

How Hume And Kant Reconstruct Natural Law Justifying Strict Objectivity Without Debating Moral Realism

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Kant's Transcendental Proof of Realism - Kenneth R. Westphal
2004-12-02

This book is the first detailed study of Kant's method of 'transcendental reflection' and its use in the Critique of Pure Reason to identify our basic human cognitive capacities, and to justify Kant's transcendental proofs of the necessary a priori conditions for the possibility of self-conscious human experience. Kenneth Westphal, in a closely argued internal critique of Kant's analysis, shows that if we take Kant's project seriously in its own terms, the result is not transcendental idealism but (unqualified) realism regarding physical objects. Westphal attends to neglected topics - Kant's analyses of the transcendental affinity of the sensory manifold, the 'lifelessness of matter', fallibilism, the semantics of cognitive reference, four externalist aspects of Kant's views, and the importance of Kant's Metaphysical Foundations for the Critique of Pure Reason - that illuminate Kant's enterprise in new and valuable ways. His book will appeal to all who are interested in Kant's theoretical philosophy.

A Treatise on Human Nature - David Hume 1874

[How Hume and Kant Reconstruct Natural Law](#) - Kenneth R. Westphal
2016

Kenneth R. Westphal presents an original interpretation of Hume's and Kant's moral philosophies. He argues that focusing on the differences between these two accounts occludes a decisive, shared achievement: a constructivist account of the basic principles of justice which does not depend on moral realism nor moral anti-realism or irrationalism.

[Modern Religion, Modern Race](#) - Theodore Vial 2016-06-16

Religion is a racialized category, even when race is not explicitly mentioned. In *Modern Religion, Modern Race* Theodore Vial argues that because the categories of religion and race are rooted in the post-Enlightenment project of reimagining what it means to be human, we cannot simply will ourselves to stop using them. Only by acknowledging that religion is already racialized can we begin to understand how the two concepts are intertwined and how they operate in our modern world.

It has become common to argue that the category religion is not universal, or even very old, but is a product of Europe's Enlightenment modernization. Equally common is the argument that religion is not an innocent category of analysis, but is implicated in colonial regimes of control and as such plays a role in Europe's process of identity construction of itself and of non-European "others." Current debates about race follow an eerily similar trajectory: race is not an ancient but a modern construction. It is part of the project of colonialism, and race discourse forms one of the cornerstones of modern European identity-making. Why can't we stop using them, or re-construct them in less toxic ways? By examining the theories of Kant, Herder, and Schleiermacher, among others, Vial uncovers co-constitutive nature of race and religion, describes how they became building blocks of the modern world, and shows how the two concepts continue to be used today to form identity and to make sense of the world. He shows that while we disdain the racist language of some of the founders of religious studies, the continued influence of the modern worldview they helped create leads us, often unwittingly, to reiterate many of the same distinctions and hierarchies. Although it may not be time to abandon the very category of religion, with all its attendant baggage, *Modern Religion, Modern Race* calls for us to examine that baggage critically, and to be fully conscious of the ways in which religion always carries with it dangerous ideas of race.

Passions, Politics and the Limits of Society - Heikki Haara 2020-08-10

The 1st part of the volume engages with the theme of inclusion and exclusion in the history of ideas from different perspectives. The 2nd part of the volume discusses debates on natural law, human nature and political economy in early-modern Europe. Its contributions explore the sorts of political and moral visions that were relevant in post-Hobbesian moral philosophy and the development of economic thought.

Kant: Lectures and Drafts on Political Philosophy - 2016-08-18

This book is the first translation into English of the Reflections which Kant wrote whilst formulating his ideas in political philosophy: the preparatory drafts for *Theory and Practice*, *Toward Perpetual Peace*, the

Doctrine of Right, and *Conflict of the Faculties*; and the only surviving student transcription of his course on *Natural Right*. Through these texts one can trace the development of his political thought, from his first exposure to Rousseau in the mid 1760s through to his last musings in the late 1790s after his final system of *Right* was published. The material covers such topics as the central role of freedom, the social contract, the nature of sovereignty, the means for achieving international peace, property rights in relation to the very possibility of human agency, the general prohibition of rebellion, and Kant's philosophical defense of the French Revolution.

