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Philosophical Foundation of Human Rights Philosophy of Human Rights A Debate Over Rights
Philosophy of Right Philosophical Foundations of Human Rights Rights and Reason A Philosophical
History of Rights Philosophical Dimensions of Human Rights Rights at the Margins A Philosophical
Introduction to Human Rights Human Rights Ethics Rights, Wrongs and Responsibilities Positive
Rights in a Republic of Talk Human Rights as Human Independence Wronging Rights? Rethinking
Rights Legal Rights The Philosophy of Human Rights Animal Rights A Theory of Rights The Science
of Rights Human Rights and Natural Law Rights, Justice, and the Bounds of Liberty Law, Rights and
Discourse Rights Rethinking Rights The Philosophical Foundations of Property Rights The
Proliferation Of Rights The End of Human Rights Philosophical Theory and the Universal Declaration
of Human Rights Rights in Moral Lives A Debate Over Rights Rights in Moral Lives An Approach to
Rights Human Rights, Ownership, and the Individual Dignity, Rank, and Rights Philosophical
Foundations of Property Law On Human Rights Dignity and Human Rights Human Rights in an

Information Age

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Philosophical Foundation of Human Rights 2021-06-28 this textbook presents a range of classical philosophical approaches in order to show that they are unsuitable as a foundation for human rights only the conception of human dignity based on the kantian distinction between price and dignity can provide a sufficient basis the derivation of human rights from the principle of human dignity allows us to identify the most crucial characteristic of human rights namely the protection of personhood this in turn makes it possible 1 to distinguish between real moral human rights and spurious ones 2 to assess the scope of protection for many codified human rights according to the criteria of core and yard and 3 offers a point of departure for creating new unwritten human rights this philosophical basis supports a substantial reassessment of the case law on human rights which will ultimately allow us to improve it with regard to legal certainty clarity and cogency the textbook is primarily intended for advanced law students who are interested in a deeper understanding of human rights it is also suitable for humanities students and for anyone in the political or social arena whose work involves human rights and their enforcement each chapter is divided into four parts abstracts lecture recommended reading and questions to check reader comprehension sample answers are included at the end of the book

Philosophy of Human Rights 2018-04-19 combining the sustained coherent perspective of an authored text with diverse authoritative primary readings philosophy of human rights provides the context and commentary students need to comprehend challenging rights concepts clear accessible writing thoughtful consideration of primary source documents and practical everyday examples pertinent to students lives enhance this core textbook for courses on human rights and political philosophy the first part of the book explores theoretical aspects including the nature justification content and scope of rights with an emphasis on contemporary issues and debates the second part

applies these theories to practical issues such as political discourse free expression the right to privacy children s rights and victims rights the third part of the book features the crucial documents that are referred to throughout the book including the universal declaration of human rights the convention on the elimination of all forms of discrimination against women the african charter on human rights and peoples rights and many more

A Debate Over Rights 1998 2 the fundamental issues

Philosophy of Right 2012-03-06 complete and unabridged this edition of georg wilhelm friedrich hegel s 1821 classic offers a comprehensive view of the philosopher s influential system in the philosophy of right hegel applies his most important concept the dialectics to law rights morality the family economics and the state the last of hegel s works to be published in his lifetime this volume combines moral and political philosophy to form a sociologic view dominated by the idea of the state hegel defines universal right as the synthesis between the thesis of an individual acting in accordance with the law and the occasional conflict of an antithetical desire to follow private convictions the state he declares must permit individuals to satisfy both demands thereby realizing social harmony and prosperity the perfect synthesis further hegel renounces his formerly favorable assessment of the french revolution and rejects the republican form of government suggesting instead an idealized form of a constitutional monarchy in which ultimate power rests with the sovereign

Philosophical Foundations of Human Rights 2015 readership this book would be suitable for students academics and scholars of law philosophy politics international relations and economics Rights and Reason 2014-12-18 in rights and reason jonathan gorman sets discussion of the rights debate within a wide ranging philosophical and historical framework drawing on positions in

epistemology metaphysics and the theory of human nature as well as on the ideas of canonical thinkers gorman provides an introduction to the philosophy of rights that is firmly grounded in the history of philosophy as well as the concerns of contemporary political and legal philosophy the book gives readers a clear sense that just as there are arguments about the content of rights and just as there are myriad claims to rights so there are pluralities of theories of rights that offer some understanding of the moral and legal realm and of the place rights may hold within it gorman argues that in a pluralist context of inconsistent rights we require pragmatic procedures rather than universal principles of justice to resolve conflicting claims

