

ROUTLEDGE STUDIES IN ETHICS AND MORAL THEORY

The Limits of Moral Obligation

Moral Demandingness and Ought Implies Can

Edited by
Marcel van Ackeren and Michael Kühler



The Limits Of Obligation

**Harlan B. Miller, William Hatton
Williams**



The Limits Of Obligation:

The Limits of Obligation James S. Fishkin, 1982 *The Limits of Moral Obligation* Marcel van Ackeren, Michael Kühler, 2015-09-16 This volume responds to the growing interest in finding explanations for why moral claims may lose their validity based on what they ask of their addressees Two main ideas relate to that question the moral demandingness objection and the principle ought implies can Though both of these ideas can be understood to provide an answer to the same question they have usually been discussed separately in the philosophical literature The aim of this collection is to provide a focused and comprehensive discussion of these two ideas and the ways in which they relate to one another and to take a closer look at the consequences for the limits of moral normativity in general Chapters engage with contemporary discussions surrounding ought implies can as well as current debates on moral demandingness and argue that applying the moral demandingness objection to the entire range of normative ethical theories also calls for an analysis of its metaethical presuppositions The contributions to this volume are at the leading edge of ethical theory and have implications for moral theorists philosophers of action and those working in metaethics theoretical ethics and applied ethics [The Limits of Utilitarianism](#) Harlan B. Miller, William Hatton Williams, The Limits of Utilitarianism was first published in 1982 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 Many philosophers have argued that utilitarianism is an unacceptable moral theory and that promoting the general welfare is at best only one of the legitimate goals of public policy Utilitarian principles seem to place no limits on the extent to which society may legitimately interfere with a person's liberties provided that such actions can be shown to promote the long term welfare of its members These issues have played a central role in discussions of utilitarianism since the time of Bentham and Mill Despite criticisms utilitarianism remains the most influential and widely accepted moral theory of recent times In this volume contemporary philosophers address four aspects of utilitarianism the principle of utility utilitarianism vis vis contractarianism welfare and voluntary cooperation and helping others The editors provide an introduction and a comprehensive bibliography that covers all books and articles published in utilitarianism since 1930 **The Limits of Obligation** M. Krizewsky, 1923 [The Limits of the Rule of Law in China](#) Karen G. Turner, James V. Feinerman, R. Kent Guy, 2000-02-01 In The Limits of the Rule of Law in China fourteen authors from different academic disciplines reflect on questions that have troubled Chinese and Western scholars of jurisprudence since classical times Using data from the early 19th century through the contemporary period they analyze how tension between formal laws and discretionary judgment is discussed and manifested in the Chinese context The contributions cover a wide range of topics from interpreting the rationale for and legacy of Qing practices of collective punishment confession at trial and bureaucratic supervision to assessing the political and cultural forces that continue to limit the authority of formal legal institutions in the People's Republic of China **The Limits of Moral Authority** Dale

Dorsey,2016 Dale Dorsey considers one of the most important questions in philosophical ethics to what extent do the demands of morality have authority over us and our lives He defends a position that runs counter to the traditional view and argues that we are not required to conform to moral demands Furthermore doing so can be quite literally wrong

The Limits of Consent Oonagh Corrigan,John McMillan,Kathleen Liddell,Martin Richards,Charles Weijer,2009-01-29 Since its inception as an international requirement to protect patients and healthy volunteers taking part in medical research informed consent has become the primary consideration in research ethics Despite the ubiquity of consent however scholars have begun to question its adequacy for contemporary biomedical research The Limits of Consent explores this issue reviewing the application of consent to genetic research clinical trials and research involving vulnerable populations For example in genetic research information obtained from an autonomous research participant may have significant bearing on the interests of family members who have not consented to the study This casts doubt on the adequacy of consent for such studies The Limits of Consent also questions the assumptions that informed consent is essential and that it satisfactorily protects the principle of individual autonomy It reviews recent empirical studies that challenge the possibility of truly informed consent and highlights the extent to which consent is governed by social norms and expectations It also investigates how consent might be of secondary importance in some circumstances for example when a research project appears to protect a public or community interest Building on these observations the authors make bold attempts to outline constructive solutions to the problems identified with perspectives from medicine law philosophy and sociology This fascinating and provocative exploration of the limits of informed consent will appeal to ethicists social scientists health lawyers clinical researchers research ethics committee members policy makers and others with an interest in bioethics