Kant's Compatibilism - Hud Hudson 1994

The philosophy of Immanuel Kant has simultaneously embraced a thoroughgoing causal determinism and proclaimed the freedom of the human will. Examining Kant's compatibilist resolution of that apparent inconsistency, Hud Hudson identifies in Kant's work a philosophically respectable view of the metaphysics of determinism and human freedom. Hudson first examines Kant's pre-critical writings on compatibilism and reviews the particulars of the Third Antinomy from the *Critique of Pure Reason*, in which Kant explicitly addresses the issue of compatibilism. After analyzing readings of Kant's compatibilistic resolution by Allen Wood, Jonathan Bennett, Lewis White Beck, Robert Butts, Ralf Meerbote, and Henry Allison, Hudson proposes his own interpretation. Hudson ascribes to Kant a token-token identity thesis regarding natural events and transcendentally free human actions as well as a type-type irreducibility thesis regarding the distinct sorts of descriptions with which we characterize natural events and transcendentally free human actions. The explicitly compatibilist resolution of Hudson's account neither endangers the epistemological scope of Kant's causal determinism nor requires an impoverished sense of freedom of the will. In the light of current debates regarding free will and philosophy of mind, Hudson concludes that Kant's compatibilism can be aligned with the views of certain contemporary philosophers.

Efficient Causation - Tad M. Schmaltz 2014

"This volume is a contribution to the Oxford Philosophical Concepts

series, the main goal of which is to provide historical accounts of the development of central philosophical concepts. Among these concepts would seem to be that of efficient causation (or, today, simply causation). Causation is now commonly supposed to involve a succession that instantiates some law-like regularity. This understanding of causality has a history that includes various interrelated conceptions of efficient causation that date from ancient Greek philosophy and that extend to contemporary discussions of causation in metaphysics and philosophy of science. The consideration here of this history is divided into three sections comprising eleven chapters total. The first section concerns concepts of efficient causation in Aristotle, the Stoics, late antiquity and earlier medieval philosophy, and later medieval philosophy dating from Ibn Sīnā (Avicenna) to Ockham. The second concerns the different forms of this concept in the modern period, starting with late scholasticism (as represented in Suárez) and Descartes, and including Spinoza and Leibniz, Malebranche and Berkeley, Hume, and Kant. Finally, there is a third section divided into a consideration of conceptions of causation in contemporary philosophy that derive from the work of Hume and Aristotle, respectively. A distinctive feature of the volume is that it also includes four short "Reflections" that explore the significance of the concept of efficient causation for literature, the history of music, the history of science and contemporary art theory"--

Kant: Lectures and Drafts on Political Philosophy - 2020-03-26

This book is the first translation into English of the Reflections which Kant wrote whilst formulating his ideas in political philosophy: the preparatory drafts for Theory and Practice, Toward Perpetual Peace, the Doctrine of Right, and Conflict of the Faculties; and the only surviving student transcription of his course on Natural Right. Through these texts one can trace the development of his political thought, from his first exposure to Rousseau in the mid 1760s through to his last musings in the late 1790s after his final system of Right was published. The material covers such topics as the central role of freedom, the social contract, the nature of sovereignty, the means for achieving international peace, property rights in relation to the very possibility of human agency, the

general prohibition of rebellion, and Kant's philosophical defense of the French Revolution.

Historical Dictionary of Hume's Philosophy - Angela Coventry 2018-12-15

This second edition of Historical Dictionary of Hume's Philosophy contains a chronology, an introduction, and an extensive bibliography. The dictionary section has over 100 cross-referenced entries covering key terms, as well as brief discussions of Hume's major works and of some of his most important predecessors, contemporaries, and successors.

