial vindication of the rights concept that is more supportive of human rights than many of their critics from left or right might expect and is surprisingly doubtful about

property as an individual right      Rights, Bodies and Recognition Daniel Breazeale, 2019-03-29 The German philosopher Johann Gottlieb Fichte 1762 1814 has long been recognized as an important and original figure in the history of philosophy and Western thought and as a seminal influence upon the Romantic tradition The essays in this book focus on Fichte's contributions in political theory as set out in his Foundations of Natural Right Fichte was notorious as a political radical and his ideas in political theory proved to be decisive influences upon his contemporaries and of striking relevance to current political dispute This volume of essays which examine such issues as Fichte as a social contract theorist his theory of gender relations and his theories on punishment and the criminal law among many other topics remedies what has been a striking lacuna in the existing scholarly literature      *Social Contract Theory in American Jurisprudence* Thomas R. Pope, 2013-06-07 Despite decades of attempts and the best intentions of its members the United States Supreme Court has failed to develop a coherent jurisprudence regarding the state's proper relationship to the individual Without some objective standard upon which to ground jurisprudence decisions have moved along a spectrum between freedom and authority and back again affecting issues as diverse as individual contractual liberties and the right to privacy Social Contract Theory in American Jurisprudence seeks to reintroduce the lessons of modern political philosophy to offer a solution for this variable application of legal principle and to lay the groundwork for a jurisprudence consistent in both theory and practice Thomas R. Pope's argument examines two exemplary court cases *Lochner v New York* and *West Coast Hotel v Parrish* and demonstrates how the results of these cases failed to achieve the necessary balance of liberty and the public good because they considered the matter in terms of a dichotomy Pope explores our constitution's roots in social contract theory looking particularly to the ideas of Thomas Hobbes for a jurisprudence that is consistent with the language and tradition of the Constitution and that is also more effectually viable than existing alternatives Pope concludes with an examination of recent cases before the Court grounding his observations firmly within the developments of ongoing negotiation of jurisprudence Addressing the current debate between individual liberty and government responsibility within the context of contemporary jurisprudence Pope considers the implications of a Hobbesian founding for modern policy This book will be particularly relevant to scholars of Constitutional Law the American Founding and Modern Political Theory      On Reason and Order: Locke's Political Influence in the New World Pasquale De Marco, 2025-08-15 Delve into the profound world of John Locke's political philosophy and its enduring impact on modern thought and society On Reason and Order Locke's Political Influence in the New World offers a comprehensive exploration of Locke's seminal ideas their historical significance and their continuing relevance in shaping democratic governance Locke's unwavering commitment to individual liberty and his belief in the inherent rights of all human beings have had a transformative impact on the course of history His work provided the intellectual foundation for the American Revolution and the subsequent establishment of the United States as a nation founded on the principles of liberty equality and self government Locke's influence can also be seen in the development of modern theories of rights including

the Universal Declaration of Human Rights which enshrines the fundamental rights and freedoms of all individuals Beyond his contributions to political thought Locke s writings on education economics and religious toleration have also left a lasting legacy His emphasis on the importance of education as a means of personal and social progress continues to shape educational philosophies and practices around the world His insights into the nature of money and value have influenced economic thought and policy while his advocacy for religious toleration has contributed to the development of modern concepts of freedom of conscience and religious liberty This book takes readers on a journey through Locke s life work and enduring legacy examining his seminal work Two Treatises of Government and its profound implications for the American Revolution modern theories of rights and the evolution of democratic thought We explore Locke s unique perspective on the role of government the importance of individual liberty and the delicate balance between order and freedom Through this exploration we gain a deeper understanding of the foundations of modern democracy the importance of individual rights and the ongoing quest for a just and equitable society Locke s ideas continue to inspire and challenge us inviting us to reflect on the nature of freedom the limits of power and the possibilities for human progress On Reason and Order Locke s Political Influence in the New World is an essential read for students of political thought history and anyone interested in the intellectual foundations of modern society If you like this book write a review

**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 Today Steven Brust, Christopher Wolfe, 2018-10-15 Natural Law Today The Present State of the Perennial Philosophy explains and defends various aspects of traditional natural law ethical theory which is rooted in a broad understanding of human nature Some of the issues touched upon include the relation of natural law to speculative reason and human ends teleology the relationship between natural law and natural theology the so called naturalistic fallacy deriving ought from is and the scope of natural knowledge of the precepts of the natural law as well as possible limits on it It also takes up certain historical and contemporary questions such as the various stances of Protestant thinkers toward natural law the place of natural law in contemporary U S legal thought and the relationship between natural law and liberal political thought more generally It brings together a number of the leading exponents of a more traditional or classical form of natural law thought who claim to root their arguments within the broader philosophy of Thomas Aquinas more deeply than other major representatives of the natural law tradition today

