

The Moral Limits of the Criminal Law: Offence to Others v. 2

Feinberg, Joel

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Offense To Others Moral Limits Of The Criminal Law V

Cathleen Kaveny



Offense To Others Moral Limits Of The Criminal Law V :

Offense to Others Joel Feinberg, 1984 The second volume in the series *The Moral Limits of the Criminal Law* this book explicates the offense principle clarifies the concept of the offended mental state examines pornography and the Constitution obscenity and obscene words and social policy **The Moral Limits of the Criminal Law: Harmless wrongdoing** Joel

Feinberg, 1984 In this volume Feinberg focuses on the meanings of interest the relationship between interests and wants and the distinction between want regarding and ideal regarding analyses on interest and hard cases for the applications of the concept of harm Examples of the hard cases are harm to character vicarious harm and prenatal and posthumous harm Feinberg also discusses the relationship between harm and rights the concept of a victim and the distinctions of various quantitative dimensions of harm consent and offense including the magnitude probability risk and importance of harm

The Routledge Companion to Philosophy of Law Andrei Marmor, 2012-04-27 The Routledge Companion to the Philosophy of Law provides a comprehensive non technical philosophical treatment of the fundamental questions about the nature of law Its coverage includes law's relation to morality and the moral obligations to obey the law the main philosophical debates about particular legal areas such as criminal responsibility property contracts family law law and justice in the international domain legal paternalism and the rule of law The entirely new content has been written specifically for newcomers to the field making the volume particularly useful for undergraduate and graduate courses in philosophy of law and related areas All 39 chapters written by the world's leading researchers and edited by an internationally distinguished scholar bring a focused philosophical perspective to their subjects The Routledge Companion to the Philosophy of Law promises to be a valuable and much consulted student resource for many years The Global Model of Constitutional Rights Kai

Möller, 2012-10-25 Since the end of the Second World War and the subsequent success of constitutional judicial review one particular model of constitutional rights has had remarkable success first in Europe and now globally This global model of constitutional rights is characterized by an extremely broad approach to the scope of rights sometimes referred to as rights inflation the acceptance of horizontal effect of rights positive obligations and increasingly also socio economic rights and the use of the doctrines of balancing and proportionality to determine the permissible limitations of rights Drawing on analyses of a broad range of cases from the UK the European Court of Human Rights Germany Canada the US and South Africa this book provides the first substantive moral reconstructive theory of the global model It shows that it is based on a coherent conception of constitutional rights which connects to attractive accounts of judicial review democracy and the separation of powers The first part of the book develops a theory of the scope of rights under the global model It defends the idea of a general right to personal autonomy a right to everything which according to the agent's self conception is in his or her interest The function of this right is to acknowledge that every act by a public authority which places a burden on a person's autonomy requires justification The second part of the book proposes a theory of the structure of this justification which

offers original and useful accounts of the important doctrines of balancing and proportionality *Ethics in Practice* Hugh LaFollette, 2025-03-20 Praise for ETHICS in PRACTICE This new edition of *Ethics in Practice* offers a cornucopia of 72 expertly edited texts both canonical and contemporary on a wonderfully wide selection of topics in moral theory and applied ethics Students teachers and researchers will find in it a practically endless source of thought provoking and conversation sparking readings STUART GREEN Distinguished Professor of Law Rutgers University Those of us who write and teach in practical ethics owe a debt of gratitude to Hugh LaFollette for assembling this superb collection of important contributions to the core theoretical questions and pressing contemporary issues in moral philosophy CHRISTOPHER HEATH WELLMAN Washington University in St Louis *Ethics in Practice* has guided students through the ethical dimensions of controversial debates for more than two decades providing the knowledge required to confront difficult questions in various practical moral contexts Now in its sixth edition this field defining textbook explores a wide range of global local and personal ethical issues while presenting the historical basis of key developments in ethical theory Editor Hugh LaFollette highly regarded for his contributions in the field of practical ethics critically integrates ethical theory with discussion of applied examples of economic injustice discrimination incarceration genetic modification gun control torture euthanasia hate speech and more Throughout the book student friendly introductions clarify complex concepts and highlight the theoretical and practical aspects of each issue discussed This new edition is fully revised to reflect the latest empirical evidence and applications including new and updated case studies examples data and references Entirely new essays address topics such as punishment sentencing assassination the environment epistemic vices pragmatic ethics biomedical technologies and abortion in the post Dobbs era Citizenship, Crime and Community in the European Union Stephen Coutts, 2019-09-19 Over the past 20 years the European Union has been increasingly active in the area of criminal law Meanwhile the status of European Union citizenship has been progressively developed and strengthened Adopting an expressive and communitarian perspective of the criminal law this book considers EU criminal law in light of EU citizenship with a view to revealing the structure of the EU's political community as expressed in its criminal law It argues that while national communities remain dominant through transnational processes certain features of a supranational community can be said to emerge The book will be of interest to scholars of EU citizenship EU criminal law and EU law and integration more generally **Freedom of Artistic Expression** Paul Kearns, 2013-10-10 This book presents a unique and comprehensive examination of the human and moral rights of artists In what is arguably the first exhaustive book length account of artists rights Paul Kearns explores the problems associated with censorship both from philosophical and legal perspectives and focuses on the various ways in which the morality of art is legally regulated in different jurisdictions In relation to human rights English French and American law the law of the European Convention on Human Rights European Union law and public international law are all closely scrutinised to discover the extent to which they offer protection for artistic freedom The author also examines domestic and

