

Joel Feinberg

Rights, Justice,
and the Bounds
of Liberty

Essays in Social Philosophy

Rights Justice The Bounds Of Liberty Essays In Social Philosophy

M Walker



Rights Justice The Bounds Of Liberty Essays In Social Philosophy:

Rights, Justice, and the Bounds of Liberty Joel Feinberg, 2014-07-14 This volume of essays by one of America's preeminent philosophers in the area of jurisprudence and moral philosophy gathers together fourteen papers that had been published in widely scattered and not readily accessible sources All of the essays deal with the political ideals of liberty and justice or with hard cases for the application of the concept of a right Originally published in 1980 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

The Concept of Group Rights in International Law Corsin Bisaz, 2012-08-28 The Concept of Group Rights in International Law offers a critical appraisal of the concept of group rights in international law on the basis of an extensive survey of existing group rights in contemporary international law Among some of its findings is the observation that an ideological way of arguing about this legal category is widespread among scholars as well as practitioners it sees this ideological framing as one of the main reasons why international law has so far been very reluctant to provide group rights and to call them by their name Accordingly the book re-evaluates the concept based on the experience with existing group rights in international law and pleads for a more pragmatic approach Despite limitations with the concept the overall thesis is that there is a role for group rights as a pragmatic tool allowing for a principled approach to substate groups through international law Such an approach could turn group rights into an arguably minor but nevertheless highly relevant legal category of international law

Human Duties and the Limits of Human Rights Discourse Eric R. Boot, 2017-10-24 This book demonstrates the importance of a duty based approach to morality The dominance of what has been labeled rights talk leads to the neglect of duties without corresponding rights e.g. duties of virtue and stimulates the proliferation of questionable human rights Therefore this book argues for a duty based perspective on morality in order to first salvage duties of virtue and second counter the trend of rights proliferation by providing some conceptual clarity concerning rights and duties that will enable us to differentiate between genuine and spurious rights claims The argument for this duty based perspective is made by examining two particularly contentious duties duties to aid the global poor and civic duties These two duties serve as case studies and are explored from the perspectives of political theory jurisprudence and moral philosophy The argument is made that both these duties can only be adequately defined and allocated if we adopt the perspective of duties as the predominant perspective of rights either does not recognize them to be duties at all or else leaves their content and allocation indefinite This renewed focus on duties does not wish to diminish the importance of rights Rather the duty based perspective on morality will strengthen human rights discourse by distinguishing more strictly between genuine and

inauthentic rights Furthermore a duty based approach enriches our moral landscape by recognizing both duties of justice and duties of virtue The latter duties are not less important or supererogatory but function as indispensable complements to the duties prescribed by justice In this perceptive and exceptionally lucid book Eric Boot argues that a duty focused approach to morality will remedy the shortcomings he finds in the standard accounts of human rights The study tackles staple philosophical topics such as the contrasts between duties of virtue and duties of justice and imperfect and perfect obligations But more importantly perhaps it also confronts the practical question of what our human rights duties are and how we ought to act on them Boot s book is a splendid example of how philosophy can engage and clarify real world problems Kok Chor Tan Department of Philosophy University of Pennsylvania A lively and enjoyable defence of the importance of our having duties to fellow human beings in severe poverty At a time when global justice has never been more urgent this new book sheds much needed light Thom Brooks Professor of Law and Government and Head of Durham Law School Durham University

Freedom and Culture in Western Society Hans Blokland,2019-03-07 Critically examining conceptions of freedom of some of the leading contemporary philosophers from Isaiah Berlin to Charles Taylor Hans Blokland explores the value and significance that freedom has acquired on our political consciousness He looks specifically at positive and negative freedom freedom of the individual freedom and society emancipation and paternalism freedom and cultural politics Recognition and the Human Life-Form Heikki Ikäheimo,2022-07-08 What is recognition and why is it so important This book develops a synoptic conception of the significance of recognition in its many forms for human persons by means of a rational reconstruction and internal critique of classical and contemporary accounts The book begins with a clarification of several fundamental questions concerning recognition It then reconstructs the core ideas of Fichte Hegel Taylor Fraser and Honneth and utilizes the insights and conceptual tools developed across these chapters for developing a case for the universal importance of recognition for humans It argues in favour of a universalist anthropological position unusual in the literature on recognition that aims to construe a philosophically sound basis for a discourse of common humanity or of a shared human life form for which moral relations of recognition are essential This synthetic conception of the importance of recognition provides tools for articulating deep intuitions shared across cultures about what makes human life and forms of human co existence better or worse and thus tools for mutual understanding about the deepest shared concerns of humanity or of what makes us all human persons despite our differences Recognition and the Human Life Form will appeal to readers interested in philosophical anthropology social and political philosophy critical theory and the history of philosophy It also provides ideas and conceptual tools for fields such as anthropology education disability studies international relations law politics religious studies sociology and social research Chapter 5 of this book is available for free in PDF format as Open Access from the individual product page at www.routledge.com It has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license **Nonsense upon Stilts (Routledge Revivals)** Jeremy Waldron,2014-10-03 In

