

KEY ISSUES

Key

GROUP RIGHTS

PERSPECTIVES SINCE 1900

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Group Rights Perspectives Since 1900

Nancy L. Rosenblum, Robert C. Post



Group Rights Perspectives Since 1900:

Group Rights as Human Rights Neus Torbisco Casals, 2006-06-30 Liberal theories have long insisted that cultural diversity in democratic societies can be accommodated through classical liberal tools in particular through individual rights and they have often rejected the claims of cultural minorities for group rights as illiberal Group Rights as Human Rights argues that such a rejection is misguided Based on a thorough analysis of the concept of group rights it proposes to overcome the dominant dichotomy between individual human rights and collective group rights by recognizing that group rights also serve individual interests It also challenges the claim that group rights so understood conflict with the liberal principle of neutrality on the contrary these rights help realize the neutrality ideal as they counter cultural biases that exist in Western states Group rights deserve to be classified as human rights because they respond to fundamental and morally important human interests Reading the theories of Will Kymlicka and Charles Taylor as complementary rather than opposed Group Rights as Human Rights sees group rights as anchored both in the value of cultural belonging for the development of individual autonomy and in each person's need for a recognition of her identity This double foundation has important consequences for the scope of group rights it highlights their potential not only in dealing with national minorities but also with immigrant groups and it allows to determine how far such rights should also benefit illiberal groups Participation not intervention should here be the guiding principle if group rights are to realize the liberal promise **Collective**

Punishment and Human Rights Law Cornelia Klocker, 2020-05-10 This book analyses collective punishment in the context of human rights law Collective punishment is a concept deriving from the law of armed conflict It describes the punishment of a group for an act allegedly committed by one of its members and is prohibited in times of armed conflict Although the imposition of collective punishment has been witnessed in situations outside armed conflict as well human rights instruments do not explicitly address collective punishment Consequently there is a genuine gap in the protection of affected groups in situations outside of or short of armed conflict Supported by two case studies on collective punishment in the Occupied Palestinian Territories and in Chechnya the book examines potential options to close this gap in human rights law in a way contributing to the empowerment of affected groups This analysis centres on the European Convention on Human Rights due to its relevance to the situation in Chechnya By questioning whether human rights instruments can encompass a prohibition of collective punishment the book contributes to the broader academic debate on rights held by collectivities in general and on collective human rights in particular The book will be of interest to students academics and policy makers in the areas of International Human Rights Law International Humanitarian Law and International Criminal Law **Philosophy of Human Rights** David Boersema, 2018-04-19 Combining the sustained coherent perspective of an authored text with diverse authoritative primary readings Philosophy of Human Rights provides the context and commentary students need to comprehend challenging rights concepts Clear accessible writing thoughtful consideration of primary source documents and

practical everyday examples pertinent to students lives enhance this core textbook for courses on human rights and political philosophy The first part of the book explores theoretical aspects including the nature justification content and scope of rights With an emphasis on contemporary issues and debates the second part applies these theories to practical issues such as political discourse free expression the right to privacy children s rights and victims rights The third part of the book features the crucial documents that are referred to throughout the book including the Universal Declaration of Human Rights the Convention on the Elimination of All Forms of Discrimination Against Women the African Charter on Human Rights and Peoples Rights and many more **Towards Recognition of Minority Groups** Marek Zirk-Sadowski, Bartosz

Wojciechowski, 2016-02-24 This volume analyses current debates concerning problems in the nature justification and legal protection of human rights for minorities with reference to the issues surrounding social milieu as a source of any legitimized law which is in itself in need of legal recognition as well as being an object of legal protection With contributions from a global network of scientists across several continents the work examines the debate dedicated to the understanding of the normative framework expressed in terms of human rights that guarantee autonomous action in public and private for minority groups as well as individuals The chapters go on to study the particular claims that need to be audible and visible for others in the public sphere with reference to the legal protection of human rights The work concludes with the completion of an interpretative circle debating the issues of legal consensus and legal identity with respect to the specificity of the patterns and modes guiding human interactions Going beyond the legal analysis to discuss communication strategies in human rights this collection will be of great interest to those studying the philosophy and theory of law practical philosophy in general political sciences and theory of democracy *Michael Oakeshott Selected Writings Collection* Michael