international law in respect of artists moral rights the law of copyright and related laws In short the book provides an original and sometimes controversial analysis of persistent concerns regarding the legal regulation of the arts universally doctrinally and theoretically and seeks to offer an holistic treatment which will appeal to art lawyers artists and those interested in the future of the arts Liberal Criminal Theory A P Simester,Antje du Bois-Pedain,Ulfrid Neumann,2014-12-01 This book celebrates Andreas Andrew von Hirsch s pioneering contributions to liberal criminal theory He is particularly noted for reinvigorating desert based theories of punishment for his development of principled normative constraints on the enactment of criminal laws and for helping to bridge the gap between Anglo American and German criminal law scholarship Underpinning his work is a deep commitment to a liberal vision of the state This collection brings together a distinguished group of international authors who pay tribute to von Hirsch by engaging with topics on which he himself has focused The essays range across sentencing theory questions of criminalisation and the relation between criminal law and the authority of the state Together they articulate and defend the ideal of a liberal criminal justice system and present a fitting accolade to Andreas von Hirsch s scholarly life Simester and Sullivan's Criminal Law J J Child,A P Simester,J R Spencer,F Stark,G J Virgo,2022-09-15 undoubtedly a first rate companion for any undergraduate or post graduate law course John Taggart Criminal Law Review This outstanding account of modern English criminal law combines detailed exposition and analysis of the law with a careful exploration of its theoretical underpinnings Primarily it is written for undergraduate students of criminal law covering all subjects taught at undergraduate level The book s philosophical approach ensures students have a deeper understanding of the law that goes beyond a purely doctrinal knowledge As a result over its numerous editions it has become required reading for many criminal law courses The 8th edition covers all statutory law including the Assaults on Emergency Workers Act 2018 and Domestic Abuse Act s 71 Case law discussions now cover Grant complicity Barton dishonesty Broughton Field Kuddus and Rebelo homicide and AG s Ref No 1 of 2020 sexual offences Seniors and Squalor Lisa Johnson,2018-10-25 This book will help readers to better understand and address a strange social phenomenon the apparent choice by some seniors to live in squalor Seniors and Squalor examines the widespread and growing phenomenon of mentally competent senior citizens living in self imposed squalor and refusing help whether from health care professionals government or family At this juncture of medicine and law many families have experienced frustration embarrassment and heartbreak The book also explores associated ethical questions arguing that society can address the problem while respecting individual legal autonomy For the theorist this work provides the first in depth treatment of legal and political theory questions undergirding the issue of self neglect by seniors It also underscores the importance of limited government the necessity of granting American citizens their individual rights and the critical need to stop classifying self neglect as abuse This is an ideal read for graduate and undergraduate students scholars practitioners of health care and geriatrics social workers and lawyers Most importantly this book will appeal to those directly affected by

the problem family friends and social work professionals by giving them a broader understanding of this complex social issue and how to best respond to it