Nonsense upon Stilts first published in 1987 Waldron includes and discusses extracts from three classic critiques of the idea of natural rights embodied in the 1789 Declaration of the Rights of Man and the Citizen Each text is prefaced by an historical introduction and an analysis of its main themes The collection as a whole is introduced with an essay tracing the philosophical background to the three critiques as well as the eighteenth century idea of natural rights which they attacked But the point of reproducing these works is not merely historical Modern attacks on rights based political philosophy mirror the concerns of Bentham Burke and Marx Jeremy Waldron has therefore added an extensive concluding essay which relates these classic texts to the modern discussion of rights and re examines the idea of rights in the light of contemporary critiques This text provides an invaluable teaching tool for courses in politics and philosophy HIV, AIDS, and Childbearing Ruth R. Faden, Nancy E. Kass, 1996 Whether with whom and when to have children are among the most precious of our private decisions Increasingly however the interest of others in these decisions raise difficult questions about the role of government and health professionals in influencing reproductive choice Nowhere is this tension felt more keenly than in the context of HIV and AIDS This book takes on the tough issues related to HIV and childbearing Is there a moral right to have children What are the limits of persuasion Are there constitutional constraints on interference with reproduction What are the precedents with restricting the childbearing behavior of women who use drugs The book includes original work by doctors lawyers ethicists and public health professionals Also included are the experiences of HIV infected women and their health care providers Interviews were conducted over a two year period with HIV infected women and with health care providers from four cities to examine what issues of childbearing in the context of HIV mean to them The book is divided into four sections on medical and public health issues legal issues ethical and social issues and comments from the community It concludes with recommendations for clinical practice and public policy Public policy makers health care providers practitioners in bioethics pediatrics health law and obstetrics gynecology will find this book invaluable when dealing with issues related to HIV and childbearing **Conscience in Moral Life** Jason J. Howard, 2014-03-19 The notion of conscience remains one of the most widely used moral concepts and a cornerstone of ordinary moral thinking This book explores where this widespread confidence in conscience stems from examining the history of conscience as a moral concept and its characteristic moral phenomenology Jason Howard provides a comprehensive reassessment of the function of conscience in moral life detailing along the way the manifold problems that arise when we believe our conscience is more reliable than is actually warranted The result is a step by step evaluation of our most accepted assumptions Howard goes on to argue from a phenomenological perspective that conscience is indispensable for understanding moral experience He capitalizes on a dialectical perspective developed by Hegel and Ricoeur in which conscience is seen as the recognition of the other and integrates this with work in the philosophy of emotion arguing that conscience is best seen in terms of the function it serves in moderating the moral emotions of shame guilt and pride Foundations of Liberalism Margaret Moore, 1993-02-18 This

book is an original critique of contemporary liberal theories of justice focusing on the problem of how to relate the personal point of view of the individual to the impartial perspective of justice Margaret Moore's examination of prominent contemporary arguments for liberal justice reveals that individualist theories are subject to two serious difficulties the motivation problem and the integrity problem Individualists cannot explain why the individual should be motivated to act in accordance with the dictates of liberal justice and related to this offer radically incoherent accounts of the person Revisionist liberal attempts to ground liberalism in contextual and perfectionist terms offer more defensible foundations but Dr Moore argues that such theories do not support liberal political principles She concludes by sketching a historical and concrete approach to political and ethical theorizing which reformulates the relation between self interest and morality and is not subject to the problems that beset liberal individualist theories of justice Her book advances the debate between communitarians and liberals about the kind of moral foundation which a liberal society requires