Oakeshott, 2014-08-26 A collection of 6 volumes of Oakeshott s work Notebooks 1922 86 Early Political Writings 1925 30 The Concept of a Philosophical Jurisprudence Vocabulary of a Modern European State Lectures in the History of Political Thought and What is History **Intellectual Property, Traditional Knowledge and Cultural Property Protection** Sharon Le

Gall, 2014-01-10 International developments since the mid 1990s have signalled an awareness of the importance and validity of traditional knowledge and cultural property The adoption of the Convention on Biological Diversity and the establishment of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources Traditional Knowledge and Folklore demonstrate an emerging trend towards the recognition of the rights of communities and the importance of culture in shaping international law and policy This book examines how developments to protect collectively held knowledge transpose to circumstances which may not meet the usually understood criteria of what is considered to be an indigenous or traditional group This includes communally derived cultural products which have emerged out of communities and subsequently formed a part of the national or popular culture The book considers the steel pan of Trinidad and Tobago punta rock music from Belize Brazilian capoeira and the caj n of Peru as key cases studies of this By exploring the impact of past

and recent international developments to protect traditional knowledge Sharon Le Gall highlights a category of cultural signifiers which lies outside the scope of intellectual property protection as well as the protection proposed for traditional knowledge and advocated for intangible cultural property The book proposes a reinterpretation of Joseph Raz's interest theory of group rights in order to accommodate the rights advocated for collectively derived cultural signifiers on the basis of their value as symbols of identity In doing so Le Gall offers an original account of how those signifiers which may not be described as exclusively traditional or indigenous and held in ways which are not traditional or customary may be accommodated in emerging traditional knowledge laws

Civil Society and Government Nancy L. Rosenblum, Robert C. Post, 2021-04-13 *Civil Society and Government* brings together an unprecedented array of political, ethical, and religious perspectives to shed light on the complex and much debated relationship between civil society and the state Some argue that civil society is a bulwark against government others see it as an indispensable support for government Civil society has been portrayed both as independent of the state and as dependent upon it This book reveals the extraordinary diversity of views on the subject by examining how civil society has been treated in classical liberalism, liberal egalitarianism, critical theory, feminism, natural law, Christianity, Judaism, Islam, and Confucianism The volume draws on the work of eminent scholars to address six questions In terms of function and consequences, does it matter where the line is drawn between civil society and the state? What is the relationship of civil society to the state? In what contexts and under what conditions should government interact with individuals directly or instead indirectly through communal associations? What are the prerogatives and duties of citizenship and what is the role of civil society in forming good citizens? How should a society handle the conflicts that sometimes arise between the demands of citizenship and those of membership in the non-governmental associations of civil society? A theoretical introduction by the editors, political theorist Nancy Rosenblum and legal scholar Robert Post, and a conclusion by religious ethicist Richard Miller tie the book together In addition to Rosenblum, the contributors are Kenneth Baynes, David Biale, John Coleman, Farhad Kazemi, John Kelsay, William Galston, Will Kymlicka, Tom Palmer, Fred Miller, Susan Moller Okin, Peter Nosco, Henry Rosemont, Steven Scalet, David Schmidtz, William Sullivan, Max Stackhouse, Stephen White, and Noam Zohar

Ethnicity and International Law Mohammad Shahabuddin, 2016-04-07 *Ethnicity and International Law* presents an historical account of the impact of ethnicity on the making of international law The development of international law since the nineteenth century is characterised by the inherent tension between the liberal and conservative traditions of dealing with what might be termed the problem of ethnicity The present day hesitancy of liberal international law to engage with ethnicity in ethnic conflicts and ethnic minorities has its roots in these conflicting philosophical traditions In international legal studies both the relevance of ethnicity and the traditions of understanding it lie in this fact

