

OBLIGATION

DEFINITION

Obligation refers to a duty or responsibility one has towards someone or something. It can arise from moral, legal, social, or personal reasons. Fulfilling an obligation often means acting in a certain way or performing a specific task. Failure to meet an obligation can result in consequences, depending on its nature and origin.

EXAMPLES

- **Legal Contract:** When two parties sign a contract, they have an obligation to fulfill the terms agreed upon.
- **Environmental Responsibility:** Individuals and corporations have an obligation to reduce their carbon footprint to protect the planet.

Legal Obligation

Belinda Brassil



Legal Obligation:

A Theory of Legal Obligation Stefano Bertea, 2019-10-03 Bertea puts forward a comprehensive and original theory of legal obligation understood as a distinctive legal concept

Theories of Legal Obligation Deryck Beyleveld, Stefano Bertea, 2024-04-06 This volume collects six original essays by internationally respected researchers who have devoted themselves to the study of legal obligation. It brings together works that innovatively address key dimensions of the current debates concerning legal obligation from different and in some cases even opposing theoretical perspectives. As a result, the collection offers a comprehensive discussion of legal obligation that promises to significantly advance our understanding of the obligatory dimension of law. What specifically connects the contributions gathered here is one common thread coming to terms with a notion of legal obligation that is of both practical and theoretical importance. On the one hand, it is widely regarded as a fundamental legal concept by legal practitioners and laypeople alike, as not only judges, prosecutors, lawyers, and juries but also ordinary citizens make extensive use of obligation-related terms and discourses. On the other hand, the notion of legal obligation is of paramount significance for the theory of law. Indeed, even legal theorists who quite understandably refuse to reduce the law to a mere obligation-imposing device and opt instead for a view in which the normative dimension of the law also encompasses powers, rights, permissions, privileges, and immunities duly acknowledge the centrality of legal obligation for the understanding and conceptualisation of law. Hence, the importance of the treatments presented in this volume.

The Moral Structure of Legal Obligation John-Michael Kuczynski, 2006 What are laws and do they necessarily have any basis in morality? The present work argues that laws are governmental assurances of protections of rights and that concepts of law and legal obligation must therefore be understood in moral terms. There are, of course, many immoral laws. But once certain basic truths are taken into account, in particular that moral principles have a dimension of weight to use an expression of Ronald Dworkin's and also that principled relations are not always expressed by perfect statistical concomitances, the existence of iniquitous laws poses no significant threat to a moralistic analysis of law. Special attention is paid to the debate between Ronald Dworkin and H. L. A. Hart. Dworkin's overall position is argued to be correct but is taken with his argument for that position. Hart's analysis is found to be vitiated by an impoverished conception of morality and also of the nature of government. Our analysis of law enables us to answer three questions that at this juncture of history are of special importance: Are there international laws? If not, could such laws exist? And if they could exist, would their existence necessarily be desirable? The answers to these questions are respectively no, yes, and no. Our analysis of law enables us to hold onto the presumption that so-called legal interpretation is a principled endeavor and that some legal interpretations are truer to existing laws than others. At the same time, it accommodates the obvious fact that the sense in which a physicist interprets meter readings or in which a physician interprets a patient's symptoms is different from the sense in which judges interpret the law. So, our analysis of law enables us to avoid the extreme views that have thus far dominated debates concerning the

nature of legal interpretation On the one hand it becomes possible to avoid the cynical view held by the so called legal realists that legal interpretation is mere legislation and that no legal interpretation is more correct than any other On the other hand it becomes possible to avoid Blackstone s view rightly described by Austin as a childish fiction that judges merely discover and do not create the law *Socrates and Legal Obligation* ,2001 **Contemporary Perspectives on Legal**