Moral Motivation - Iakovos Vasiliou 2016-05-27

Moral Motivation presents a history of the concept of moral motivation. The book consists of ten chapters by eminent scholars in the history of philosophy, covering Plato, Aristotle, later Peripatetic philosophy, medieval philosophy, Spinoza, Locke, Hume, Kant, Fichte and Hegel, and the consequentialist tradition. In addition, four interdisciplinary "Reflections" discuss how the topic of moral motivation arises in epic poetry, Cicero, early opera, and Theodore Dreiser. Most contemporary philosophical discussions of moral motivation focus on whether and how moral beliefs by themselves motivate an agent (at least to some degree) to act. In much of the history of the concept, especially before Hume, the focus is rather on how to motivate people to act morally as well as on what sort of motivation a person must act from (or what end an agent acts for) in order to be a genuinely ethical person or even to have done a genuinely ethical action. The book shows the complexity of the historical treatment of moral motivation and, moreover, how intertwined moral motivation is with central aspects of ethical theory.

The Theological Project of Modernism - Kevin Hector 2015

This work offers clear, careful readings of modernism's key figures - including Kant, Hegel, and Schleiermacher - in order to explain their relevance to practical concerns and to contemporary understandings of faith.

Kant's Transcendental Deduction of the Categories: Critical Re-Examination, Elucidation, and Corroboration - Kenneth R. Westphal
2021-04-07

The present edition with its fresh and accurate translation and concise commentary on Kant's 'Transcendental Deduction of the Categories' aims to serve contemporary debates in epistemology, cognitive science, and theory of perception.

The Palgrave Hegel Handbook - Marina F. Bykova 2020-04-29

This handbook presents the conceptions and principles central to every aspect of Hegel's systematic philosophy. In twenty-eight thematically linked chapters by leading international experts, The Palgrave Hegel Handbook provides reliable, scholarly overviews of each subject, illuminates the main issues and debates, and details concisely the considered views of each contributor. Recent scholarship challenges traditional, largely anti-Kantian, readings of Hegel, focusing instead on Hegel's appropriation of Kantian epistemology to reconcile idealism with the rejection of foundationalism, coherentism and skepticism. Focused like Kant on showing how fundamental unities underlie the profusion of apparently independent events, Hegel argued that reality is rationally structured, so that its systematic structure is manifest to our properly informed thought. Accordingly, this handbook re-assesses Hegel's philosophical aims, methods and achievements, and re-evaluates many aspects of Hegel's enduring philosophical contributions, ranging from metaphysics, epistemology, and dialectic, to moral and political philosophy and philosophy of history. Each chapter, and The Palgrave Hegel Handbook as a whole, provides an informed, authoritative understanding of each aspect of Hegel's philosophy.

Nietzsche's Critiques - R. Kevin Hill 2003

Kevin Hill's highly original new interpretation of Nietzsche's philosophy is the first to examine in detail his debt to Kant, in particular the Critique of Pure Reason, Critique of Practical Reason, and Critique of Judgement. Nietzsche, Hill argues, knew Kant far better than is commonly thought, and can only be thoroughly understood in relation to Kant.; Nietzsche's Critiques maintains that beneath the surface of his texts there is a systematic commitment to a form of early Neo-Kantianism in metaphysics and epistemology, ethics, and aesthetics, grounded in his reading of the three Critiques, K.

Grounds of Pragmatic Realism - Kenneth Westphal 2018-01-09

Grounds of Pragmatic Realism shows Hegel is a major epistemologist, who disentangled Kant's critique of judgment, across the Critical corpus, from transcendental idealism, and augmented its enormous evaluative and justificatory significance for commonsense knowledge, the natural sciences and freedom of action.

Essays on the History of Moral Philosophy - J. B. Schneewind 2010

J.B. Schneewind presents a selection of his published essays on ethics, the history of ethics and moral psychology, together with a new piece offering an intellectual autobiography. The essays range across the 17th, 18th, and 19th centuries, with a particular focus on Kant and his relation to earlier thinkers.

