

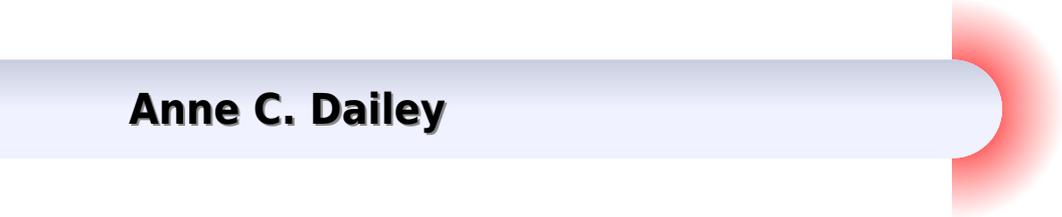
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Freedom And Responsibility Readings In Philosophy And Law

Anne C. Dailey



Freedom And Responsibility Readings In Philosophy And Law:

Freedom and Responsibility ,1961 **Freedom and Responsibility** Herbert Morris,1961 **Freedom and Criminal Responsibility in American Legal Thought** Thomas Andrew Green,2014-10-27 This book deals with the most fundamental problem in criminal law the way in which free will and determinism relate to criminal responsibility **Law and the Unconscious** Anne C. Dailey,2017-01-01 How do we bring the law into line with people s psychological experience How can psychoanalysis help us understand irrational actions and bad choices Our legal system relies on the idea that people act reasonably and of their own free will yet some still commit crimes with a high likelihood of being caught sign obviously one sided contracts or violate their own moral codes behavior many would call fundamentally irrational Anne Dailey shows that a psychoanalytic perspective grounded in solid clinical work can bring the law into line with the reality of psychological experience Approaching contemporary legal debates with fresh insights this original and powerful critique sheds new light on issues of overriding social importance including false confessions sexual consent threats of violence and criminal responsibility By challenging basic legal assumptions with a nuanced and humane perspective Dailey shows how psychoanalysis can further our legal system s highest ideals of individual fairness and systemic justice *Causation and Responsibility* Michael S. Moore,2010-07-15 The concept of causation is fundamental to ascribing moral and legal responsibility for events Yet the relationship between causation and responsibility remains unclear What precisely is the connection between the concept of causation used in attributing responsibility and the accounts of causal relations offered in the philosophy of science and metaphysics How much of what we call causal responsibility is in truth defined by non causal factors This book argues that much of the legal doctrine on these questions is confused and incoherent and offers the first comprehensive attempt since Hart and Honor to clarify the philosophical background to the legal and moral debates The book first sets out the place of causation in criminal and tort law and outlines the metaphysics presupposed by the legal doctrine It then analyses the best theoretical accounts of causation in the philosophy of science and metaphysics and using these accounts criticises many of the core legal concepts surrounding causation such as intervening causation foreseeability of harm and complicity It considers and rejects the radical proposals to eliminate the notion of causation from law by using risk analysis to attribute responsibility The result of the analysis is a powerful argument for revising our understanding of the role played by causation in the attribution of legal and moral responsibility Human dignity and fundamental rights in South Africa and Ireland Anne Hughes,2014-04-11 Post apartheid South Africa has yielded enlightened judicial decisions in contrast to the limited interpretation of human rights in Ireland The value of human dignity with its central position in international law underpins both countries Constitutions but has left a more striking mark in South Africa There it has impacted significantly on punishment for crimes family life children s rights defamation sexual violence investigations substantive equality and socio economic rights Practical guidance can be gleaned from South Africa to revitalise Irish jurisprudence