A Philosophical History of Rights 2017-10-24 since the seventeenth century concern in the western world for the welfare of the individual has been articulated philosophically most often as a concern for his rights the modern conception of individual rights resulted from abandonment of ancient value laced ideas of nature and their replacement by the modern mathematically transparent idea of nature that has room only for individuals often in conflict in a philosophical history of rights gary b herbert traces the historical evolution of the concept and the transformation of the problems through which the concept is defined the volume examines the early history of rights as they existed in ancient greece and locates the first philosophical inquiry into the nature of rights in platonic and aristotelian accounts he traces roman jurisprudence to the advent of christianity to the divine right of kings herbert follows the historical evolution of modern subjective rights the attempts by locke rousseau kant fichte and hegel to mediate rights to make them sociable he then turns to nineteenth century condemnation of rights in the theories of the historical school of law benthamite utilitarianism and marxist socialism following world war ii a newly revived language of rights had to be constructed to express universal moral outrage over what came to be called crimes against

humanity the contemporary western concern for rights is today a concern for the individual and a recognition of the limits beyond which a society must not go in sacrificing the individual's welfare for its own conception of the common good in his conclusion herbert addresses the postmodern critique of rights as a form of moral imperialism legitimizing relations of dominance and subjection in addition to his historical analysis of the evolution of theories of rights herbert exposes the philosophical confusions that arise when we exchange one concept of rights for another and continue to cite historical antecedents for contemporary attitudes that are in fact their philosophical antithesis a philosophical history of rights will be of interest to philosophers historians and political scientists

Philosophical Dimensions of Human Rights 2011-10-29 this book presents a unique collection of the most relevant perspectives in contemporary human rights philosophy different intellectual traditions are brought together to explore some of the core postmodern issues challenging standard justifications widely accessible also to non experts contributions aim at opening new perspectives on the state of the art of the philosophy of human rights this makes this book particularly suitable to human rights experts as well as master and doctoral students further while conceived in a uniform and homogeneous way the book is internally organized around three central themes an introduction to theories of rights and their relation to values a set of contributions presenting some of the most influential contemporary strategies and finally a number of articles evaluating those empirical challenges springing from the implementation of human rights this specific set up of the book provides readers with a stimulating presentation of a growing and interconnecting number of problems that post natural law theories face today while most of the contributions are new and specifically conceived for the present occasion the volume includes also some recently published

influential essays on rights democracy and their political implementation

Rights at the Margins 2020-11-04 rights at the margins explores the ways rights were available to those on the margins and their relationship with social justice in medieval and early modern thought it also elaborates the relevance of some historical ideas in the contemporary context

A Philosophical Introduction to Human Rights 2020-09-24 provides students with an introduction to legal philosophy using the universal declaration of human rights to reflect on human rights

Human Rights Ethics 2008 human rights ethics makes an important contribution to contemporary philosophical and political debates concerning the advancement of global justice and human rights butler s book also lays claim to a significant place in both normative ethics and human rights studies in as much as it seeks to vindicate a universalistic rational approach to human rights ethics butler s innovative approach is not based on murky claims to natural rights that supposedly hold wherever human beings exist nor does it succumb to the traditional problems of justification associated with utilitarianism kantianism and other procedural approaches to human rights studies instead butler proposes a dialectical justification of human rights by indirect proof that claims not to be question begging very much in the spirit of hegel and habermas butler proposes to vindicate a totally rational account of human rights but one that depends concretely and historically on a dialectically constructed right to freedom of thought in its universal modes