Sovereignty and the New Executive Authority - Claire Oakes Finkelstein 2018-11-02

This volume explores moral and legal issues relating to sovereignty by addressing foundational questions about its nature, examining state sovereignty between states, and dealing with post 9/11 developments in the U.S., potentially destabilizing received views of democratic sovereignty. With essays addressing foundational, state and international sovereignty, the book focuses on Post 9/11 developments including the profusion of secret national security programs, including those pertaining to the interrogation, rendition, and detention of terror suspects; signal intercepts and meta-data analysis; and targeted killing of irregular militants; prompting questions regarding the legitimacy of executive power in this arena.

The Routledge Handbook of Moral Epistemology - Aaron Zimmerman 2018-11-02

The Routledge Handbook of Moral Epistemology brings together philosophers, cognitive scientists, developmental and evolutionary psychologists, animal ethologists, intellectual historians, and educators to provide the most comprehensive analysis of the prospects for moral knowledge ever assembled in print. The book's thirty chapters feature leading experts describing the nature of moral thought, its evolution, childhood development, and neurological realization. Various forms of

moral skepticism are addressed along with the historical development of ideals of moral knowledge and their role in law, education, legal policy, and other areas of social life. Highlights include: • Analyses of moral cognition and moral learning by leading cognitive scientists • Accounts of the normative practices of animals by expert animal ethologists • An overview of the evolution of cooperation by preeminent evolutionary psychologists • Sophisticated treatments of moral skepticism, relativism, moral uncertainty, and know-how by renowned philosophers • Scholarly accounts of the development of Western moral thinking by eminent intellectual historians • Careful analyses of the role played by conceptions of moral knowledge in political liberation movements, religious institutions, criminal law, secondary education, and professional codes of ethics articulated by cutting-edge social and moral philosophers.

Hegel's Epistemology - Kenneth R. Westphal 2003-01-01

Provides a succinct philosophical introduction to Hegel's Phenomenology of Spirit for non-specialists and students, focusing on Hegel's unique and insightful theory of knowledge and its relations to 20th-century epistemology.

Kant und Hegel über Freiheit - 2021-10-11

Flach bringt Kants geltungs- und prinzipientheoretische Freiheitslehre zur Darstellung und sucht zu zeigen, welches Erklärungspotential diese Lehre in puncto Humanität hat. Krijnen bringt Hegels logische und geistphilosophische Freiheitslehre zur Darstellung und sucht zu zeigen, daß und wie in ihr ein fundamentaler Aspekt der Freiheit thematisch wird, der in Kants Lehre unterbeleuchtet bleibt. Die Diskussionsbeiträge zeigen, welchen Stellenwert dem einen und dem anderen Paradigma im aktuellen Urteil zuerkannt wird. Flach presents Kant's conception of freedom as well as its potential for understanding what it means to be human. Krijnen presents Hegel's conception of freedom and shows that Kant's conception underestimates an essential feature of freedom. The contributions of other authors assess the results.

Kant's Prolegomena to Any Future Metaphysics - Immanuel Kant 1912

Hegel and Contemporary Practical Philosophy - James Gledhill 2020-04-29

While Kantian constructivism has become one of the most influential and systematic schools of thought in analytic moral and political philosophy, Hegelian approaches to practical normativity hold out the promise of building upon Kantian insights into individual self-determination while avoiding their dualistic tendencies. James Gledhill and Sebastian Stein unite distinguished scholars of German idealism and contemporary Anglophone practical philosophy with rising stars in the field, to explore whether Hegelian idealist philosophy can offer the categories that analytic practical philosophy requires to overcome the contradictions that have so far plagued Kantian constructivism. The volume organizes the contributions into three parts. The first of these engages debates in metaethics regarding the relationship between realism and constructivism. The second part sees contributors draw on debates about the nature of political normativity, focusing primarily on the problems of historical contextualism, relativism, and critical reflection. The concluding part considers the application of the Hegelian framework to contemporary debates about specific ethical issues, including multiculturalism, democracy, and human rights. *Hegel and Contemporary Practical Philosophy* contributes to the on-going debate about the importance of systematic philosophy in the context of practical philosophy, engages with contemporary discussions about the shape of a rational social order, and gauges the timeliness of Hegelian philosophy. This book is a must read for scholars interested in Hegel and in the contemporary tradition of Kantian constructivism in moral and political philosophy.