Encyclopedia of the Enlightenment Michel Delon, 2013-12-04 This acclaimed translation of Michel Delon s Dictionnaire Europeen des Lumieres contains more than 350 signed entries covering the art economics science history philosophy and religion of the Enlightenment Delon s team of more than 200 experts from around the world offers a

unique perspective on the period providing offering not only factual information but also critical opinions that give the reader a deeper level of understanding An international team of translators editors and advisers under the auspices of the French Ministry of Culture has brought this collection of scholarship to the English speaking world for the first time **The Chinese Human Rights Reader** Stephen C. Angle, Marina Svensson, 2015-03-26 Representative selections from China's twentieth century human rights discourse rendered into fluid and non technical English The documents are arranged chronologically and each is preceded by a brief introduction dealing with the author and the immediate context The book also includes a glossary in which translations of key terms are linked to their Chinese equivalents Natural Rights Individualism and Progressivism in American Political Philosophy: Volume 29, Part 2 Ellen Frankel Paul, Fred D. Miller (Jr.), Jeffrey Paul, 2012-08-27 In 1776 the American Declaration of Independence appealed to the Laws of nature and of Nature's God and affirmed these Truths to be self evident that all Men are created equal that they are endowed by their Creator with certain unalienable Rights that among these are Life Liberty and the Pursuit of Happiness In 1935 John Dewey professor of philosophy at Columbia University declared Natural rights and natural liberties exist only in the kingdom of mythological social zoology These opposing pronouncements on natural rights represent two separate and antithetical American political traditions natural rights individualism the original Lockean tradition of the Founding and Progressivism the collectivist reaction to individualism which arose initially in the newly established universities in the decades following the Civil War The Routledge Companion to Social and Political Philosophy Gerald Gaus, Fred D'Agostino, Ryan Muldoon, 2012-12-20 The Routledge Companion to Social and Political Philosophy is a comprehensive definitive reference work providing an up to date survey of the field charting its history and key figures and movements and addressing enduring questions as well as contemporary research Features unique to the Companion are an extensive coverage of the history of social and political thought including separate chapters on the development of political thought in the Islamic world India and China as well in modern Germany France and Britain a focus on the core concepts and the normative foundations of social and political theory a seven chapter section devoted exclusively to distributive justice the central issue of political philosophy since Rawls Theory of Justice extensive coverage of global justice and international issues which recently have emerged as vital topics an eight chapter section on issues in social and political philosophy The Companion is divided into eight thematic sections The History of Social and Political Theory Political Theories and Ideologies Normative Foundations The National State and Beyond Distributive Justice Political Concepts Concepts and Methods in Social Philosophy Issues in Social and Political Philosophy Comprised of sixty nine newly commissioned essays by leading scholars from throughout the world The Routledge Companion to Social and Political Philosophy is the most comprehensive and authoritative resource in social and political philosophy for students and scholars *Natural Right and the American Imagination* Catherine H. Zuckert, 1990 Discusses ways in which works by James Fenimore Cooper Nathaniel Hawthorne Herman Melville Mark Twain

Ernest Hemingway and William Faulkner explore the central issue of political philosophy *New Models In Geography* Richard Peet, Nigel Thrift, 2013-10-11 First published in 1989 It seems such a long time ago another age yet it is a mere twenty odd years since the original Models in Geography was published It is an even shorter time since the first tentative steps were taken towards an alternative formulation of what might constitute a geographical perspective within the social sciences What came to be called the political economy perspective has progressed with remarkable speed and energy to generate its own framework of conceptualization and analysis its own questions and debates The papers in these two volumes are witness to the richness and range of the work which has developed over this relatively short period within the political economy approach Moreover from being a debate within an institutionally defined discipline of geography to introducing into that discipline ideas and discussions from the wider fields of philosophy and social science and the humanities more generally it has now flowered into a consistent part of enquiries that span the entire realm of social studies

**Natural Law and the Possibility of a Global Ethics** Mark J. Cherry, 2006-04-11 Accounts of natural law moral philosophy and theology sought principles and precepts for morality law and other forms of social authority whose prescriptive force was not dependent for validity on human decision social influence past tradition or cultural convention but through natural reason itself This volume critically explores and assesses our contemporary culture wars in terms of the possibility of natural law moral philosophy and theology to provide a unique content full canonical morality the character and nature of moral pluralism the limits of justifiable national and international policy seeking to produce and preserve human happiness social justice and the common good the ways in which morality moral epistemology and social political reform must be set within the broader context of an appropriately philosophically and theologically anchored anthropology This work will be of interest to philosophers theologians bioethicists ethicists and political scientists



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## **Table of Contents Natural Rights A New Theory**

1. Understanding the eBook Natural Rights A New Theory
  - The Rise of Digital Reading Natural Rights A New Theory
  - Advantages of eBooks Over Traditional Books
2. Identifying Natural Rights A New Theory
  - 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 Rights A New Theory
  - User-Friendly Interface
4. Exploring eBook Recommendations from Natural Rights A New Theory
  - Personalized Recommendations
  - Natural Rights A New Theory User Reviews and Ratings
  - Natural Rights A New Theory and Bestseller Lists
5. Accessing Natural Rights A New Theory Free and Paid eBooks
  - Natural Rights A New Theory Public Domain eBooks
  - Natural Rights A New Theory eBook Subscription Services
  - Natural Rights A New Theory Budget-Friendly Options
6. Navigating Natural Rights A New Theory eBook Formats

- ePub, PDF, MOBI, and More
- Natural Rights A New Theory Compatibility with Devices
- Natural Rights A New Theory Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Natural Rights A New Theory
  - Highlighting and Note-Taking Natural Rights A New Theory
  - Interactive Elements Natural Rights A New Theory
- 8. Staying Engaged with Natural Rights A New Theory
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Natural Rights A New Theory
- 9. Balancing eBooks and Physical Books Natural Rights A New Theory
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Natural Rights A New Theory
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Natural Rights A New Theory
  - Setting Reading Goals Natural Rights A New Theory
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Natural Rights A New Theory
  - Fact-Checking eBook Content of Natural Rights A New Theory
  - 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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