Rights, Wrongs and Responsibilities 2001-10-10 in this wide ranging investigation of many prominent issues in contemporary legal and political philosophy eight distinguished philosophers and legal theorists including matthew kramer hillel steiner antony duff sandra marshall wilfrid waluchow and nicholas bamforth tackle issues such as the rights of animals and foetuses the

relationship between law and politics the requirements of justice the demands of practical rationality the role of public policy considerations in legal reasoning the fundamental characteristics of legal and moral entitlements the appropriateness of compensation as a means of rectifying mishaps and misdeeds the extent of individuals responsibility for the consequences of their choices and the culpability of failed attempts to commit crimes together the eight principal essays in rights wrongs and responsibilities shed philosophical light on public law criminal law and most areas of private law as they explore the bearings of the three key concepts in the volume s title

Positive Rights in a Republic of Talk 2012-12-06 positive rights in a republic of talk will appeal to philosophers and social scientists interested in issues of rights and social justice and to graduate students and journalists seeking a critical survey of the field innumerable recent books have addressed the issues of rights and social justice but none combines the comprehensiveness disinterestedness and brevity found in this work positive rights in a republic of talk is unique in its critical let the chips fall where they may approach is untainted with special pleading for specific philosophical schools or social policies is distinctive in its range examining the views of classical as well as contemporary thinkers and trendy as well as more established approaches is relentless in its confrontation of the abstract with the concrete discusses positive rights in such contexts as health care education foreign aid homelessness welfare and disaster relief policies is distinctive in its prose which is vivid engaging clear occasionally funny and never pompous or engorged with jargon can be read and enjoyed by serious non specialists as well as specialists

Human Rights as Human Independence 2022-04-05 can human rights be claimed against agents other than states such as transnational corporations and global governance institutions does the authority of human rights depend on international law making or do they have a moral status that

must be honored even in the absence of legal structures what obligations do human rights impose on states acting across borders what does it mean that the international community must work together to bring about their universal realization do we have human rights to abortion same sex marriage and fully democratic government what must individuals do for the human rights of others although these questions may be essential for the future of global politics and international relations human rights doctrine offers no conclusive answers for them in human rights as human independence julio montero develops an original theory of human rights that helps us think about these and similar issues montero argues that human rights regulate the conduct of sovereign political agents both within and beyond borders and that the aim of human rights norms is to protect everyone's fundamental moral claim to enjoy an equal sphere of agency to develop their personality human rights as human independence offers a comprehensive systematic and complete account of the nature sources and scope of human rights that can be used to interpret international documents and make informed decisions about how human rights practice must be continued in the years to come the book is thus of interest for a wide audience ranging from philosophers and political theorists to lawyers human rights scholars and activists

Wronging Rights? 2012-03-12 this book brings together two of the most powerful and relevant philosophical critiques of human rights the post colonialist and the post althusserian its balanced internal structure not just throwing these two critiques together but actually forcing them to enter into confrontation and dialogue the book is organised in three parts at each end the post colonialist and the post althusserian critiques are represented by some of their main thinkers ratna kapur g c spivak upendra baxi slavoj Žižek jacques rancière while in the middle an american intermezzo richard rorty wendy brown functions as a genuine derridian supplement always already

contaminating the purity of the two theoretical schools preventing their enclosure and hence fuelling and complicating further their mutual confrontation as in any authentic dialogue the introduction and the conclusion each claim victory for one of the sides by changing the very terms and rules of the dialogue picturing it as a confrontation between emancipatory universalism and inefficient particularism from the perspective of the post althusserians or as a split between hypocrisy and truth from the perspective of the post colonialists

Rethinking Rights 2008-12-24 as reports of genocide terrorism and political violence fill today s newscasts more attention has been given to issues of human rights but all too often the sound bites seem overly simplistic many westerners presume that non western peoples yearn for democratic rights while liberal values of toleration give way to xenophobia this book shows that the identification of rights with contemporary liberal democracy is inaccurate and questions the assumptions of many politicians and scholars that rights are self evident in all circumstances and will overcome any conflicts of thought or interest rethinking rights offers a radical reconsideration of the origins nature and role of rights in public life interweaving perspectives of leading scholars in history political science philosophy and law to emphasize rights as a natural outgrowth of a social understanding of human nature and dignity the authors argue that every person comes to consciousness in a historical and cultural milieu that must be taken into account in understanding human rights and they describe the omnipresence of concrete practical rights in their historical political and philosophical contexts by rooting our understanding of rights in both history and the order of existence they show that it is possible to understand rights as essential to our lives as social beings but also open to refinement within communities an initial group of essays retraces the origins and historical development of rights in the west assessing the influence of such thinkers as locke

