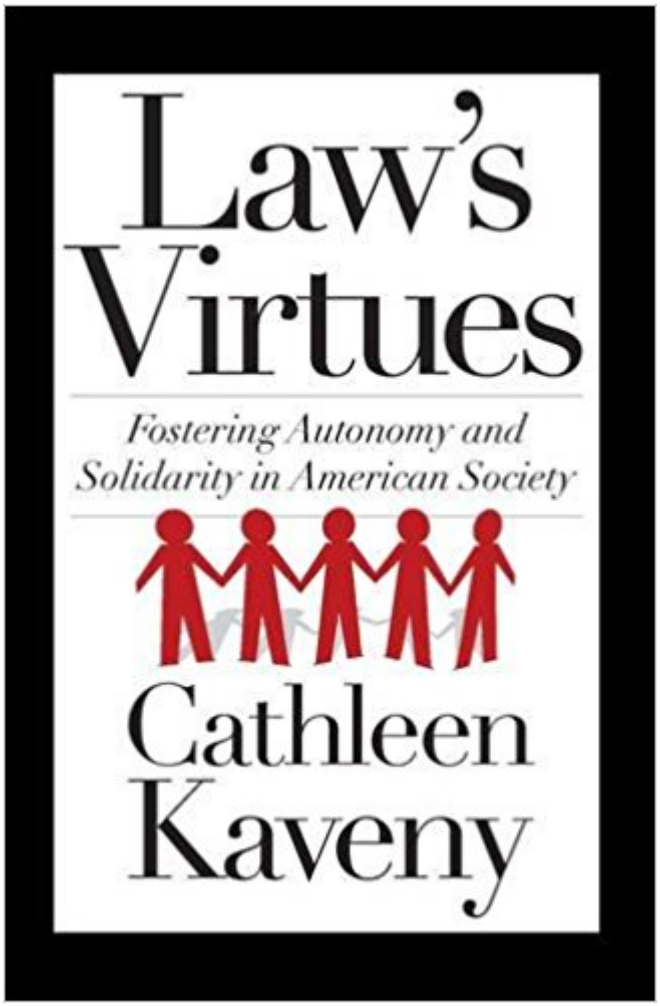
Ebook Directory
the best source of ebook

The book was found

Law's Virtues: Fostering Autonomy And Solidarity In American Society (Moral Traditions)



PDF
Adobe
DOWNLOAD EBOOK

Synopsis

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.

Book Information

Series: Moral Traditions

Paperback: 320 pages

Publisher: Georgetown University Press (September 20, 2012)

Language: English

ISBN-10: 1589019326

ISBN-13: 978-1589019324

Product Dimensions: 1 x 5.8 x 9.2 inches

Shipping Weight: 1 pounds (View shipping rates and policies)

Average Customer Review: 4.2 out of 5 stars 5 customer reviews

Best Sellers Rank: #591,130 in Books (See Top 100 in Books) #184 inÃ Â Books > Law > Ethics & Professional Responsibility #1005 inÃ Â Books > Christian Books & Bibles > Theology > Ethics #5298 inÃ Â Books > Christian Books & Bibles > Catholicism

Customer Reviews

"Moving beyond the 'culture wars' model of political engagement, Cathleen Kaveny digs deep in Law's Virtues to deliver a must read for anyone who cares about the relationship of law and morality in our pluralistic society."Ã¢â ¬â ¢America Magazine"Thought provoking."Ã¢â ¬â ¢Choice"A rich and, finally, polemical commentary on how Americans committed to Catholic teaching should

respond morally and jurisprudentially to certain new moral problems."Ã¢â ¬â ¢Journal of Religion"Professor Kaveny's book is an excellent resource for understanding the relationsihp that ought to exist between law and ethics."Ã¢â ¬â ¢Health Progress"Given [the author's] intellectual gifts and also her position as professor of both theology and law at a prominent Catholic University, the arguments of this book will very likely have an influence, especially in Catholic circles, during the presidential campaign season of 2016."Ã¢â ¬â ¢Kevin L. Flannery, First Things