While its focus is on South Africa and Ireland this book draws on the experience of many countries and regions **Morality and Health** Allan M. Brandt, Paul Rozin, 2013-04-15 From the castigation and stigmatization of victims of AIDS to our celebration of diet exercise and fitness the moral categorization of health and disease reflects contemporary notions that disease results from moral failure and that health is the representation of moral triumph Ranging across academic disciplines and historical time periods the essays in *Morality and Health* offer a compelling assessment of the powerful role of moral systems for judging the complex questions of risk and responsibility for disease the experience of illness and social and cultural responses to those who are sick Contributors include Keith Thomas Charles Rosenberg Richard Shweder Arthur Kleinman David Mechanic Nancy Tomes and Linda Gordon *The Sanctity of Life and the Criminal Law* Dennis J. Baker, Jeremy Horder, 2013-02-14 Described by The New York Times as Britain's foremost scholar of criminal law Professor Glanville Williams was one of the greatest academic lawyers of the twentieth century To mark the centenary of his birth in 2011 leading criminal law theorists and medical law ethicists from around the world were invited to contribute essays discussing the sanctity of life and criminal law while engaging with Williams many contributions to these fields In re-examining his work the contributors have produced a provocative set of original essays that make a significant contribution to the current debate in these areas **Handbook of Climate Change and India** Navroz Dubash, 2012-03-15 How do policymakers businesses and civil society in India approach the challenge of climate change What do they believe global climate negotiations will achieve and how And how are Indian political and policy debates internalizing climate change Relatively little is known globally about internal climate debate in emerging industrializing countries but what happens in rapidly growing economies like India's will increasingly shape global climate change outcomes This Handbook brings together prominent voices from India including policymakers politicians business leaders civil society activists and academics to build a composite picture of contemporary Indian climate politics and policy One section lays out the range of positions and substantive issues that shape Indian views on global climate negotiations Another delves into national politics around climate change A third looks at how climate change is beginning to be internalized in sectoral policy discussions over energy urbanization water and forests The volume is introduced by an essay that lays out the critical issues shaping climate politics in India and its implications for global politics The papers show that within India climate change is approached primarily as a developmental challenge and is marked by efforts to explore how multiple objectives of development equity and climate mitigation can simultaneously be met In addition Indian perspectives on climate negotiations are in a state of flux Considerations of equity across countries and a focus on the primary responsibility for action of wealthy countries continue to be central but there are growing voices of concern on the impacts of climate change on India How domestic debates over climate governance are resolved in the coming years and the evolution of India's global negotiation stance are likely to be important inputs toward creating shared understandings across countries in the years ahead and identify ways forward This

volume on the Indian experience with climate change and development is a valuable contribution to both purposes

Handbook of Moral Behavior and Development William M. Kurtines, Jacob Gewirtz, Jacob L. Lamb, 2014-02-04 The publication of this unique three volume set represents the culmination of years of work by a large number of scholars researchers and professionals in the field of moral development The literature on moral behavior and development has grown to the point where it is no longer possible to capture the state of the art in a single volume This comprehensive multi volume Handbook marks an important transition because it provides evidence that the field has emerged as an area of scholarly activity in its own right Spanning many professional domains there is a striking variety of issues and topics surveyed anthropology biology economics education philosophy psychology psychiatry sociology social work and more By bringing together work on diverse topics the editors have fostered a mutually beneficial exchange not only between alternative approaches and perspectives but also between applied and pure research interests The Theory volume presents current and ongoing theoretical advances focusing on new developments or substantive refinements and revisions to existing theoretical frameworks The Research volume summarizes and interprets the findings of specific theory driven research programs reviews research in areas that have generated substantial empirical findings describes recent developments in research methodology techniques and reports research on new and emerging issues The Application volume describes a diverse array of intervention projects educational clinical organizational and the like Each chapter includes a summary report of results and findings conceptual developments and emerging issues or topics Since the contributors to this publication are active theorists researchers and practitioners it may serve to define directions that will shape the emerging literature in the field

In the Shadow of Justice Katrina Forrester, 2021-03-09 In the Shadow of Justice tells the story of how liberal political philosophy was transformed in the second half of the twentieth century under the influence of John Rawls In this first ever history of contemporary liberal theory Katrina Forrester shows how liberal egalitarianism a set of ideas about justice equality obligation and the state became dominant and traces its emergence from the political and ideological context of the postwar United States and Britain In the aftermath of the civil rights movement and the Vietnam War Rawls's A Theory of Justice made a particular kind of liberalism essential to political philosophy Using archival sources Forrester explores the ascent and legacy of this form of liberalism by examining its origins in midcentury debates among American antistatists and British egalitarians She traces the roots of contemporary theories of justice and inequality civil disobedience just war global and intergenerational justice and population ethics in the 1960s and 70s and beyond In these years political philosophers extended developed and reshaped this liberalism as they responded to challenges and alternatives on the left and right from the New International Economic Order to the rise of the New Right These thinkers remade political philosophy in ways that influenced not only their own trajectory but also that of their critics Recasting the history of late twentieth century political thought and providing novel interpretations and fresh perspectives on major political philosophers In the Shadow of Justice

offers a rigorous look at liberalism's ambitions and limits Parental Responsibility, Young Children and Healthcare Law Jo Bridgeman, 2007-04-19 This book provides a comprehensive examination of the legal regulation of the provision of healthcare to young children in England and Wales. A critical analysis is given on the law governing the provision of healthcare to young and dependent children, identifying an understanding of the child as vulnerable and in need of protection including from his or her own parents. The argument is made for a conceptual framework of relational responsibilities which would ensure that consideration is given to the needs of the child as an individual, to the experiences of parents gained as they care for their child, and that the wider context such as attitudes towards disability, public health issues, or the support and resources available is examined. This book makes an important contribution to understanding the law regulating the provision of healthcare to young and dependent children and to the development of a discourse of responsibility.

