

Philosophers
in
Depth



Hart on Responsibility

**Edited by
C. G. Pulman**



Hart On Responsibility Philosophers In Depth

Maximilian Kiener



Hart On Responsibility Philosophers In Depth:

Hart on Responsibility C. Pulman, 2014-11-18 A collection of essays discussing Herbert Hart's writings on responsibility. The essays focus upon Hart's work on causation in the law and on the justification of punishment. Specific topics discussed include senses of responsibility, voluntariness, Mill's harm principle, mens rea, excuses, the Hart-Wootton debate, and negligence.

Hart on Responsibility C. Pulman, 2014-11-18 A collection of essays discussing Herbert Hart's writings on responsibility. The essays focus upon Hart's work on causation in the law and on the justification of punishment. Specific topics discussed include senses of responsibility, voluntariness, Mill's harm principle, mens rea, excuses, the Hart-Wootton debate, and negligence.

The Routledge Handbook of Philosophy of Responsibility Maximilian Kiener, 2023-11-07 The philosophical inquiry of responsibility is a major and fast growing field. It not only features questions around free will and moral agency but also addresses various challenges in the social, institutional, and legal contexts in which people are being held responsible. The Routledge Handbook of Philosophy of Responsibility is an outstanding survey and exploration of these issues. Comprised of forty-one chapters by an international team of contributors, the Handbook is divided into three clear parts: on the history, the theory, and the practice of responsibility. Within which the following key topics are examined: responsibility and wrongdoing, responsibility and determinism, the scope of responsibility, the responsibility of individuals within society, the concepts of responsibility, the conditions and challenges of responsibility, the practices of being and holding responsible, the ethics and politics of responsibility, responsibility in the law. Including suggestions for further reading at the end of each chapter. The Routledge Handbook of Philosophy of Responsibility provides an extremely useful guide to the topic. It will be valuable reading for students and researchers in philosophy and applied ethics, as well as for those in related fields such as politics, law, and policymaking.

Responsibility and Punishment J. Angelo Corlett, 2013-12-23 This volume provides discussions of both the concept of responsibility and of punishment, and of both individual and collective responsibility. It provides in depth Socratic and Kantian bases for a new version of retributivism and defends that version against the main criticisms that have been raised against retributivism in general. It includes chapters on criminal recidivism and capital punishment, as well as one on forgiveness, apology, and punishment that is congruent with the basic precepts of the new retributivism defended therein. Finally, chapters on corporate responsibility and punishment are included, with a closing chapter on holding the U.S. accountable for its most recent invasion and occupation of Iraq. The book is well focused but also presents the widest ranging set of topics of any book of its kind, as it demonstrates how the concepts of responsibility and punishment apply to some of the most important problems of our time. This is one of the best books on punishment and the Fourth Edition continues its tradition of excellence. The book connects punishment importantly to moral responsibility and desert, and it is comprehensive in its scope, both addressing abstract theoretical issues and applied issues as well. The topics treated include collective responsibility, apology, forgiveness, capital punishment, and war crimes. Highly recommended. John