Obligation Stefano Berteà,2020-07-27 Bringing together world class scholars who have devoted themselves to the study of legal obligation this book addresses key dimensions of the current debate providing novel insights and perspectives as well as critically discussing the leading theories of legal obligation The notion of legal obligation is widely regarded as fundamental by both legal practitioners and legal theorists For the language that explicitly refers to obligation is pervasive insofar as paradigmatic legal materials make reference to obligation either directly by specifying what a subject is obligated to do or indirectly by attributing rights privileges powers permissions and other normative statuses to both single individuals and groups There is then broad agreement that obligation constitutes a central element in legal studies At the same time however there is considerable disagreement among contemporary legal theorists about how legal obligation can or should be elucidated This book accounts for both the significance of obligation in law and the variety of views of legal obligation championed in legal philosophy today With contributions from renowned theorists this book will be invaluable for scholars and students of legal theory legal philosophy and jurisprudence **Privacy and Data Protection Law in the Philippines**

Leandro Angelo Y. Aguirre,Celine Melanie A. Dee,2022-11-20 Derived from the renowned multi volume International Encyclopaedia of Laws this practical guide to privacy and data protection law in the Philippines covers every aspect of the subject including the protection of private life as a fundamental constitutional right the application of international and or regional conventions protecting the right to privacy privacy rights in the context of electronic communications or at the workplace and the protection of individuals regarding the processing of personal data relating to them Following a general introduction about the country the monograph assembles its information and guidance in two parts 1 protection of privacy including national case law regarding the protection of this fundamental right specific legislation on the confidentiality of interpersonal communications and sector specific rules regarding privacy protection such as privacy rights of employees patients consumers or celebrities 2 personal data protection including not only general rules on data quality legitimate processing data retention data subject rights security and accountability but also specific provisions regarding the processing of health data or other sensitive personal information further processing for research purposes exemptions for law enforcement or national security purposes and rules regarding liabilities sanctions and redress **Philosophical**

Foundations of the Nature of Law Wilfrid J. Waluchow,Stefan Sciaraffa,2013-03-14 This volume examines power sharing agreements their legitimacy and their compatibility with human rights law Providing a clear accessible introduction to the political science and human rights law on the issue the book is an invaluable guide to all those engaged with transitional

justice peace agreements and human rights The Rule of Recognition and the U.S. Constitution Matthew Adler, Kenneth Einar Himma, 2009-07-30 A volume of original essays that discusses the applicability of H L A Hart s rule of recognition model of a legal system to U S Constitutional law as discussed in his book The concept of law **Reason, Morality, and Law** John Keown DCL, Robert P. George, 2013-03-21 John Finnis is a pioneer in the development of a new yet classically grounded theory of natural law His work offers a systematic philosophy of practical reasoning and moral choosing that addresses the great questions of the rational foundations of ethical judgments the identification of moral norms human agency and the freedom of the will personal identity the common good the role and functions of law the meaning of justice and the relationship of morality and politics to religion and the life of faith The core of Finnis theory articulated in his seminal work Natural Law and Natural Rights has profoundly influenced later work in the philosophy of law and moral and political philosophy while his contributions to the ethical debates surrounding nuclear deterrence abortion euthanasia sexual morality and religious freedom have powerfully demonstrated the practical implications of his natural law theory This volume which gathers eminent moral legal and political philosophers and theologians to engage with John Finnis work offers the first sustained critical study of Finnis contribution across the range of disciplines in which rational and morally upright choosing is a central concern It includes a substantial response from Finnis himself in which he comments on each of their 27 essays and defends and develops his ideas and arguments **Theory of Administrative Contract** Shi Jianhui (石建辉), 2024-08-24 Contract is not only a spirit and a concept but also a system and a method As a spirit and a concept it is very inclusive as a system and a method it is very practical Contract is a theory with a long history and fruitful practice The reform of administrative law starts with the contract The author is honored to be one of the first scholars in mainland China to introduce the concept and basic system of civil contracts into administrative law Although mainland China has not yet established the legality of administrative contracts through the legislative method of administrative procedure law the research and promotion of a group of scholars in mainland China including the author mainland China revised the Administrative Litigation Law at the 11th meeting of the Standing Committee of the 12th National People s Congress in 2014 and for the first time included administrative agreement disputes in the scope of administrative litigation The Supreme People s Court Trial Committee also passed the judicial interpretation of the Provisions of the Supreme People s Court on Several Issues Concerning the Trial of Administrative Agreement Cases at the 1 781st meeting on November 12 2019 which came into effect on January 1 2020 The great progress of administrative contracts in administrative justice is inseparable from the efforts of the first batch of administrative contract pioneers in mainland China including the author It is also a great affirmation and praise for which the author is deeply gratified Excel Preliminary Legal Studies Belinda Brassil, 2003