Bank Robbery Ivo Mosley, 2020-01-20 A clear and comprehensive examination of our financial system which supports unaccountable and destructive power It points the way to the simple reforms that are necessary if we wish to create a more

just and equitable world **Guild and State** Antony Black, 2017-09-08 Guild and State examines the values of social solidarity and fraternity that emerged from medieval guilds and city communes and the effect of traditional corporate organization of labor on socioeconomic attitudes and theories of the state What ordinary guildsmen and townsmen thought about these issues can be gleaned from chronicles charters and reported slogans But in tracing attitudes toward the guilds of early Germanic times to today's equivalent trade unions a distinction must be made between popular ethos and learned philosophy In Europe from the twelfth to the seventeenth centuries the corporate organization of labor and of town market communities developed side by side with the ideals of personal liberty market freedom and legal equality Self governing labor organizations and civil freedom developed together as coherent practices The values of mutual aid and craft honor on the one hand and of personal freedom and legal equality on the other formed the moral infrastructure of our civilization Alternate ideals balanced harmonized and even cross fertilized one another as in the principle of freedom of association Contrary to preconceptions however corporate values were seldom expressed philosophically in the Middle Ages Political theory and the world of learning from the start emphasized liberal values It was only after the Reformation that guild and communal values found expression in political theory Even then only a few philosophers acknowledged that solidarity and exchange the poles around which the values of guild and civil society respectively rotate are not opposites but complementary and attempted to weave these together into a texture as tough and complex as that of urban society itself By showing that the ideals of social solidarity and workers rights have often been intertwined with liberty and equality rather than in opposition to them this book provides an unexpected explanation and rationale for the Third Way The Enlightenment and industrialization led to an apotheosis of liberal values Guilds disappeared and were only in part replaced by labor unions the values of market exchange have since been in the ascendant though Hegel Durkheim and more recently advocates of liberal corporatism maintain the possibility of a symbiosis between corporate and liberal values In Guild and State there emerges an alternative history of political thought which will be fascinating to the general as well as the specialist reader

Allegiance and Identity in a Globalised World Fiona Jenkins, Mark Nolan, Kim Rubenstein, 2014-11-06 Examines questions of allegiance and identity in a globalised world through the disciplines of law politics philosophy and psychology

Progressives, Pluralists, and the Problems of the State Marc Stears, 2002-06-13 Examining the close relationship between leading groups of British socialists and American progressives in the first three decades of the 20th century this book employs new methods of conceptual and institutional analysis *The Degradation of the International Legal Order?* Bill Bowring, 2008-02-19 Providing the basis for critical engagement with the pessimism of the contemporary age The Degradation of the International Legal Order argues passionately for a rehabilitation of the honour of historic events and processes and of their role in generating legal concepts Drawing primarily from the Marxian tradition but also engaging with a range of contemporary work in critical theory and critical legal and human rights scholarship this book analyses historical

and recent international events and processes in order to challenge their orthodox interpretation What is thus proposed is a new evaluation of international legal principles and human rights norms the revolutionary content of which it is argued turns them from mere rhetoric into powerful weapons of struggle Accessibly written but theoretically sophisticated this original and timely book is intended for critical teachers and students of international law human rights and international relations as well as legal and political activists Civil Society Edyta B. Pietrzak,2024-08-14 Civil Society Ideas Interpretations

Transgressions is essential to learning about the place and importance of civil society in creating and maintaining a liberal democracy Edyta B Pietrzak takes us on a journey of interpretation addressing the critical role the idea of a civil society has for our world and how it has evolved over time She uncovers the meanings of theories and clarifies ways of thinking that are sensitive to peculiarities intermittences contrasts or unique things Part I introduces the theory and key terms What is the public sphere and how can it be understood Is it synonymous with civil society or does it only establish its area of activity It aims to illustrate how social life has changed over centuries and its basic components have been experienced and interpreted in various ways Part II represents a collection of interpretations and approaches to the idea of civil society Pietrzak begins with the traditional Republican interpretation continues with liberal Hegelian sociological and historical materialistic interpretations and concludes with modern communitarian and neo liberal concepts Part III reminds us that civil society is not an abstract concept nor does it exist in a vacuum or out of context When describing the process of change and transformation in civil society reference must be made to transgressions Here we learn about issues such as transnational civil society citizenship and diversity feminist citizenship and civil society in the era of the Anthropocene to name a few

Realizing Freedom Tom G. Palmer,2014-03-17 What is freedom How is freedom related to justice law property peace and prosperity Tom Palmer has spent a lifetime as a scholar teacher journalist and activist asking and answering these questions Since its publication in 2009 Realizing Freedom has been the recipient of wide acclaim both in the United States and around the world Now this expanded edition adds even greater depth and dimension to the book with newly added essays that confirm Palmer s role as one of liberty s most articulate advocates A tireless educator Palmer has traveled the world to bring the message of freedom to people on every continent At home he has been an incisive commentator on current affairs as well as an original and innovative thinker in political philosophy The essays in this volume are drawn from his decades of work on the theory of justice multiculturalism democracy and limited government globalization the law and economics of patents and copyrights among many other topics and reflect the many levels on which Palmer has promoted individual liberty