Grounds of Pragmatic Realism - Kenneth R. Westphal 2017-11-23

Grounds of Pragmatic Realism shows Hegel is a major epistemologist, who disentangled Kant's critique of judgment, across the Critical corpus, from transcendental idealism, and augmented its enormous evaluative and justificatory significance for commonsense knowledge, the natural sciences and freedom of action.

Kant and the Scottish Enlightenment - Elizabeth Robinson

2017-06-26

Cover -- Title -- Copyright -- Dedication -- Contents -- A Note on Abbreviations and References -- Preface -- Kant and the Scottish Enlightenment: An Introduction -- 1 Hutcheson on the Unity of Virtue and Right -- 2 Hutcheson and Kant: Moral Sense and Moral Feeling -- 3 Hutcheson's and Kant's Critique of Sympathy -- 4 Kant and Hutcheson on Aesthetics and Teleology -- 5 Outer Sense, Inner Sense, and Feeling: Hutcheson and Kant on Aesthetic Pleasure -- 6 Taste, Morality, and Common Sense: Kant and the Scots -- 7 Kant and Hume on Feelings in Moral Philosophy -- 8 Hume's Principle and Kant's Pure Rational System of Religion: Grace, Providence, and the Highest Good -- 9 A Writer More Excellent than Cicero: Hume's Influence on Kant's Anthropology -- 10 Kant and Hume on Marriage -- 11 Hume and Kant on Imagination: Thematic and Methodological Differences -- 12 Hume and Kant on Space, Divisibility, and Antinomical Conflict -- 13 Hume and Kant on Identity and Substance -- 14 An Alternative to Heteronomy and Anarchy: Kant's Reformulation of the Social Contract -- 15 Kant, Smith, and the Place of Virtue in Political and Economic Organization -- 16 Adam Smith's Kantian Phenomenology of Moral Motivation -- 17 Kant and Smith on Imagination, Reason, and Personhood -- 18 Seeing a Flower in the Garden: Common Sense, Transcendental Idealism -- 19 Kant's Heuristic Methods: Feeling and Common Sense in Orientation and Taste -- List of Contributors -- Index

Hegel's Civic Republicanism - Kenneth R. Westphal 2022-06

This book argues that Hegel developed a robust form of civic republicanism. It identifies the proper genre to which Hegel's Philosophical Outlines of Justice belongs and to which it so prodigiously contributes, which he calls Natural Law Constructivism, an approach developed by Hume, Rousseau, Kant, and Hegel.

Kant's System of Nature and Freedom - Jonathan Nelson Professor of Humanities and Philosoph Paul Guyer 2005-04-21

The governing theme of this volume is the role of systematicity in Kant's theoretical and practical philosophy. Kant's System of Nature and Freedom will be essential for anyone working on the history of modern

philosophy and related areas of ethics, philosophy of science, and metaphysics.

The Blackwell Guide to Hegel's Phenomenology of Spirit - Kenneth R. Westphal 2009-02-11

Providing a groundbreaking collective commentary, by an international group of leading philosophical scholars, Blackwell's Guide to Hegel's Phenomenology of Spirit transforms and expands our understanding and appreciation of one of the most challenging works in Western philosophy. Collective philosophical commentary on the whole of Hegel's Phenomenology in sequence with the original text. Original essays by leading international philosophers and Hegel experts. Provides a comprehensive Bibliography of further sources.