Martin Fischer Distinguished Professor of Philosophy University of California Riverside Selected Philosophical and Methodological Papers Paul Everett Meehl, The scope and imagination of Meehl's emeritus of psychology psychiatry and philosophy at the U of Minnesota and cofounder of the Minnesota Center for Philosophy of Science work are revealed in this collection of previously published essays as he explores the mind body problem freedom and determinism psychoanalytic explanation theory appraisal moral aspects of insanity and the law and precognitive telepathy Annotation copyrighted by Book News Inc Portland OR *Moral Responsibility* Nicole A. Vincent, Ibo van de Poel, Jeroen van den Hoven, 2011-08-17 It is well over a decade since John Fischer and Mark Ravizza and before them Jay Wallace and Daniel Dennett defended responsibility from the threat of determinism But defending responsibility from determinism is a potentially endless and largely negative enterprise it can go on for as long as dissenting voices remain and although such work strengthens the theoretical foundations of these theories it won't necessarily build anything on top of those foundations nor will it move these theories into new territory or explain how to apply them to practical contexts To this end the papers in this volume address these more positive challenges by exploring how compatibilist responsibility theory can be extended and or applied in a range of practical contexts For instance how is the narrow philosophical concept of responsibility that was defended from the threat of determinism related to the plural notions of responsibility present in everyday discourse and how might this more fine grained understanding of responsibility open up new vistas and challenges for compatibilist theory What light might compatibilism shed and what light might be shed upon it by political debates about access to public welfare in the context of responsibility for one's own health and by legal debates about the impact of self intoxication on responsibility Does compatibilist theory which was originally designed to cater for analysis of individual actions scale to scenarios that involve group action and collective responsibility e.g. for harms due to human induced climate change This book's chapters deal with a range of theoretical problems discussed in classic compatibilist literature e.g. the relationship between responsibility and capacity the role of historical tracing in discounting the exculpatory value of incapacities and the justifiability of retributive punishment But instead of motivating their discussions by focusing on the alleged threat that determinism poses to responsibility these chapters authors have animated their discussions by tackling important practical problems which crop up in contemporary debates about responsibility **Moral Pluralism and the Complexity of Punishment** Nicolas Nayfeld, 2023-05-05 This book advances a new interpretation of Hart's penal philosophy Positioning itself in opposition to current interpretations the book argues that Hart does not defend a mixed theory of punishment nor a rule utilitarian theory of punishment nor a liberal form of utilitarianism nor a goal constraint approach Rather it is argued his penal philosophy is based on his moral pluralism which comprises two aspects value pluralism and pluralism with respect to forms of moral reason It is held that this means on the one hand that criminal law has an irreducible complexity due to the compromises it makes to accommodate competing values and on the other hand that there need not be one single justification of punishment

This original interpretation is not based only on Hart's key volume on the subject Punishment and Responsibility but on a careful reading of his complete works The book will be a valuable resource for academics and researchers interested in Hart's philosophy the philosophy of law and criminal law

The Blackwell Guide to the Philosophy of Law and Legal Theory Martin P. Golding, William A. Edmundson, 2008-04-15 The Blackwell Guide to the Philosophy of Law and Legal Theory is a handy guide to the state of play in contemporary philosophy of law and legal theory Comprises 23 essays critical essays on the central themes and issues of the philosophy of law today written by an international assembly of distinguished philosophers and legal theorists Each essay incorporates essential background material on the history and logic of the topic as well as advancing the arguments Represents a wide variety of perspectives on current legal theory

The Legacy of H.L.A. Hart Matthew Kramer, Claire Grant, Ben Colburn, Antony Hatzistavrou, 2008-07-31 This book is the product of a major British Academy Symposium held in 2007 to mark the centenary of the birth of H L A Hart the most important legal philosopher and one of the most important political philosophers of the twentieth century The book brings together contributions from seventeen of the world's foremost legal and political philosophers who explore the many subjects in which Hart produced influential work Each essay engages in an original analysis of philosophical problems that were tackled by Hart some essays including extended critical discussions of his major works The Concept of Law Punishment and Responsibility Causation in the Law and Law Liberty and Morality All the main topics of Hart's philosophical writings are featured general jurisprudence and legal positivism criminal responsibility and punishment theories of rights toleration and liberty theories of justice and causation in the law

Philosophy and the Criminal Law Antony Duff, 1998-02-13 Five legal theorists discuss a range of questions on the nature of the philosophy of criminal law