Freedom, Responsibility, and Determinism John Lemos, 2013-01-01 John Lemos *Freedom, Responsibility, Determinism* offers an up-to-date introduction to free will and associated debates in an engaging dialogic format that recommends it for use by beginning students in philosophy as well as by undergraduates in intermediate courses in metaphysics, philosophy of mind, and action theory.

Free Will 2nd Edition Kevin Timpe, 2013-01-24 A comprehensive and accessible introduction to contemporary debates on free will.

Freedom and Responsibility Herbert Morris, 1961 Free Will and Determinism Clifford Williams, 1980-01-01 Nicely conceived, very clearly written. A high level of philosophic substance and sophistication.

David M. Mowry, SUNY at Plattsburgh Cyberwar Jens David Ohlin, Kevin Govern, Claire Oakes Finkelstein, 2015 Cyber weapons and cyber warfare have become one of the most dangerous innovations of recent years and a significant threat to national security. Cyber weapons can imperil economic, political, and military systems by a single act or by multifaceted orders of effect with wide-ranging potential consequences. Unlike past forms of warfare circumscribed by centuries of just war tradition and Law of Armed Conflict prohibitions, cyber warfare occupies a particularly ambiguous status in the conventions of the laws of war. Furthermore, cyber attacks put immense pressure on conventional notions of sovereignty and the moral and legal doctrines that were developed to regulate them. This book, written by an unrivalled set of experts, assists in proactively addressing the ethical and legal issues that surround cyber warfare by considering first whether the Laws of Armed Conflict apply to cyberspace just as they do to traditional warfare, and second the ethical position of cyber warfare against the background of our generally recognized moral traditions in armed conflict. The book explores these moral and legal issues in three categories. First, it addresses foundational questions regarding cyber attacks: What are they and what does it mean to talk about a cyber war? The book presents alternative views concerning whether the laws of war should apply or whether transnational criminal law or some other peacetime framework is more appropriate, or if there is a tipping point that enables the laws of war to be used. Secondly, it examines the key principles of *jus in bello* to determine how they might be applied to cyber conflicts, in particular those of proportionality and necessity. It also investigates the distinction between civilian and

combatant in this context and studies the level of causation necessary to elicit a response looking at the notion of a proximate cause Finally it analyzes the specific operational realities implicated by particular regulatory regimes This book is unmissable reading for anyone interested in the impact of cyber warfare on international law and the laws of war

Deans' List of Recommended Reading for Prelaw and Law Students Julius J. Marke, Edward J. Bander, 1984 Paternalism Rolf E. Sartorius, 1983 Paternalism was first published in 1984 Minnesota Archive Editions uses digital technology to make long unavailable books once again accessible and are published unaltered from the original University of Minnesota Press editions Over a hundred years of controversy have established that the antipaternalistic principle so passionately argued by Mill in On Liberty is anything but simple There are difficulties in interpreting the principle in reconciling it with Mill's general utilitarian position and defending it under any particular interpretation The fourteen essays collected in Paternalism represent the shape philosophical discussions have taken in the past decade and include the classical contemporary statements as well as important new work This book will provide philosophers policymakers doctors lawyers and students with all the major arguments that are part of the current controversy

Action: An Analysis of the Concept D. Rayfield, 2012-12-06 During the past decade there has been considerable interest among philosophers in providing a philosophically satisfactory and helpful analysis of a particular type of human behavior called action As I see it this interest is a renewal of the efforts of Aristotle in Ethica Nicomachea to provide an analysis of voluntary action Because of this and because Aristotle's distinctions regarding voluntariness are fundamentally correct what follows is in some ways a discussion in praise of Aristotle But I have also argued for an analysis of action which will go some way toward withstanding criticism which can be brought against Aristotle's work as well as criticism which can be brought against the more contemporary efforts of others in the same subject In Chapter Two I argue for four conditions which are when met jointly necessary and sufficient for a particular item of human behavior on a particular occasion to qualify as a human action The analysis does not allow us to determine that a particular kind of behavior such as killing is always an action

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