The Limitations of the Open Mind Jeremy Fantl,2018-05-10 When should you engage with difficult arguments against your cherished controversial beliefs The primary conclusion of this book is that your obligations to engage with counterarguments are more limited than is often thought In some standard situations you shouldn t engage with difficult counterarguments and if you do you shouldn t engage with them open mindedly This conclusion runs counter to aspects of the Millian political tradition and political liberalism as well as what people working in informal logic tend to say about argumentation Not all misleading arguments wear their flaws on their sleeve Each step of a misleading argument might seem compelling and you might not be able to figure out what s wrong with it Still even if you can t figure out what s wrong with an argument you can know that it s misleading One way to know that an argument is misleading is counterintuitively to lack expertise in the methods and evidence types employed by the argument When you know that a counterargument is misleading you shouldn t engage with it open mindedly and sometimes shouldn t engage with it at all You shouldn t engage open mindedly because you shouldn t be willing to reduce your confidence in response to arguments you know are misleading And you sometimes shouldn t engage closed mindedly because to do so can be manipulative or ineffective In making this case Jeremy Fantl discusses echo chambers and group polarization

the importance in academic writing of a sympathetic case for the opposition the epistemology of disagreement the account of open mindedness and invitations to problematic academic speakers

Law, Ethics and Compromise at the Limits of Life Richard Huxtable, 2013 A conflict arises in the clinic over the care of a critically ill incapacitated patient The clinicians and the patient s family confront a difficult choice to treat or not to treat Decisions to withdraw or withhold life sustaining treatment feature frequently in the courts and in the world s media with prominent examples including the cases of Charlotte Wyatt in the UK and Terri Schiavo in the USA According to legislation like the Mental Capacity Act 2005 the central issues are the welfare or best interests of the patient alongside any wishes they might have conveyed via an advance directive or through the appointment of a lasting power of attorney Richard Huxtable argues that the law governing both welfare and wishes frequently fails to furnish clinicians and families with the guidance they require However he finds this unsurprising given the competing ethical issues at stake Huxtable proposes that there is a case for principled compromise here such that the processes for resolving principled disputes take precedence He argues for greater ethical engagement through a reinvigorated system of clinical ethics support in which committees work alongside the courts to resolve the conflicts that can arise at the limits of life Providing a comprehensive account of the law pertaining to children and adults alike and distinctively combining medico legal and bioethical insights this book engages scholars and students from both disciplines as well as informing clinicians about the scope and limits of law at the limits of life

Essential Cases on the Limits of Liability Bénédict Winiger, Bjarte Askeland, Elena Bargelli, Martin Hogg, Ernst Karner, 2024-11-04 European legal systems have developed a broad range of instruments aimed at limiting liability These instruments are systematically examined within the present volume which builds on the experience gathered in the various jurisdictions over the past decades and thereby fills a major gap in tort law literature The publication contains a selection of the most important cases from 27 states across Europe as well as decisions by European Union courts it also highlights cases from earlier periods of legal history For each case the facts and the relevant court decision are presented and accompanied by an analytical commentary In addition comparative analyses of the reported cases are provided and a special report is dedicated to how key cases would be resolved under model European rules on tort law The editors believe that the material gathered here may provide guidance for an organic convergence of the national legal systems in Europe It constitutes the basis of an *acquis commun* that is infinitely richer though also much more complex than the rather bland and abstract concepts contained in national codifications European legislation and modern model rules

Sovereign Justice Diogo Aurelio, Gabriele Angelis, Regina Queiroz, 2010-12-20 Sovereign Justice collects valuable contributions from scholars of both continental and analytic tradition and aims to investigate into the relationship between global justice and the nation state It deals therefore especially with the moral relevance of national boundaries and cosmopolitanism It is organised in four sections The first section deals with cosmopolitan approaches to global justice with regard to which Kok Choir Tan s article presents an overview over the current

state of the art the challenges that cosmopolitanism is currently facing and its relationship and contrasts with other theoretical strands Etinson s article attempts to clarify the concept of cosmopolitanism De Angelis s contribution aims to assess the current argumentative state of the art The second section discusses more specific normative issues The contributions included in this section deal with global egalitarianism the moral relevance of national boundaries global moral and political obligation and the relationship of national sovereignty and global justice The third section deals with the contribution of Rawls s work to the current debate on global justice It also contains an article that deals with the Kantian aesthetic judgement a topic already developed and made famous by Hannah Arendt and its relevance in the context of international political theory recently pointed out by Alessandro Ferrara s increasingly influential work Finally section four deals with economic justice and discusses principles of economic equality in times of globalisation and Pogge s idea of a global resources dividend The book presents both a useful assessment of the state of the art and valuable contributions to its advancement The articles will be of great use both for scholars and for students