Dimensions of Normativity David Plunkett, Scott J. Shapiro, Kevin Toh, 2019-01-10 Understood one way the branch of contemporary philosophical ethics that goes by the label metaethics concerns certain second order questions about ethics

questions not in ethics but rather ones about our thought and talk about ethics and how the ethical facts insofar as there are any fit into reality Analogously the branch of contemporary philosophy of law that is often called general jurisprudence deals with certain second order questions about law questions not in the law but rather ones about our thought and talk about the law and how legal facts insofar as there are any fit into reality Put more roughly and using an alternative spatial metaphor metaethics concerns a range of foundational questions about ethics whereas general jurisprudence concerns analogous questions about law As these characterizations suggest the two sub disciplines have much in common and could be thought to run parallel to each other Yet the connections between the two are currently mostly ignored by philosophers or at least under scrutinized The new essays collected in this book are aimed at changing this state of affairs Dimensions of Normativity collects together works by metaethicists and legal philosophers that address a number of issues that are of common interest with the goal of accomplishing a new rapprochement between the two sub disciplines

Ethics And Integrity In

Libraries Amy Besnoy, 2013-09-13 A library must function with integrity in order to function well This book looks at a broad range of library functions through the lens of integrity and ethics This largely unexplored area of study is handled exceptionally well by the library and information professionals contained in these pages This book addresses the ethical and integrity issues that may come up in the day to day workings of the library as well considerations for the ethical education of our future librarians Within a framework based on the ethical issues that are attached with information management this book examines the impact of the US Patriot Act library authentication and access management plagiarism and social networking This material was published in the Journal of Library Administration

Challenging Territoriality in Human

Rights Law Wouter Vandenhoe, 2015-06-19 Human rights have traditionally been framed in a vertical perspective with the duties of States confined to their own citizens or residents Interpretations of international human rights treaties tend either to ignore or downplay obligations beyond this territorial space This edited volume challenges the territorial bias of mainstream human rights law It argues that with increased globalisation and the impact of international corporations organisations and non State actors human rights law will become less relevant if it fails to adapt to changing realities in which States are no longer the only leading actor Bringing together leading scholars in the field the book explores potential applications of international human rights law in a multi duty bearer setting The first part of the book examines the current state of the human rights obligations of foreign States corporations and international financial institutions looking in particular at the ways in which they address questions of attribution and distribution of obligations and responsibility The second part is geared towards the identification of common principles that may underpin a human rights legal regime that incorporates obligations of foreign States as well as of non State actors As a marker of important progress in understanding what lies ahead for integrating foreign States and non State actors in the human rights dutybearer regime this book will be of great interest to scholars and practitioners of international human rights law public international law and international