The Routledge Handbook on Responsibility in International Relations Hannes Hansen-Magnusson, Antje Vetterlein, 2021-07-29 What does responsibility mean in International Relations IR This handbook brings together cutting edge research on the critical debates about responsibility that are currently being undertaken in IR theory This handbook both reflects upon an emerging field based on an engagement in the most crucial theoretical debates and serves as a foundational text by showing how deeply a discussion of responsibility is embedded in broader questions of IR theory and practice Contributions cover the way in which responsibility is theorized across different approaches in IR and relevant neighboring disciplines and demonstrate how responsibility matters in different policy fields of global governance Chapters with an empirical focus zoom in on particular actor constellations of emerging states international organizations political movements or corporations or address how responsibility matters in structuring the politics of global commons such as oceans resources or the Internet Providing a comprehensive overview of IR scholarship on responsibility this accessible and interdisciplinary text will be a valuable resource for scholars and students in many fields including IR international law political theory global ethics science and technology area studies development studies business ethics and environmental and security governance

Hart's Legal

Philosophy M.E. Bayles, 2013-03-09 During the last half of the twentieth century legal philosophy or legal theory or jurisprudence has grown significantly It is no longer the domain of a few isolated scholars in law and philosophy Hundreds of scholars from diverse fields attend international meetings on the subject In some universities large lecture courses of five hundred students or more study it The primary aim of the Law and Philosophy Library is to present some of the best original work on legal philosophy from both the Anglo American and European traditions Not only does it help make some of the best work available to an international audience but it also encourages increased awareness of and interaction between the two major traditions The primary focus is on full length scholarly monographs although some edited volumes of original papers are also included The Library editors are assisted by an Editorial Advisory Board of internationally renowned scholars Legal philosophy should not be considered a narrowly circumscribed field Insights into law and legal institutions can come from diverse disciplines on a wide range of topics Among the relevant disciplines or perspectives contributing to legal philosophy besides law and philosophy are anthropology economics political science and sociology Among the topics included in legal philosophy are theories of law the concepts of law and legal institutions legal reasoning and adjudication epistemological issues of evidence and procedure law and justice economics politics or morality legal ethics and theories of legal fields such as criminal law contracts and property

The Philosophy of Law Christopher Berry Grey, 2013-07-04 From articles centering on the detailed and doctrinal exposition of the law to those which reside almost wholly within the realm of philosophical ethics this volume affords comprehensive treatment to both sides of the philosophico legal equation Systematic and sustained coverage of the many dimensions of legal thought gives ample expression to the true breadth and depth of the philosophy of law with coverage of The modes of knowing and the kinds of normativity used in the law Studies in international constitutional criminal administrative persons and property contracts and tort law including their historical origins and worldwide ramifications Current legal cultures such as common law and civilian European and Aboriginal Influential jurists and their biographies All influential schools and methods

Defeasibility in Philosophy Claudia Blöser, Mikael Janvid, Hannes Ole Matthiessen, Marcus Willaschek, 2013-12-01 Defeasibility most generally speaking means that given some set of conditions A something else B will hold unless or until defeating conditions C apply While the term was introduced into philosophy by legal philosopher H L A Hart in 1949 today the concept of defeasibility is employed in many different areas of philosophy This volume for the first time brings together contributions on defeasibility from epistemology Mikael Janvid Klemens Kappel Hannes Ole Matthiessen Marcus Willaschek Michael Williams legal philosophy Frederick Schauer and ethics and the philosophy of action Claudia Blöser R Jay Wallace Michael Quante and Katarzyna Paprzycka The volume ends with an extensive bibliography by Michael de Araujo Kurth

Theories of International Responsibility Law Samantha Besson, 2022-09-08 A dialogue between international responsibility lawyers and legal philosophers laying the groundwork for new research and legal reform

The Palgrave Handbook on the Philosophy of Punishment Matthew C.

Altman,2023-03-23 This Handbook provides a comprehensive survey of major topics in the philosophy of punishment from many of the field s leading scholars Key features Presents a history of punishment theory from ancient times to the present Evaluates the main proposed justifications of punishment including retributivism general and specific deterrence theories mixed theories expressivism societal defense theory fair play theory rights forfeiture theory and the public health quarantine model Discusses sentencing proportionality policing prosecution and the role punishment plays in the context of the state Examines advances in neuroscience and debates about whether free will skepticism undermines the justifiability of punishment Considers forgiveness restorative justice and calls to abolish punishment Addresses pressing social issues such as mass incarceration juvenile justice punitive torture the death penalty and cruel and unusual punishment With its unmatched breadth and depth this book is essential reading for scholars who want to keep abreast of the field and for advanced students wishing to explore the frontiers of the subject **Moral Responsibility and the Boundaries of**