Ethical Competencies for Public Leadership David Bromell, 2019-10-31 This book identifies six ethical competencies for public leadership in contexts of pluralism While diversity in proximity generates conflict where people want and value different things the right kind of leadership and the right kind of politics can minimise domination humiliation cruelty and violence Written by a public policy advisor for fellow practitioners in politics and public life this book applies political theory and social ethics to identify a set of competencies being civil diplomatic respectful impartial fair and prudent to keep ethics at the centre of a pluralist democratic politics The six competencies are described in behavioural terms as personal resolutions They offer valuable tools for mentoring and professional development This book will appeal to politicians and those who advise them and anyone who engages in or aspires to public leadership whether in the public sector the private sector the community and voluntary sector or academia

Rights and Christian Ethics Kieran Cronin, 1992 Kieran Cronin helps philosophers and theologians to understand each other's perspectives on rights making this book a significant contribution to Christian ethics and moral philosophy

Seeking Balance A. Pablo Iannone, 2014-07-25 The problems and issues arising from globalization are difficult to resolve in part because our ways of conceptualizing the conflicts and responding to them are inadequate This book fills this gap conceiving of globalization as a consequence of economic political technological scientific and cultural changes A Pablo Iannone provides a taxonomy of globalization processes investigates the consequences of each and formulates a comprehensive approach for dealing with them While his emphasis is philosophical this is not a single discipline book Rather it belongs at the intersection of philosophy economics political science and technology Its discussions address issues concerning globalization and correlate the processes of fragmentation and dislocation in a realistic manner Iannone focuses on concrete and current cases from the global economic and financial issues posed by the multi centered nature of contemporary business and technology through the pressures of ever increasing information overload across the planet He explores the environmental and social challenges associated with current Amazonian development and its significance to

weather patterns on Earth He considers the issues surrounding the use of robots in war from Pakistan through Mexico and the militarization of space In short the approach while based on theoretical concerns is solidly grounded in highly practical applications which are global in their implications *Family Law and Personal Life* John Eekelaar, 2017 This second edition of John Eekelaar's classic work examines the questions at the heart of family law rethinking the ideas that shape our understanding of the family as a social unit its purpose and the obligations and rights that belong to family members

Children, Rights, and the Law Philip Alston, Stephen Parker, Stephen John Parker, John A. Seymour, 1992 The adoption in November 1989 by the UN General Assembly of the United Nations Convention on the Rights of the Child heralded the arrival of a new era in the development of children's rights As of March 1991 over 75 states have ratified the Convention Using the Convention as a framework the contributors to this volume set out to re-evaluate the advantages and disadvantages of approaching issues of children's welfare and well-being through the lens of a rights approach The aim is to take a fresh look at these issues and to do so with specific reference to an international treaty that is certain to be ratified by a very large number of countries in every region of the world and which will soon be legally binding in many states This is a special issue of the International Journal of Law and the Family Contributors Tom Campbell Onora O'Neill Michael Freeman Ngaire Naffine Margaret Coady Tony Coady Sheila McLean Frances Olsen and John Eekelaar

Community and Collective Rights Dwight Newman, 2011-07-13 This book presents an argument for the existence of moral rights held by groups and a resulting account of how to reconcile group rights with individual rights and with the rights of other groups Throughout the author shows applications to actual legal and political controversies thus tying the normative theory to actual legal practice The author presents collective moral rights as an underlying normative explanation for various legal norms protecting group rights in domestic and international legal contexts Examples at issue include rights held by indigenous peoples by trade unions and by religious and cultural minority groups The account also bears on contemporary discussions of multiculturalism and recognition on debates about reasonable accommodation of minority communities and on claims for third generation human rights The book will thus be relevant both to theorists and to legal and human rights practitioners interested in related areas *Recognition, Equality and Democracy* Jurgen De Wispelaere, Cillian McBride, Shane O'Neill, 2013-10-18 This volume brings together a range of theoretical responses to issues in Irish politics Its organising ideas recognition equality and democracy set the terms of political debate within both jurisdictions For some there are significant tensions between the grammar of recognition concerned with esteem respect and the symbolic aspects of social life and the logic of equality which is primarily concerned with the distribution of material resources and formal opportunities while for others tensions are produced rather by certain interpretations of these ideas while alternative readings may by contrast serve as the basis for a systematic account of social and political inequality The essays in this collection will explore these interconnections with reference to the politics of Northern Ireland and the Republic The Republic has gone through a period in which its

constitution was the focus for a liberal politics aimed at securing personal autonomy while Northern Ireland's political landscape has been shaped by the problem of securing political autonomy and democratic legitimacy. While the papers address key questions facing each particular polity, the issues themselves have resonances for politics on each side of the border.

