

# Philosophy Law Joel Feinberg

**Robert Arp, Steven Barbone, Michael Bruce**

**The Moral Limits of the Criminal Law: Harm to self** Joel Feinberg, 1986 N 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.

**Offense to Others** Joel Feinberg, 1985-05-16 The second volume in Joel Feinberg's series *The Moral Limits of the Criminal Law*, *Offense to Others* focuses on the offense principle, which maintains that preventing shock, disgust, or revulsion is always a morally relevant reason for legal prohibitions. Feinberg clarifies the concept of an offended mental state and further contrasts the concept of offense with harm. He also considers the law of nuisance as a model for statutes creating morals offenses, showing its inadequacy as a model for understanding profound offenses, and discusses such issues as obscene words and social policy, pornography and the Constitution, and the differences between minor and profound offenses.

**Philosophy of Law** Joel Feinberg, Hyman Gross, 1986

**Harmless Wrongdoing** Joel Feinberg, 1984 The 4th and final volume in the series defines the philosophical basis for criminalizing so-called 'victimless crimes', such as pornography and consensual sexual activity.

**Rights, Justice, and the Bounds of Liberty** Joel Feinberg, 2014-07-14 This volume of essays by one of America's preeminent philosophers in the area of jurisprudence and moral philosophy gathers together fourteen papers that had been published in widely scattered and not readily accessible sources. All of the essays deal with the political ideals of liberty and justice or with hard cases for the application of the concept of a right. Originally published in 1980. The Princeton Legacy Library uses the latest print-on-demand technology to again make available previously out-of-print books from the distinguished backlist of Princeton University Press. These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions. The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its

founding in 1905.

In Harm's Way Joel Feinberg, Jules L. Coleman, Allen Buchanan, 1994-06-24 This 1994 volume contains fifteen essays by leading philosophers exploring themes developed in the work of Joel Feinberg.

**Freedom and Fulfillment** Joel Feinberg, 2020-09-01 Dealing with a diverse set of problems in practical and theoretical ethics, these fourteen essays, three of them previously unpublished, reconfirm Joel Feinberg's leading position in the field of legal philosophy. With a clarity and humor that will be familiar to readers of his other works, Feinberg writes on topics including wrongful life suits in the law of torts, or whether there is any sense in the remark that a person is so badly off that he would be better off not existing at all; the morality of abortion; educational options; free expression; civil disobedience; and the duty of easy rescue in criminal law. He continues with a three-part defense of moral rights in the abstract, a discussion of voluntary euthanasia, and an inquiry into arguments of various kinds for not granting legal rights in enforcement of a person's acknowledged moral rights. This collection concludes with two essays dealing with concepts used in appraising the whole of a person's life: absurdity and self-fulfillment, and their interplay.

*Reason and Responsibility* Joel Feinberg, Russ Shafer-Landau, 2005 The Twelfth Edition of this best-selling, topically organized anthology provides a superb balance of historical selections and recent material. This new edition features more readings than ever before--79 total--all, where necessary, in the finest translations available. The readings complement each other and naturally build on the topic being covered. Clear, concise introductions to each Part provide just enough guidance to let students learn from experiencing the readings themselves. The text's long-heralded selection of readings covers topics such as reason and religious belief, human knowledge, mind and its place in nature, determinism, free will and responsibility, and morality and its critics in five parts with careful attention to opposing points of view.

Problems at the Roots of Law Joel Feinberg, 2003 Collects articles, on what the author terms basic questions about the law, particularly in regard to the relationship to morality. This volume reflects the diverse nature of his own interests: scholars in philosophy of law, legal theory, and ethical and moral theory.

*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 New Philosophy of Criminal Law** Chad Flanders, Zachary Hoskins, 2015-12-16 There is no more vivid example of a state's power over its citizens than the criminal law. By criminalizing various behaviours, the state sets boundaries on what we can and cannot do. And the criminal law is in many ways unique in the harshness of its sanctions. But traditional criminal law theory has for too long focussed on the questions, "what is a crime?" and "what is the justification of punishment?" The significance of the criminal law extends beyond these questions; indeed, critical philosophical questions underlie all aspects

of the criminal justice system. The criminal law engages us not just as offenders or potential offenders, but also as victims, suspects, judges and jurors, prosecutors and defenders—and as citizens. The authors in this volume go beyond traditional questions to challenge our conventional understandings of the criminal law. In doing so, they draw from a number of disciplines including philosophy, history, and social science.

*Compensatory Justice* John W. Chapman, 1991-09-01 This Major Reference series brings together a wide range of key international articles in law and legal theory. Many of these essays are not readily accessible, and their presentation in these volumes will provide a vital new resource for both research and teaching. Each volume is edited by leading international authorities who explain the significance and context of articles in an informative and complete introduction.