Justifying Judgment Vincent Joseph Samar, 1998 Samar philosophy Loyola U seeks to develop a metatheory of law that judges could use to decide very hard cases in which the law offers no firm precedents or it is not clear whether the applicable law is just He discusses theories of political philosophy that set a foundation for the duty to obey law presents a natural law justification for a legal system containing morally just laws uses his metatheory to resolve five historically significant constitutional cases and offers suggestions for legal education Annotation copyrighted by Book News Inc Portland OR

Freedom of Expression Glen Newey, 2009-03-26 Freedom of expression has long been cherished as a liberal ideal But in the political climate of the new millennium free expression finds itself under assault Muslims greeted the publication by a Danish newspaper of cartoons depicting the prophet Muhammad with outrage The Pope was forced to issue an apology after Muslims denounced his remarks about a Byzantine emperor as anti Islamic Meanwhile in the UK the play *Behzti* was cancelled after protests by Sikhs and Christian activists attempted to force the BBC not to screen Jerry Springer the Opera The political establishment as well as religious activists has also tried to gag free speech Moves to ban inciting religious hatred and glorifying acts of terrorism have stirred up political ferment In several jurisdictions Holocaust denial is already outlawed The advent of the internet with its lack of regulation has fuelled long standing feminist concerns about pornography Child pornography has become rampant on the web This collection explores the new challenges to free expression posed by cultural and political conflict and by technological change It asks whether classical and modern liberalism still carry conviction against challenges to liberal orthodoxy The contributors ask how to weigh the claims of free expression against other fundamental rights such as group membership personal privacy and the protection of the public sphere both as a discursive realm and as a cultural space Together they tackle the key questions facing free expression today What does free expression mean in an age of global communications How if at all can it be traded against other goods Can free speech survive given the growing awareness of its costs

The Right Not to be Criminalized Dennis J. Baker, 2016-02-24 This book presents arguments and proposals for constraining criminalization with a focus on the legal limits of the criminal law The book approaches the issue by showing how the moral criteria for constraining unjust criminalization can and has been incorporated into constitutional human rights and thus provides a legal right not to be unfairly criminalized The book sets out the constitutional limits of the substantive criminal law As far as specific constitutional rights operate to protect specific freedoms for example free speech freedom of religion privacy etc the right not to be criminalized has proved to be a rather powerful justice constraint in the U S Yet the general right not to be criminalized has not been fully embraced in either the U S or Europe although it does exist This volume lays out the legal foundations of that right and the criteria for determining when the state might override it The book will be of interest to researchers in the areas of legal philosophy criminal law constitutional law and criminology

Contemporary Political

Philosophy: An Anthology Robert E. Goodin, Philip Pettit, 2019-04-08 The revised and updated edition of Goodin and Pettit's highly acclaimed contemporary political philosophy anthology bringing together the field's most important readings in a single volume. Unparalleled in the breadth and scope of its coverage, this newly revised third edition traces the evolution of political philosophy as a contemporary practice and raises important questions about the impact of current political events. Fully updated to include 49 contemporary and classic selections from the most distinguished scholars in political philosophy. Offers expanded coverage of international affairs and political oppression. Includes essays which represent a diversity of political and ideological positions and features interdisciplinary voices in politics, law, and economics. Edited by two of the field's most highly respected scholars. The ideal collection of primary readings to accompany the *Companion to Contemporary Political Philosophy*. Second Edition. Wiley Blackwell, 2012, for coursework in political philosophy.

Zemology and Human Trafficking Avi Boukli, 2023-12-05 Following the rise of the zemiological movement, the concept of social harm has attracted a great deal of scholarly attention. Using this perspective, a number of scholars have sought to remove the constraining brackets surrounding criminological investigation in order to broaden its legitimate parameters of study and incorporate a wider range of uncriminalized and hidden harms. This book expands the literature on social harm by applying the concept of *zemia* to human trafficking investigations in Europe, North America, and Africa. This book draws attention not only to various structurally imbedded harms but also to the wider consequences of such harms. Drawing on a range of international legal cases on trafficking, this book offers a new direction in criminological and zemiological thinking and a reimagining of criminal justice responses to harm.