relations *State Punishment* Nicola Lacey, 2012-10-12 Nicola Lacey presents a new approach to the question of the moral justification of punishment by the State. She focuses on the theory of punishments in context of other political questions such as the nature of political obligation and the function and scope of criminal law. Arguing that no convincing set of justifying reasons has so far been produced, she puts forward a theory of punishments which places the values of the community at its centre. United States Law Review, 1867 *Principles of Law* Friedrich Julius Stahl, 2024-06-05 The Christian difference to the legal order is not to be found in any religious test or requirement of conformity but in the Christian character of legal institutions. Stahl accomplishes this by making institutions rather than actions the cornerstone of law. Law is a general rule not a specific command and institutions not persons are its primary object. Persons operate within the framework established by law but that law is an external objective framework not an internal subjective one. The right of the person and the rights of persons are established and defended precisely by this objectively Christian order. Therefore what is Christian about this legal order is the principles the law ideas upon which it is based not the level of faith of those living within it. This Christian orientation also demands a respect for the inheritance of the nation, conservation of its received institutions and laws. Law is rooted in custom and tradition supplemented through legislation. The courts are bound to the law as the expression of the historical people not ephemeral public opinion. The major error of modern legal philosophy is its natural rights orientation which makes law and the state into the creatures of individual choice in which individuals through a social contract choose to leave the state of nature and form a government and a set of laws under which to be ruled. This whole approach is oblivious to the fact that human social order being an inheritance is a higher order transcending individual choice. Modern legal philosophy compounds its error by making natural law into a directly applicable legal standard or alternatively by abandoning the law to the play of interests cutting off any influence from higher principles. For its part natural law lacks objectivity, universal recognition and publicity in the sense that it can be known by everyone ahead of time; it therefore cannot be enforced by the state. In fact to do so is to establish opinion and thus injustice as law. God's divine order is the archetype of law but it is not directly applicable as law. In fact God commands that the law as it stands is to be obeyed regardless of its correspondence to the higher principles of law. Human freedom under God is the freedom to crystallize and make concrete those God-revealed principles of law as a positive legal order. In this second edition of *Principles of Law* there is no difference in content as compared with the first but the text has been corrected where necessary and improved where appropriate.

Reports of Cases in Law and Equity, Argued and Determined in the Supreme Court of the State of Georgia, in the Year ... Georgia. Supreme Court, 1869 General Theory of Law and State Hans Kelsen, 2009 Reprint of the first edition. This classic work by the important Austrian jurist is the fullest exposition of his enormously influential pure theory of law which includes a theory of the state. It also has an extensive appendix that discusses the pure theory in comparison with the law of nature, positivism, historical natural law, metaphysical dualism and scientific critical philosophy. The scope of the work

is truly universal. It never loses itself in vague generalities or in unconnected fragments of thought. On the contrary, precision in the formulation of details and rigorous system are characteristic features of the exposition; only a mind fully concentrated upon that logical structure can possibly follow Kelsen's penetrating analysis. Such a mind will not shrink from the effort necessary for acquainting itself with the pure theory of law in its more general aspects and will then pass over to the theory of the state which ends up with a carefully worked out theory of international law. Julius Kraft, *American Journal of International Law* 40 (1946) 496.

Hart's Postscript Jules L. Coleman, 2001-05-31. Published posthumously, the second edition of *The Concept of Law* contains one important addition to the first edition: a substantial Postscript in which Hart reflects upon some of the central concerns that have been expressed about the book since its publication in 1961. The Postscript is especially noteworthy because it contains Hart's only sustained response to the objections pressed by his foremost critic, Ronald Dworkin, who succeeded him to the Chair of Jurisprudence at Oxford. The Postscript focuses on a range of issues covering both Hart's substantive view and his methodological commitments. In particular, Hart endorses Inclusive Legal Positivism, asserts that his is a methodology of descriptive jurisprudence which he contrasts with Dworkin's normative jurisprudence or interpretivism, while denying that his theory of law has a semantic underpinning. The essays in this collection address each of these issues in a sustained way. The book contains discussions of Hart's semantic commitments, his rejection of a normative jurisprudence, as well as the extent to which he can embrace Inclusive Legal Positivism in a way that is consistent with his other stated positions. The book's contributors include the leading advocates of alternative schools of Positivist jurisprudence, important contributors to the methodological disputes in jurisprudence, and noted experts on the relationship of philosophy of language to jurisprudence. Among the contributors of note are Joseph Raz, Jules L. Coleman, Stephen Perry, Brian Leiter, Scott Shapiro, and Andrei Marmor.

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