Demoicratic Authority Josef Weinzierl, 2024-01-11. What is the nature of EU's authority? This fascinating book explores this question and is much needed given the increased scrutiny of the EU's actions in the face of growing nationalism and various other internal and external challenges. By setting out an original account of the preferred moral standard to evaluate such authority, i.e. demoicratic authority, it illustrates how that standard affects the practical reasoning of those subject to the EU's authority. Theoretically significant, the book also has important practical value as legitimacy challenges in the EU increase. Constitutional lawyers and theorists as well as political scientists will welcome this innovative new work.

Neuroethics and Nonhuman Animals L. Syd M. Johnson, Andrew Fenton, Adam Shriver, 2020-03-06. This edited volume represents a unique addition to the available literature on animal ethics, animal studies, and neuroethics. Its goal is to expand discussions on animal ethics and neuroethics by weaving together different threads: philosophy of mind and animal minds, neuroscientific study of animal minds and animal ethics, neuroethical questions concerning animals' moral status, animal minds and consciousness, animal pain, and the adequacy of animal models for neuropsychiatric disease. These have long been topics of debate in philosophy and ethics, and more recently also in neuroscientific research. The book presents a transdisciplinary blend of voices underscoring different perspectives on the broad questions of how neuroscience can contribute to our understanding of nonhuman minds and on debates over the moral status of nonhuman animals. All chapters were written by outstanding scholars in philosophy, neuroscience, animal behavior, biology, neuroethics, and bioethics, and cover a range of issues and species taxa. Given its scope, the book will appeal to scientists and students interested in the debate on animal ethics, while also offering an important resource for future researchers. Chapter 13 is available open access under a CC BY 4.0 license at link.springer.com.

The Relational Self and Human Rights Tatiana Hansbury, 2022-05-18. This book takes up Paul Ricoeur's relational idea of the self in order to rethink the basis of human rights. Many schools of critical theory argue that the idea of human rights is based on a problematic conception of the human subject and the legal person. For liberals, the human is a possessive and self-interested individual such that others are either tools or hurdles in their projects. This book offers a novel reading of subjectivity and rights based on Paul Ricoeur's reinterpretation of human subjectivity as a relational concept. Taking up Ricoeur's idea of recognition as a reciprocal gift, it argues that gift exchange is the relation upon which authentic, non-abstract human subjectivity is based. Seen in this context, human rights can be understood as tokens of mutual recognition securing a genuinely human life for all. The conception of human rights as gift effectively counters their moral individualism and possessiveness as the philosophical anthropology of an isolated ego is replaced by that of a related, dependent, and embedded self. This original reinterpretation of human rights will appeal to scholars of legal theory.

jurisprudence politics and philosophy **Human Rights Discourse in North Korea** Jiyong Song, 2010-12-16 This unique book examines the conceptual development of human rights in North Korea from historical political and cultural perspectives Dr Jiyong Song explains how North Korea has understood the concepts of human rights in its public documents since its independence from Japan in 1945 Through active campaigns and international criticism foreign governments and non governmental organisations outside North Korea have made numerous allegations of human rights violations On the other hand the efforts to engage with North Korea in order to improve the human rights situation through humanitarian assistance and to understand how North Koreans interpret human rights are often overshadowed by naming and shaming and push until it collapses approaches Using close readings and analyses of the collected works of Kim Il Sung and Kim Jong Il North Korea's official newspaper Rodong Sinmun as well interviews with North Korean defectors and diplomats in South Korea China and Europe Dr Song gives thought provoking and highly debatable accounts for the historically post colonial politically Marxist and culturally Confucian elements of North Korean rights thinking As a piece of research on a nation shrouded in mystery this book will be essential reading for anyone researching human rights issues Asian politics and international relations

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