burke and the authors of the declaration of independence to clarify the experience of rights within the western tradition a second group addresses the need to rethink our understanding of the nature of existence if we are to understand rights and their place in any decent life examining the ontological basis of rights the influence of custom on rights the social nature of the human person and the importance of institutional rights steering a middle course between radical individualist and extreme egalitarian views rethinking rights proposes a new philosophy of rights appropriate to today's world showing that rights need to be rethought in a manner that brings them back into accord with human nature and experience so that they may again truly serve the human good by engaging both the history of rights in the west and the multicultural challenge of rights in an international context rethinking rights offers a provocative and coherent new argument to advance the field of rights studies

Legal Rights 2009-11-10 the idea of legal rights today enjoys virtually universal appeal yet all too often the meaning and significance of rights are poorly understood the purpose of this volume is to clarify the subject of legal rights by drawing on both historical and philosophical legal scholarship to bridge the gap between these two genres a gap that has divorced abstract and normative treatments of rights from an understanding of their particular social and cultural contexts legal rights historical and philosophical perspectives shows that the meaning and extent of rights has been dramatically expanded in this century though along with the widespread and flourishing popularity of rights voices of criticism have increasingly been raised the authors take up the question of the foundation of rights and explore the postmodern challenges to efforts to ground rights outside of history and language drawing rich historical analysis and careful philosophical inquiry into productive dialogue this book explores the many facets of rights at the end of the twentieth century in these essays

potentially abstract debates come alive as they are related to the struggles of real people attempting to cope with and improve their living conditions the significance of legal rights is measured not just in terms of philosophical categories or as a collection of histories but as they are experienced in the lives of men and women seeking to come to terms with rights in contemporary life contributors are hadley arkes william e cain thomas haskell morton j horwitz annabel patterson michael j perry pierre schlag and jeremy waldron austin sarat is william nelson cromwell professor of jurisprudence and political science amherst college thomas r kearns is william h hastie professor of philosophy amherst college

The Philosophy of Human Rights 2011-11-30 the notion of human rights is widely used in political and moral discussions the core idea that all human beings have some inalienable basic rights is appealing and has an eminently practical function it allows moral criticism of various wrongs and calls for action in order to prevent them on the other hand it is unclear what exactly a human right is human rights lack a convincing conceptual foundation that would be able to compel the wrong doer to accept human rights claims as well founded hence the practical function faces theoretical doubts the present collection takes up the tension between the wide political use of human rights claims and the intellectual skepticism about them in particular two major issues are identified that call for conceptual clarification in order to better understand human rights claims both in theory and in practice the question of how to justify human rights and the tension between universal normative claims and particular moralities

Animal Rights 1998-08-10 the question of nature and extent of our moral obligations to non human animals has featured prominently in recent moral debate this book defends the novel position that a contractarian moral theory can be used to justify the claim that animals possess a substantial and

wide ranging set of moral rights critiquing the rival accounts of peter singer and tom regan this study shows how an influential form of the social contract idea can be extended to make sense of the concept of animal rights

A Theory of Rights 1985 this book makes two important contributions toward a general and systematic theory of rights a powerful philosophical analysis of the language of rights and an explanation of the nature of rights in working out these ideas wellman has provided a new and cohesive way of thinking and talking about rights of every sort wellman succeeds in bringing all kinds of rights moral legal institutional etc under one unified theory in a way that illuminates their similarities and differences this enables him to deal in a consistent way with a very broad range of philosophical questions questions that are too often dealt with in isolation from each other

The Science of Rights 2008 reprint of the first edition in english and the standard translation today fichte was one of the leading german idealist philosophers in the period between kant and hegel and is considered to be one of the founders of german nationalism indeed his work is seen as a link between kant s critical philosophy and hegel s philosophy of spirit the science of rights a restatement of kantian principles in terms of natural law is his principal legal work for fichte the basis of law are legal relations that illuminate the principles of positive law his theory of law is highly abstract but in the notion of legal relations and in his conception of the necessary requirements of an international order he enunciated ideas of great value walker the oxford companion to law 468