"Cathleen Kaveny, a moral theologian and law professor, writes this book from the perspectives of a pro-life commitment and acceptance of some moral teaching function for law, and a deep respect for our pluralistic representative democracy with its recognition of individual freedom. Her scholarly, thoughtful, well-written, balanced exposition of the complex issue of the role of law and its application to the burning issues of abortion, euthanasia, and genetics is must reading for all those interested in this contemporary discussion."Ã¢â ¬â ¢Charles Curran, Elizabeth Scurlock University Professor of Human Values, Southern Methodist University"Through an impressive analysis that draws on her scholarly training in law and theology, Kaveny argues for a more nuanced view of how law can function as a moral teacher in a pluralistic society, reminding us that good lawmaking is practical, not merely theoretical, and the laws we make must teach lessons to ordinary people, not saints."Ã¢â ¬â ¢Vincent Rougeau, dean, Boston College Law School"Seeing and championing the view that the law incorporates and inculcates morality, Kaveny balances this insight with realistic recognition of the limitations of law in a society marked by moral controversies. Intelligently, vigorously, and very specifically, she charts a course between legal laissez-faire and moral absolutism."Ã¢â ¬â ¢John T. Noonan Jr., Judge, United States Court of Appeals for the Ninth Circuit"Cathleen Kaveny's Law's Virtues offers a lively, carefully nuanced, freshly creative approach to law and morality in a pluralistic society. Here is a major contribution to substantive dialogue and debate on controversial issues, and a welcome model of respect for conversation partners. "Ã¢â ¬â ¢Margaret Farley, Gilbert L. Stark Professor Emerita of Christian Ethics, Yale University Divinity School"Cathleen Kaveny's Law's Virtues is a wonderful book. It makes a clear, rich, nuanced, and compelling case for law's function as a moral teacher in a pluralistic society."Ã¢â ¬â ¢James F. Childress, University Professor and Hollingsworth Professor of Ethics, University of Virginia"Law's Virtues is an important and timely book. As the US faces another presidential election, the fundamental questions Kaveny addresses about the relationship between law, moral theology, and political action will loom large before the public. In lucid prose, she explicates a convincing, broadly Thomistic theory of 'the law as teacher' and applies that theory to

such vexing questions as abortion, euthanasia, and genetic testing. Moreover, she provides a truly traditional understanding of such misunderstood and frequently abused terms as ’intrinsic evil’ and ’immoral cooperation.’ Kaveny helps us to understand what it means for voting to be a moral act, and how to navigate our way through the culture wars using sound theology as a compass. This will be an important book to read during this election season and in the years to come."Ã¢â ¬â ¢Daniel Sulmasy, MD, PhD, University of Chicago"True to her title, the author aims to model ways to think of law as a teacher of virtue in a pluralistic society, thereby melding Aquinas’ classical reflection on virtue with the rich way legal theorist Joseph Raz assesses autonomy, enriched by John Paul II on solidarity. A tall order executed elegantly in prose accessible to all while deftly clarifying distinctions, expressly to counter the way ethical tools (like ’intrinsically evil’) have been harnessed to misleading rhetorical use in ’culture wars’ rather than used to illuminate taxing ethical issues. This painstaking study of the ways ethics and law intersect invites an illuminating exchange between theory and practice to guide citizens in voting as well as ethicists in assessing."Ã¢â ¬â ¢David Burrell, CSC, Hesburgh Professor emeritus, University of Notre Dame

Dr. Kaveny’s book is a welcome addition to the discussion of how Americans have viewed and interpreted civil law mostly as prevention from doing wrong, "law as policemen," a view argued recently by Joel Feinberg. Unlike the "law as policeman" model, she suggests that we look at our current way of making and interpreting our laws as "law leading to virtue." Instead of punishing doing wrong and viewing law as strictly puntative, she uses the model that Aquinas offers where the pursuit of the virtue of justice, promoting the common good should be considered in creating and interpreting our laws. Her argument is compelling, practical, and positive, as we continue to face the absolute deadlock we have reached as a society regarding such continuing hot button issues as abortion laws and euthanasia. Dr. Kaveny offers solid expertise both as a leading attorney and as a well-regarded theologian. She also weighs equally the importance of the legal and ethical issues of autonomy and nicely, I think, brings in John Paul II’s proclamation on solidary; the idea that as humans we need to work together to see the unjustices placed on the marginalized and work together as people of faith and as Americans to solve these unjustices, while not infringing on equally compelling individual rights.Like the clear, concise thinker she is, she presents the history and arguments for the ways we have dealt with our laws in the past and in many ways the present, and intelligently points out her views of the strengths and weaknesses of the arguments. Then she offers her suggestions on how they could be accomplished in our pluralistic society, points out the challenges, and empowers us, not as liberals and conservatives, but as good people who want to

make this country better for all Americans, to consider her proposals. I never thought I would want to read another essay about abortion as I'm weary about how the issue has divided people of good will for too many years. Dr. Kaveny addresses it head on and offers a way for all of us to consider this issue as we move forward in a way that may not be so hateful and devisive.Even though this book is in the very fine Ethics in Modern Life academic series, Dr. Kaveny writes so clearly, offers such illustrative examples, and presents others' work in clear, non-judgemental language. And don't be afraid of her discussions of moral theology, especially her discussions on Aquinas. As an Aquinas fan, who knows first-hand how difficult he can be, it is great to see his work explained so well and his ideas considered in our present day struggles in coming to terms with very hot contemporary issues that continue to divide us. I'd strongly suggest this book for those interested in how theology (not just Catholic or Christian) is used in considering the impact of how our civil laws can help us listen to each other instead of scream and denigrate each other. I thought it was a great book and can't wait for Dr. Kaveny's next discussion on the issues she presents so intelligently and convincingly in Law's Virtues.