Property Rights: A Re-Examination - J. E Penner 2020-02-14

Ranging over a host of issues, Property Rights: A Re-Examination pinpoints and addresses a number of theoretical problems at the heart of property theory. Part 1 reconsiders and rejects, once again, the bundle of rights picture of property and the related nominalist theories of property, showing that ownership reflects a tripartite structure of title: the right to immediate, exclusive, possession, the power to license what would otherwise be a trespass, and the power to transfer ownership. Part 2 explores in detail the Hohfeldian theory of jural relations, in particular liberties and powers and Hohfeld's concept of 'multital' jural relations, and shows that this theory fails to illuminate the nature of property rights, and indeed obscures much that it is vital to understand about them. Part 3 considers the form and justification of property rights, beginning with the relation an owner's liberty to use her property and her 'right to exclude', with particular reference to the tort of nuisance. Next up for consideration is the Kantian theory of property rights, the deficiencies of which lead us to understand that the only natural right to things is a form of use- or usufructory-right. Part 3 concludes by addressing the ever-vexed question of property rights in land.

Hegel's Political Philosophy - Thom Brooks 2017

Hegel famously argues that his speculative method is a foundation for claims about socio-political reality within a wider philosophical system.

This systematic approach is thought a superior alternative to all other ways of philosophical thinking. Hegel's method and system have normative significance for understanding everything from ethics to the state. Hegel's approach has attracted much debate among scholars about key philosophical questions - and controversy about his proposed answers to them. Is his method and system open to the charge of dogmatism? Are his claims about the rationality of monarchy, unequal gender relations, an unelected second parliamentary chamber and a corporation-based economy beyond revision? This ground-breaking collection of new essays by leading interpreters of Hegel's philosophy is dedicated to the questions that surround Hegel's philosophical method and its relationship to the conclusions of his political philosophy. It contributes to the on-going debate about the importance of a systematic context for political philosophy, the relationship between theoretical and practical philosophy, and engages with contemporary discussions about the shape of a rational social order.

The Limits of Ethics in International Relations - David Boucher
2011-05-05

Ethical constraints on relations among individuals within and between societies have always reflected or invoked a higher authority than the caprices of human will. For over two thousand years Natural Law and Natural Rights were the constellations of ideas and presuppositions that fulfilled this role in the west, and exhibited far greater similarities than most commentators want to admit. Such ideas were the lens through which Europeans evaluated the rest of the world. In his major new book David Boucher rejects the view that Natural Rights constituted a secularisation of Natural Law ideas by showing that most of the significant thinkers in the field, in their various ways, believed that reason leads you to the discovery of your obligations, while God provides the ground for discharging them. Furthermore, the book maintains that Natural Rights and Human Rights are far less closely related than is often asserted because Natural Rights never cast adrift the religious foundationalism, whereas Human Rights, for the most part, have jettisoned the Christian metaphysics upon which both Natural Law and

Natural Rights depended. Human Rights theories, on the whole, present us with foundationless universal constraints on the actions of individuals, both domestically and internationally. Finally, one of the principal contentions of the book is that these purportedly universal rights and duties almost invariably turn out to be conditional, and upon close scrutiny end up being 'special' rights and privileges as the examples of multicultural encounters, slavery and racism, and women's rights demonstrate.

Hegel's Civic Republicanism - Kenneth R. Westphal 2019-11-28
In this book, Westphal offers an original interpretation of Hegel's moral philosophy. Building on his previous study of the role of natural law in Hume's and Kant's accounts of justice, Westphal argues that Hegel developed and justified a robust form of civic republicanism. Westphal identifies, for the first time, the proper genre to which Hegel's *Philosophical Outlines of Justice* belongs and to which it so prodigiously contributes, which he calls Natural Law Constructivism, an approach developed by Hume, Rousseau, Kant, and Hegel. He brings to bear Hegel's adoption and augmentation of Kant's *Critique of rational judgment and justification* in all non-formal domains to his moral philosophy in his *Outlines*. Westphal argues that Hegel's justification for the standards of political legitimacy successfully integrates Rousseau's Independence Requirement into the role of public reason within a constitutional republic. In these regards, Hegel's moral and political principles are progressive not only in principle, but also in practice. Hegel's *Civic Republicanism* will be of interest to scholars of moral philosophy, social and political philosophy, Hegel, eighteenth- and nineteenth-century philosophy.