Human Rights and Natural Law 2012 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

Rights, Justice, and the Bounds of Liberty 2014-07-14 a philosophical system is not what one would expect to find in the work of a contemporary legal thinker robert alexy s work counts as a striking exception over the past 28 years alexy has been developing with remarkable clarity and consistency a systematic philosophy covering most of the key areas of legal philosophy kantian in its inspiration his work admirably combines the rigour of analytical philosophy with a repertoire of humanitarian ideals reflecting the tradition of the geisteswissenschaften rendering it one of the most far reaching and influential legal philosophies in our time this volume has been designed with two foci in mind the first is to reflect the breadth of alexy s philosophical system as well as the varieties of jurisprudential and philosophical scholarship in the last three decades on which his work has had an impact the second objective is to provide for a critical exchange between alexy and a number of specialists in the field with an eye to identifying new areas of inquiry and offering a new impetus to the discourse theory of law to that extent it was thought that a critical exchange such as the one undertaken here would most appropriately reflect the discursive and critical character of robert alexy s work the volume is divided into four parts each dealing with a key area of alexy s contribution a final section brings together concise answers by robert alexy in composing these

alexey has tried to focus on points and criticisms that address new aspects of discourse theory or otherwise point the way to future developments and applications with its range of topics of coverage the number of specialists it engages and the originality of the answers it provides this collection will become a standard work of reference for anyone working in legal theory in general and the discourse theory of law in particular

Law, Rights and Discourse 2007-07-11 we take rights to be fundamental to everyday life rights are also controversial and hotly debated both in theory and practice where do rights come from are they invented or discovered what sort of rights are there and who is entitled to them in this comprehensive introduction tom campbell introduces and critically examines the key philosophical debates about rights the first part of the book covers historical and contemporary theories of rights including the origin and variety of rights and standard justifications of them he considers challenges to rights from philosophers such as bentham burke and marx he also examines different theories of rights such as natural law social contract utilitarian and communitarian theories of rights and the philosophers and political theorists associated with them such as john stuart mill john rawls robert nozick and michael sandel the second part of the book explores the role of rights promoting institutions and critically assesses legal rights and international human rights including the united nations the final part of the book examines how philosophies of rights can be applied to freedom of speech issues of social welfare and the question of self determination for certain groups or peoples rights a critical introduction is essential reading for anyone new to the subject of rights and any student of political philosophy politics and law

Rights 2011-02-25 re thinking rights historical development and philosophical justification takes a new look at the history of individual rights focussing on the way that philosophers have written that

history the scholastics and early modern writers used the notion of natural rights to debate the big moral and political questions of the day such as the treatment of indigenous americans under spanish rule john locke put natural rights at the centre of liberal political thought but as the idea grew in strength and influence empiricist and positivist philosophers punctured it with attacks of logical incompetence and illegitimate appeals to theology and metaphysics philosophers then turned to law and jurisprudence for the philosophical analysis of rights where it has largely stayed ever since eleanor curran argues that the dominance of the hohfeldian analysis of legal rights has restricted our understanding of moral and political rights and led to distorted readings of historical writers on rights it has also led to the separation of right from the important related notion of liberty freedoms are now seen as inferior to claims curran looks at recent philosophy of human rights and suggests a way forward for justifying universal moral and political rights and separating them from legal rights

Rethinking Rights 2022-04-04 the proliferation of rights explores how the assertion of rights has expanded dramatically since world war ii carl wellman illuminates for the reader the historical developments in each of the major categories of rights including human rights civil rights women s rights patient rights and animal rights he concludes by assessing where this proliferation has been legitimate and helpful cases where it has been illusory and unproductive and alternatives to the appeal to rights