**Bad Arguments** Robert Arp, Steven Barbone, Michael Bruce, 2018-10-29 A timely and accessible guide to 100 of the most infamous logical fallacies in Western philosophy, helping readers avoid and detect false assumptions and faulty reasoning. You'll love this book or you'll hate it. So, you're either with us or against us. And if you're against us then you hate books. No true intellectual would hate this book. Ever decide to avoid a restaurant because of one bad meal? Choose a product because a celebrity endorsed it? Or ignore what a politician says because she's not a member of your party? For as long as people have been discussing, conversing, persuading, advocating, proselytizing, pontificating, or otherwise stating their case, their arguments have been vulnerable to false assumptions and faulty reasoning. Drawing upon a long history of logical falsehoods and philosophical flubs, *Bad Arguments* demonstrates how misguided arguments come to be, and what we can do to detect them in the rhetoric of others and avoid using them ourselves. Fallacies—or conclusions that don't follow from their premise—are at the root of most bad arguments, but it can be easy to stumble into a fallacy without realizing it. In this clear and concise guide to good arguments gone bad, Robert Arp, Steven Barbone, and Michael Bruce take readers through 100 of the most infamous fallacies in Western philosophy, identifying the most common missteps, pitfalls, and dead-ends of arguments gone awry. Whether an instance of sunk costs, is ought, affirming the consequent, moving the goal post, begging the question, or the ever-popular slippery slope, each fallacy engages with examples drawn from contemporary politics, economics, media, and popular culture. Further diagrams and tables supplement entries and contextualize common errors in logical reasoning. At a time in our world when it is crucial to be able to identify and challenge rhetorical half-truths, this book helps readers to better understand flawed argumentation and develop logical literacy. Unrivaled in its breadth of coverage and a worthy companion to its sister volume *Just the Arguments* (2011), *Bad Arguments* is an essential tool for undergraduate students and general readers looking to hone their critical thinking and rhetorical skills.

**The Moral Limits of the Criminal Law: Harm to self** Joel Feinberg, 1986 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.

Rights and Reason Marilyn Friedman, Larry May, K. Parsons, J. Stiff, 2013-06-29 The papers in this book have been collected in celebration of Carl Wellman, who, after forty-five years, is retiring from teaching. Here I would like to highlight a few of the moments which have shaped Carl as a person and a philosopher. Although his childhood was not unhappy, Carl faced considerable challenges growing up in Manchester, New Hampshire. He never knew his father; he and his mother, Carolyn, had little money; and he fought a long battle with Stevens-Johnson Syndrome, an illness which made him more familiar with hospitals than any young person should be. (His mother once told me that there were times when the doctors put Carl in his own hospital room because, while he was too young to be housed with adult men, they did not want the other children to see him die.) Following a year of physician-prescribed rest after high school, the doctors recommended the University of Arizona in the misguided hope that the desert climate might improve his health. In spite of the doctors' hopes, life in Tucson was not easy. The heat takes its toll on everyone, but the desert was especially oppressive for Carl since his unusually sensitive eyes were no match for the intense sun. Still, Carl enjoyed college.

Punishment Joel Feinberg, Hyman Gross, 1975

Harm to Others Joel Feinberg, 1984-07-05 This first volume in the four-volume series *The Moral Limits of the Criminal Law* focuses on the harm principle, the commonsense view that prevention of harm to persons other than the perpetrator is a legitimate purpose of criminal legislation. Feinberg presents a detailed analysis of the concept and definition of harm and applies it to a host of practical and theoretical issues, showing how the harm principle must be interpreted if it is to be a plausible guide to the lawmaker.

**Philosophical Perspectives on Punishment** Gertrude Ezorsky, 1972-06-30 *Punishment*, writes J. E. McTaggart, is pain and to inflict pain on any person obviously [requires] justification. But if the need to justify punishment is obvious, the manner of doing so is not. Philosophers have developed an array of diverse, often conflicting arguments to justify punitive institutions. Gertrude Ezorsky introduces this source book of significant historical and contemporary philosophical writings on problems of punishment with her own article, *The Ethics of Punishment*. She brings together systematically the important papers and relevant studies from psychology, law, and literature, and organizes them under five subtopics: concepts of punishment, the justification of punishment, strict liability, the death penalty, and alternatives to punishment. Under these general headings forty-two papers are presented to give philosophical perspectives on punishment. Included are many (e.g., John Stuart Mill's defense of capital punishment) not generally available. This book brings together in a single volume the views of such diverse writers as Plato, St. Thomas Aquinas, Samuel Butler, Karl Marx, and Lady Barbara Wooten. Others are

J. Andenaes, K. G. Armstrong, John Austin, Kurt Baier, Jeremy Bentham, F. H. Bradley, Richard Brandt, Clarence Darrow, A. C. Ewing, Joel Feinberg, The Hon. Mr. Gilpin, H. L. A. Hart, G. W. F. Hegel, Thomas Hobbs, Immanuel Kant, J. D. Mabbott, H. J. McCloskey, J. E. McTaggart, R. Martinson, G. E. Moore, Herbert Morris, Anthony Quinton, D. Daiches Raphael, H. Rashdall, John Rawls, W. D. Ross, Royal Commission on Capital Punishment Report 1949–53, George Bernard Shaw, T. L. S. Sprigge, and R. Wasserstrom.

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.

**Procreation, Parenthood, and Educational Rights** Jaime Ahlberg, Michael Cholbi, 2017-01-20 Procreation, Parenthood, and Educational Rights explores important issues at the nexus of two burgeoning areas within moral and social philosophy: procreative ethics and parental rights. Surprisingly, there has been comparatively little scholarly engagement across these subdisciplinary boundaries, despite the fact that parental rights are paradigmatically ascribed to individuals responsible for procreating particular children. This collection thus aims to bring expert practitioners from these literatures into fruitful and innovative dialogue around questions at the intersection of procreation and parenthood. Among these questions are: Must individuals be found competent in order to have the right to procreate or to parent? What, if anything, can justify parents' special authority over, or special obligations toward, their children, particularly children they biologically procreate? How is the relationship between the right to procreate and the right to parent best understood? How ought liberal societies understand the parent-child relationship and the rights and claims it gives rise to? A distinguishing feature of the collection is that several of its chapters address these issues by drawing on philosophical work in the realm of education, one of the most controversial areas in the ethics of parenthood. This book represents a distinctive synthesis of topics and literatures likely to appeal to scholars and advanced students working across a wide range of disciplines.

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