Law's Virtues Cathleen Kaveny, 2012-09-20 Can the law promote moral values even in pluralistic societies such as the United States? Drawing upon important federal legislation such as the Americans with Disabilities Act, legal scholar and moral theologian Cathleen Kaveny argues that it can. In conversation with thinkers as diverse as Thomas Aquinas, Pope John Paul II, and Joseph Raz, she argues that the law rightly promotes the values of autonomy and solidarity. At the same time, she cautions that wise lawmakers will not enact mandates that are too far out of step with the lived moral values of the actual community. According to Kaveny, the law is best understood as a moral teacher encouraging people to act virtuously rather than a police officer requiring them to do so. In *Law's Virtues*, Kaveny expertly applies this theoretical framework to the controversial moral legal issues of abortion, genetics, and euthanasia. In addition, she proposes a moral analysis of the act of voting in dialogue with the election guides issued by the US bishops. Moving beyond the culture wars, this bold and provocative volume proposes a vision of the relationship of law and morality that is realistic without being relativistic and optimistic without being utopian.

Transnational Crime Jessica Roher, Nicola Guarda, Maryam Khalid, 2018-09-03 Philip Jessup coined the term transnational law in his Storrs Lecture on Jurisprudence delivered in 1956 to describe law that regulates activities or actions that transcend national borders. The term redefined the development and practice of the law and became a distinct field of study. In 2001, Neil Boister applied Jessup's concept to the field of criminal

law and identified the emergence of transnational criminal law in a formative article published in the European Journal of International Law Inspired by Boister's work the editors of the journal Transnational Legal Theory sought contributions from leading academics and practitioners for a symposium issue on transnational criminal law In their papers the authors built upon and developed novel approaches to legal issues arising in an increasingly globalized world where both crimes and the regulation of crimes transcend borders The publication of this book marks the sixtieth anniversary of Jessup's seminal lecture and exemplifies the significant impact that Jessup and later Boister have had on legal scholarship and practice in the area of criminal law We are honoured to publish the symposium as a monograph and to contribute to this rapidly evolving field This book was previously published as a special issue of Transnational Legal Theory

Defining Rape: Emerging Obligations for States Under International Law? Maria Eriksson, 2011-10-28

The crime of rape has been prevalent in all contexts whether committed during armed conflict or in peacetime and has largely been characterised by a culture of impunity International law through its branches of international human rights law international humanitarian law and international criminal law has increasingly condemned such violence and is progressively obliging states to prevent rape whether committed by a state agent or a private actor

Simester and Sullivan's Criminal Law A P Simester, J R Spencer, F Stark, G R Sullivan, G J Virgo, 2019-08-22 This is the new edition of the leading textbook on criminal law by Professors Simester and Sullivan now co-written with Professors Spencer Stark and Virgo Simester and Sullivan's Criminal Law is an outstanding account of modern English criminal law combining detailed exposition and analysis of the law with a careful exploration of its theoretical underpinnings Primarily it is written for undergraduate students of criminal law and it has become the set text in many leading universities Additionally the book is used as an important point of reference in academic writing and postgraduate research in England and abroad Simester and Sullivan's Criminal Law has been cited by appellate courts throughout the world Review of Previous Edition undoubtedly a first rate companion for any undergraduate or post graduate law course Since attaining international recognition and citation in appellate courts worldwide the security of the text's position as a point of academic reference remains as steadfast as ever John Taggart Criminal Law Review

Novel Beings David R. Lawrence, Sarah Morley, 2022-12-06 Novel Beings is a forward looking exploration into the divide between proactive and reactive regulatory approaches to the cross section of biotechnology and artificial intelligence AI research Addressing an innovative area of academic study Novel Beings questions how this research which has the potential to create new forms of morally valuable life could be regulated

Offense To Others Moral Limits Of The Criminal Law V Book Review: Unveiling the Power of Words

In a world driven by information and connectivity, the power of words has been evident than ever. They have the capacity to inspire, provoke, and ignite change. Such could be the essence of the book **Offense To Others Moral Limits Of The Criminal Law V**, a literary masterpiece that delves deep into the significance of words and their effect on our lives. Compiled by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book's key themes, examine its writing style, and analyze its overall effect on readers.

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