Facing the Limits of the Law Erik Claes, Wouter Devroe, Bert Keirsbilck, 2009-04-21 Many legal experts no longer share an unbounded trust in the potential of law to govern society efficiently and responsibly They often experience the limits of the law as they are confronted with striking inadequacies in their legal toolbox with inner inconsistencies of the law with problems of enforcement and obedience and with undesired side effects and so on The contributors to this book engage in the challenging task of making sense of this experience Against the background of broader cultural transformations such as globalisation new technologies individualism and cultural diversity they revisit a wide range of areas of the law and map different types of limits in relation to some basic functions and characteristics of the law Additionally they offer a set of strategies to manage justifiably law s limits such as dedramatising law s limits conceptual refinement constructivism striking the right balance between different functions of the law seeking for complementarity between law and other social practices

Reforming the French Law of Obligations John Cartwright, Stefan Vogenauer, Simon Whittaker, 2009-04-17 The 2005 Avant projet de r forme du droit des obligations et de la prescription also dubbed the Avant projet Catala suggests the most far reaching reform of the French Civil code since it came into force in 1804 It reviews central aspects of contract law the law of delict and the law of unjustified enrichment There is currently a very lively debate in France as to the merits or the demerits of both the particular draft provisions and the general idea of recodification as such This volume is the first publication to introduce the reform proposals to an English speaking audience It contains the official English translation of the text and distinguished private lawyers from both England and France analyse and assess particularly interesting aspects of the substantive draft provisions in a comparative perspective Topics covered include negotiation and renegotiation of contracts la cause the enforcement of contractual obligations termination of contract and its consequences the effects of contracts on third parties the definition of la faute the quantification of damages and the law of prescription The volume also contains an overall assessment of the draft provisions

by one of the most senior French judges who chaired the Working Party on the Avant projet established by the French Supreme Court the Cour de cassation The book is indispensable for comparative private lawyers and lawyers with a particular interest in French law It is also of use to all private lawyers both academics and practitioners looking for information on recent international and European trends in contract and tort Annual Report of the Comptroller of the Currency to the ... Session of the ... Congress of the United States United States. Office of the Comptroller of the Currency,1963 **Reports of Cases Argued and Determined in the Supreme Court of Errors of the State of Connecticut** Connecticut. Supreme Court,Connecticut. Supreme Court of Errors,1896 The Limits of Lockean Rights in Property Gopal Sreenivasan,1995 In this book Gopal Sreenivasan provides a comprehensive interpretation of Locke s theory of property and offers a critical assessment of that theory Locke argued that the appropriation of things as private property does not violate the rights of others provided that everyone still has access to the materials needed to produce their subsistence Given that the actual appropriation of particular things is legitimated by one s labor Holding Locke s theory to the logic of its own argument Sreenivasan examines the extent to which it is really serviceable as a defense of private property He contends that a purified version of this theory one that adheres consistently to the logic of Locke s argument while excluding considerations extraneous to it does in fact legitimate a form of private property This purified theory is defensible in contemporary secular terms since nothing to which Locke gives an ineliminable theological foundation belongs to the logical structure of his argument The resulting regime of private property is both substantially egalitarian and significantly different from the traditional liberal institution of private property The Lawyers' Reports Annotated ,1912

The Limits of Leviathan Robert E. Scott,Paul B. Stephan,2006-08-14 Much of international law like much of contract is enforced not by independent sanctions but rather through cooperative interaction among the parties with repeat dealings reputation and a preference for reciprocity doing most of the enforcement work Originally published in 2006 The Limits of Leviathan identifies areas in international law where formal enforcement provides the most promising means of promoting cooperation and where it does not In particular it looks at the International Criminal Court the rules for world trade efforts to enlist domestic courts to enforce orders of the International Court of Justice domestic judicial enforcement of the Geneva Convention the domain of international commercial agreements and the question of odious debt incurred by sovereigns This book explains how international law like contract depends largely on the willingness of responsible parties to make commitments The Law Journal Reports ,1911 Impact of the Energy Crisis on State and Local Governments (1974)[-1975] United States. Congress. Senate. Committee on Government Operations. Subcommittee on Intergovernmental Relations,1974

Reviewing **The Limits Of Obligation**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is really astonishing. Within the pages of "**The Limits Of Obligation**," an enthralling opus penned by a highly acclaimed wordsmith, readers attempt an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve in to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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