The Philosophical Foundations of Property Rights 1989 the introduction of the human rights act has led to an explosion in books on human rights yet no sustained examination of their history and philosophy exists in the burgeoning literature at the same time while human rights have triumphed on the world stage as the ideology of postmodernity our age has witnessed more violations of human

rights than any previous less enlightened one this book fills the historical and theoretical gap and explores the powerful promises and disturbing paradoxes of human rights divided in two parts and fourteen chapters the book offers first an alternative history of natural law in which natural rights represent the eternal human struggle to resist domination and oppression and to fight for a society in which people are no longer degraded or despised at the time of their birth in the 18th century and again in the popular uprisings of the last decade human rights became the dominant critique of the conservatism of law but the radical energy symbolic value and apparently endless expansive potential of rights has led to their adoption both by governments wishing to justify their policies on moral grounds and by individuals fighting for the public recognition of private desires and has undermined their ends part two examines the philosophical logic of rights rights the most liberal of institutions has been largely misunderstood by established political philosophy and jurisprudence as a result of their cognitive limitations and ethically impoverished views of the individual subject and of the social bond the liberal approaches of hobbes locke and kant are juxtaposed to the classical critiques of the concept of human rights by burke hegel and marx the philosophies of heidegger strauss arendt and sartre are used to deconstruct the concept of the legal subject semiotics and psychoanalysis help explore the catastrophic consequences of both universalists and cultural relativists when they become convinced about their correctness finally through a consideration of the ethics of otherness and with reference to recent human rights violations it is argued that the end of human rights is to judge law and politics from a position of moral transcendence this is a comprehensive historical and theoretical examination of the discourse and practice of human rights using examples from recent moral foreign policies in iraq rwanda and kosovo douzinas radically argues that the defensive and emancipatory role of human rights will come to an end if we do not re

invent their utopian ideal

The Proliferation Of Rights 2018-02-07 philosophical theory and the universal declaration of human rights examines the relations and interrelations among theoretical and practical analyses of human rights edited by william sweet this volume draws on the works of philosophers political theorists and those involved in the implementation of human rights the essays although diverse in method and approach collectively argue that the language of rights and corresponding legal and political instruments have an important place in contemporary social political philosophy

The End of Human Rights 2000-06-01 in rights in moral lives a i melden a distinguished philosopher and moral rights theorist examines important changes that have occurred in our thinking about rights since first mention of them was made in early modern times his inquiry is framed by an opening question and a concluding response the question is whether the greeks had any conception of a moral right some argue that they did not on the ground that they had no word for a right others claim that they did since they employed certain locutions the equivalents of which in our language are tied to some notion of a moral right melden reviews in detail some of the most important historical conceptions of rights and examines serious questions raised by the fact that there have been striking changes in our thinking about rights his discussion elucidates the place of moral rights in the broader network of moral concepts along with the role they should play in our moral lives among the fundamental issues raised and discussed are the ways in which we are to understand various sorts of rights the relation of special moral rights to our basic human rights the now familiar claim that there are animal rights the nature of moral progress and the dream of a moral science this title is part of uc press s voices revived program which commemorates university of california press s mission to seek out and cultivate the brightest minds and give them voice reach and impact

drawing on a backlist dating to 1893 voices revived makes high quality peer reviewed scholarship accessible once again using print on demand technology this title was originally published in 1988 **Philosophical Theory and the Universal Declaration of Human Rights** 2003-05-26 i believe it to be an exceptionally important book not a trendy one but rather one whose importance will be sustained for quite some time allen e buchanan university of arizona

Rights in Moral Lives 2024-03-29 an approach to rights contains fifteen previously published but mostly inaccessible papers that together show the development of one of the more important contemporary theories of the nature grounds and practical implications of rights in a long retrospective essay carl wellman explains what he was trying to accomplish in each paper how far he believes that he succeeded and where he failed thus the author provides a critical perspective both on his own theory and on alternative theories from which he borrows or that he rejects these essays identify the problems any adequate theory of rights must solve describe the more plausible solutions and weigh the merits of each they will be of special interest to any reader concerned with legal theory moral philosophy or any branch of applied ethics or social policy in which appeals to rights are frequently made but seldom rationally satisfactory