Reframing Disease Contextually Mary Ann Gardell Cutter,2013-03-09 Reframing Disease Contextually will be of particular interest to philosophers of medicine bioethicists and philosophers It may also be of value to medical professionals historians of western medicine and health policy makers who take interest in the conceptual foundations of medicine This book provides an overview of key debates in the history of modern western medicine on the nature knowledge and value of

disease illustrates how these debates relate provides a contextual or localized way of understanding disease includes case studies of e g AIDS genetic disease and gendered disease conveys the importance of the intersection and interrelation between and among factors that make up disease illustrates how bioethical discussions about disease naming classification diagnosis prognosis and treatment are part of a much greater discussion in philosophy of medicine **Early Political**

Writings 1925-30 Michael Oakeshott, 2011-10-31 Michael Oakeshott 1901-90 made his reputation as a political philosopher but for a long time it seemed as if he had little interest in politics before 1945 His major pre war work *Experience and its Modes* 1933 was an examination of the nature of philosophy and its relation to other forms of thought that made almost no mention of politics However it has become increasingly clear that this initial judgment was misleading A posthumous collection of early essays *Religion Politics and the Moral Life* 1993 proved that political philosophy was a lifelong concern Nevertheless the belief that Oakeshott was relatively uninterested in politics at least in the 1920s has persisted This volume dispels that notion for good It contains two previously unpublished works a manuscript entitled *A Discussion of some Matters preliminary to the Study of Political Philosophy* and the first version of a course of lectures on *The Philosophical Approach to Politics* that Oakeshott gave between 1928 and 1930 These works establish that politics was a central concern in the first decade of his intellectual career and show beyond any doubt that the ideas of *Experience and its Modes* actually grew out of Oakeshott's prior philosophical interest in politics **Human Rights and Social Work** Jim Ife, 2001-08-02 This book argues

that incorporating the idea of three generations of human rights allows us to move beyond the limitations of conventional legal frameworks It examines current human rights issues and shows how a broader understanding of human rights can be used to ground a form of practice that is central to social work community development and broader human services The argument extends the idea of human rights beyond the realm of theoretical analysis and into the arena of professional practice and social action using a critical theory perspective This is set within the context of current debates about globalisation and the need to incorporate an internationalist viewpoint into all social work practice This insightful new international study adds a vital new perspective to the challenge of promoting international human rights **A Holistic**

Approach to Rights Eugene Schlossberger, 2008 Applying new theories about rights to pressing social issues *A Holistic Approach to Rights* suggests major changes are needed in the ways we think about rights and formulating social policy Part I analyzes rights as networks of warrants socially recognized sanctions for doing saying demanding believing feeling or thinking something as one's due On this account rights are more varied and play a more diverse and open ended role in legal and moral thinking than most theories of rights allow A new theory of natural rights treats them as claims that every person has upon the state as a condition of legitimacy to make adequate provision for those features of human life that require force against persons to be justified Moral rights such as the right to the truth derive from team loyalty due fellow members of the moral community and can be lost by someone who acts in ways that undermine the moral enterprise Part II provides detailed

analyses of affirmative action group rights the rights of future generations reproductive rights the use of new reproductive technologies and speech rights Specific conclusions include an innovative proposal for regulating violence and pornography in the media **State, Trust, and Corporation** Frederic William Maitland, 2003 Maitland's late great essays on the historical origins of the state are collected in this volume They contain a series of profound insights into the way the character of the state has been shaped by the non political associations that exist alongside it matters of continuing relevance today

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Genetics Aug 14, 2014 — 11-3 Exploring Mendelian Genetics. Key Concepts: What is the principle of independent assortment? What inheritance patterns exist aside from ... Answers to All Questions and Problems Aug 14, 2015 — CHAPTER 1. 1.1 In a few sentences, what were Mendel's key ideas about inheritance? ANS: Mendel postulated transmissible factors—genes—to.