It was a thorough analysis from within the Catholic tradition. Professor Kaveny is speaking to secular legal theorists and to conservative Catholics who see that one issue should take precedence in our political discourse. Again agree with her or disagree with her, every informed Catholic should read this book. It will inform your thinking and you will develop your own theological developments within a political and legal context. Professor's Kaveny's approach to law will be in contrast to the liberal theory often embraced by political liberals and libertarians. However, it is much worth the time and effort to read through.

The book was new and reached me in good shape. I enjoyed reading it; it is written in clear language. Prof. Kaveny is really an astute author! I will definitely recommend it for people interested in philosophy of law, or in law in general.

I had to pick this up for a class I'm taking this semester, and I have to say I'm pleasantly surprised by how thought provoking it is. I went into it thinking I'd read about some crazy religious ideas regarding to how we should live moral lives, but it takes a very realistic and down to earth approach. If you want to learn about all sides of different issues, whether you agree with them or not, this is worth the read.

This book, to judge from what I can read here, has a better tone than most moral/legal theory books produced by Catholics nowadays. That is no small thing, and worth commenting on. But I always wonder how anyone is really supposed to take seriously the contention that the author is somehow not putting forth a view that is, as she writes, "endorsed by a religious...authority." It is in the very nature of the rational tradition like that Of Isidore of Seville and Thomas Aquinas, who are the lodestars of this effort from the start, to be based in the authority of Catholic revelation. This is not an optional or detachable part of the tradition. Catholic theorists have a right to believe that it is in someway useable in a more generic sense, even by those who do not share those ideas on revelation. Yet they do NOT have the right to require that others should accept as coherent that a legal tradition that was and is heavily belief-based should be accepted for more general use. And also note that had the election gone the other way that is precisely what might be happening right now, with nicely-toned works of studied inoffensiveness used as grids for a more didactic morality of their choice. Please note, even if they happen to agree with some or even most of the arguments, which some might, There is the essential wrench for Catholic views on this matter, and it seems essentially insuperable for many who do not accept the parameters. The author seems to think it is just about explaining differing "premises" No, it is more basic than that, and devolves to a matter of what counts as coherent. One might agree with plenty in such a book, and still find the basic Thomstic base incoherent for this society. Period. The simpler way of putting this is that author's like this, though well intentioned and probably quite decent people to judge from the tone, really just want their cake and to eat it too. They want to have their own beliefs grounded in their faith become the guide for society, and yet believe that they embrace pluralism. Concomitant with that is the only thing I found offensive about the book. Namely the predictable contention that any other view is necessarily "atomistic". A huge jump, and one that Catholics love to make. Therefore, the clarity which the author seeks in legal understanding is made essentially vague from the start, at least for non-adherents of Catholicism.. And that is OK, because some level of vagueness is a frequent companion of democratic and/or pluralistic praxis. It is not surprising that quoters of Isidore of Seville may be discomfited by such realities. Still, however the author got to her better tone, it is a good thing.

Download to continue reading...

Law's Virtues: Fostering Autonomy and Solidarity in American Society (Moral Traditions) Westward Bound: Sex, Violence, the Law, and the Making of a Settler Society (Law and Society Series Published in association with the Osgoode Society for Canadian Legal History) Introducing Moral Theology: True Happiness and the Virtues Building Moral Intelligence: The Seven Essential Virtues

that Teach Kids to Do the Right Thing The Book of Virtues: A Treasury of Great Moral Stories The Book of Virtues for Young People: A Treasury of Great Moral Stories Labor Law for the Rank & Filer: Building Solidarity While Staying Clear of the Law Morality and Moral Controversies: Readings in Moral, Social and Political Philosophy Mission of Honor: A moral compass for a moral dilemma Black Rednecks & White Liberals: Hope, Mercy, Justice and Autonomy in the American Health Care System Great Legal Traditions: Civil Law, Common Law, and Chinese Law in Historical and Operational Perspective Lavender and Red: Liberation and Solidarity in the Gay and Lesbian Left (American Crossroads) Content Area Reading and Writing: Fostering Literacies in Middle and High School Cultures (2nd Edition) Purpose Driven Leadership: Building and Fostering Effective Teams Raising Resilient Children : Fostering Strength, Hope, and Optimism in Your Child Listen Up!: Fostering Musicianship Through Active Listening Bach to the Future: Fostering Music Literacy Today Fostering Sustainable Behavior: An Introduction to Community-Based Social Marketing The Daily 5: Fostering Literacy in the Elementary Grades Confucian Traditions in East Asian Modernity: Moral Education and Economic Culture in Japan and the Four Mini-Dragons

Contact Us

DMCA

Privacy

FAQ & Help