A Debate Over Rights 1998 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 cruff 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 in Moral Lives 1988-01-01 writers on human dignity roughly divide between those who stress the social origins of this concept and its role in marking rank and hierarchy and those who follow kant in grounding dignity in an abstract and idealized philosophical conception of human beings in these lectures jeremy waldron contrives to combine attractive features of both strands in the first lecture waldron presents a conception of dignity that preserves its ancient association with rank and station thus allowing him to tap rich historical resources while avoiding what many perceive as the excessive abstraction and dubious metaphysics of the kantian strand at the same time he argues for a conception of human dignity that amounts to a generalization of high status across all human beings and so attains the appealing universality of the kantian position the second lecture focuses particularly on the importance of dignity understood in this way as a status defining persons relation to law their presentation as persons capable of self applying the law capable of presenting and arguing a point of view and capable of responding to law's demands without brute coercion together the two lectures illuminate the relation between dignity conceived as the ground of rights and dignity conceived as the content of rights they also illuminate important ideas about dignity as noble bearing and dignity as the subject of a right against degrading treatment and they

help us understand the sense in which dignity is better conceived as a status than as a kind of value
An Approach to Rights 2013-04-17 property has long played a central role in political and moral philosophy philosophers dealing with property have tended to follow the consensus that property has no special content but is a protean construct a mere placeholder for theories aimed at questions of distributive justice and efficiency until recently there has been a relative absence of serious philosophical attention paid to the various doctrines that shape the actual law of property if the philosophy of property is to be more attentive to concepts lying between broad considerations of political philosophy and distributive justice on the one hand and individual rules on the other what in this broad space needs explaining and how might we justify what we find the papers in this volume are a first step towards filling this gap in the philosophical analysis of private law this is achieved here by revisiting the contributions of philosophers such as Hume Locke Kant and Grotius and revealing how particular doctrines illuminate the way in which property law respects the equality and autonomy of its subjects secondly by exploring the central notions of possession ownership and title and finally by considering the very foundations of conceptualism in property

Human Rights, Ownership, and the Individual 2019-09-12 what is a human right how can we tell whether a proposed human right really is one how do we establish the content of particular human rights and how do we resolve conflicts between them these are pressing questions for philosophers political theorists jurists international lawyers and activists James Griffin offers answers in his compelling new investigation of the foundations of human rights first on human rights traces the idea of a natural right from its origin in the late middle ages when the rights were seen as deriving from natural laws through the seventeenth and eighteenth centuries when the original theological background was progressively dropped and natural law emptied of most of its original meaning by

the end of the enlightenment the term human rights *droits de l homme* appeared marking the purge of the theological background but the enlightenment in putting nothing in its place left us with an unsatisfactory incomplete idea of a human right griffin shows how the language of human rights has become debased there are scarcely any accepted criteria either in the academic or the public sphere for correct use of the term he takes on the task of showing the way towards a determinate concept of human rights based on their relation to the human status that we all share he works from certain paradigm cases such as freedom of expression and freedom of worship to more disputed cases such as welfare rights for instance the idea of a human right to health his goal is a substantive account of human rights an account with enough content to tell us whether proposed rights really are rights griffin emphasizes the practical as well as theoretical urgency of this goal as the united nations recognized in 1948 with its universal declaration the idea of human rights has considerable power to improve the lot of humanity around the world we can't do without the idea of human rights and we need to get clear about it it is our job now the job of this book to influence and develop the unsettled discourse of human rights so as to complete the incomplete idea

Dignity, Rank, and Rights 2012-10-23 is it impossible to assess dignity the agency of autonomy and equality of rights under the current rule of law when we are met by global challenges like climate change financial crisis food crisis natural disasters inequality violent conflicts and trade disputes drawing on european philosophical enlightenment to rethink dominant theories of contemporary western human rights stephan p leher explores the philosophical foundation of the concept of dignity and human rights using specific examples from africa and latin america to explain these concepts as social realizations in the world leher demonstrates the link between justice and peace and contends that dignity freedom and human rights law rule are social realizations and

claims by all people he argues that sentences and propositions about social choices and realizations of real life expressed in ordinary language constitutes the basic element for the foundation and protection of human dignity and human rights the social choice to claim one's freedom and right can be considered as the dignity agency of the individual dignity and human rights sheds new light on the academic assessment of dignity the agency of autonomy and equality of rights under a rule of law in a time of changes and challenges of human rights policies and politics

Philosophical Foundations of Property Law 2013-11-28 contents

On Human Rights 2008-02-14

Dignity and Human Rights 2018-01-12

Human Rights in an Information Age 2001-01-01

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