Community Marion Smiley,2009-09-15 The question of responsibility plays a critical role not only in our attempts to resolve social and political problems but in our very conceptions of what those problems are Who for example is to blame for apartheid in South Africa Is the South African government responsible What about multinational corporations that do business there Will uncovering the true facts of the matter lead us to the right answer In an argument both compelling and provocative Marion Smiley demonstrates how attributions of blame far from being based on an objective process of factual discovery are instead judgments that we ourselves make on the basis of our own political and social points of view She argues that our conception of responsibility is a singularly modern one that locates the source of blameworthiness in an individual s free will After exploring the flaws inherent in this conception she shows how our judgments of blame evolve out of our configuration of social roles our conception of communal boundaries and the distribution of power upon which both are based The great strength of Smiley s study lies in the way in which it brings together both rigorous philosophical analysis and an appreciation of the dynamics of social and political practice By developing a pragmatic conception of moral responsibility this work illustrates both how moral philosophy can enhance our understanding of social and political practices and why reflection on these practices is necessary to the reconstruction of our moral concepts The Law in Philosophical

Perspectives Luc J. Wintgens,2013-04-17 In this age of collections that is ours many volumes of collections are published They contain contributions of several well known authors and their aim is to present a selective overview of a relevant field of study This book has the same purpose Its aim is to introduce students scholars and all those interested in current problems of legal theory and legal philosophy to the work of the leading scholars in this field The large number of publications both books and articles that have been produced over recent decades makes it quite difficult however for those who are making their first steps in this domain to find firm guidelines The book is new in its genre because of its method The choice was made not to reprint an example of contributors earlier basic articles or a part of one of their books This would only give a partial view

of the rich texture of their work Rather the authors were asked to make an original synthesis of their own contributions to the field of legal theory and legal philosophy Brought together in this volume they constitute a truly author ised view of their work This book is also new in that each essay is complemented with bibliographical information in order to encourage further research on the author s self selected work This will help the reader rapidly to become familiar with the whole of the published work of the contributors

Readings in the Philosophy of Law - Third Edition Keith C. Culver, Michael Giudice, 2017-05-25 *Readings in the Philosophy of Law* brings together central texts on such topics as legal reasoning the limits of individual liberty responsibility and punishment and international law The included selections provide superb coverage of both classic and contemporary views and are edited only lightly to allow readers to grapple with arguments in their original form Culver and Giudice s clear accessible introductions discuss key terms claims issues and points of connection and disagreement Readings are placed within their historical and social contexts with analogies and examples emphasizing the continuing relevance of the arguments at issue This third edition is updated to take account of the rise of legal pluralism debates over judicial review of constitutional rights anti terrorism laws hate crime and non state law at both regional and global levels

Harm's Way Sandra Macpherson, 2010-01-18 Conventional studies of the 18th century novel link the form s evolution to the emergence of a modern liberal subject whose actions and attachments are imagined to be voluntary and intentional Sandra Macpherson challenges this account of modernity arguing that accident and injury are central to the way the early realist novel conceives of personhood and belonging Macpherson s unique approach connects the rise of the novel to contemporary developments in liability law in particular to legal principles of strict liability that hold persons accountable for harms inflicted upon others in the absence of intention consent direct action or foreknowledge In fresh readings of Defoe Richardson and Fielding she shows that these laws share with the novel the view that the state of a person s mind is irrelevant to the question of her responsibility for her actions Macpherson urges readers to rethink the ancient consensus that the novel differs from tragedy in its elevation of character over plot She concludes that the realist novel is ultimately a tragic form committed to holding persons accountable for accidents of fate Macpherson s original insights will have a broad and lasting impact on the study of the 18th century novel Jonathan Kramnick

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