Kant's 'Critique of Pure Reason' - James R. O'Shea 2017-06-09
This Critical Guide provides succinct and in-depth explorations of cutting-edge debates concerning the philosophical significance of Kant's revolutionary *Critique of Pure Reason*.

Ethics: The Key Thinkers - Tom Angier 2022-10-20

Ethics: The Key Thinkers introduces the individuals who have wrestled with core moral questions and shaped how we understand ethics today,

from what constitutes a good life to arguments about what is right and wrong. Chapters are organised chronologically and cover figures from a wide range of traditions in ancient, modern and contemporary philosophy, explaining exactly how a particular individual has changed the development of ethical theory as a whole. Alongside chapters on Plato, Aristotle, Marx and Nietzsche, this fully updated 2nd edition now provides:

- A global approach to the history of ethics, featuring new chapters on Confucian, Buddhist and African thinkers
- Further reading guides to the latest writing on each thinker
- A conclusion that looks ahead to new directions in contemporary ethical theory

For anyone looking to better understand the ideas, people and debates behind one of philosophy's most important subjects, *Ethics: The Key Thinkers* is the ideal starting point.

The Threads of Natural Law - Francisco José Contreras 2012-12-13

The notion of "natural law" has repeatedly furnished human beings with a shared grammar in times of moral and cultural crisis. Stoic natural law, for example, emerged precisely when the Ancient World lost the Greek polis, which had been the point of reference for Plato's and Aristotle's political philosophy. In key moments such as this, natural law has enabled moral and legal dialogue between peoples and traditions holding apparently clashing world-views. This volume revisits some of these key moments in intellectual and social history, partly with an eye to extracting valuable lessons for ideological conflicts in the present and perhaps near future. The contributions to this volume discuss both historical and contemporary schools of natural law. Topics on historical schools of natural law include: how Aristotelian theory of rules paved the way for the birth of the idea of "natural law"; the idea's first mature account in Cicero's work; the tension between two rival meanings of "man's rational nature" in Aquinas' natural law theory; and the scope of Kant's allusions to "natural law". Topics on contemporary natural law schools include: John Finnis's and Germain Grisez's "new natural law theory"; natural law theories in a "broader" sense, such as Adolf Reinach's legal phenomenology; Ortega y Gasset's and Scheler's "ethical perspectivism"; the natural law response to Kelsen's conflation of

democracy and moral relativism; natural law's role in 20th century international law doctrine; Ronald Dworkin's understanding of law as "a branch of political morality"; and Alasdair Macintyre's "virtue"-based approach to natural law.

How Hume and Kant Reconstruct Natural Law - Kenneth R. Westphal 2016-04-07

Kenneth R. Westphal presents an original interpretation of Hume's and Kant's moral philosophies, the differences between which are prominent in current philosophical accounts. Westphal argues that focussing on these differences, however, occludes a decisive, shared achievement: a distinctive constructivist method to identify basic moral principles and to justify their strict objectivity, without invoking moral realism nor moral anti-realism or irrationalism. Their constructivism is based on Hume's key insight that 'though the laws of justice are artificial, they are not arbitrary'. Arbitrariness in basic moral principles is avoided by starting with fundamental problems of social coördination which concern outward behaviour and physiological needs; basic principles of justice are artificial because solving those problems does not require appeal to moral realism (nor to moral anti-realism). Instead, moral cognitivism is preserved by identifying sufficient justifying reasons, which can be addressed to all parties, for the minimum sufficient legitimate principles and institutions required to provide and protect basic forms of social coördination (including verbal behaviour). Hume first develops this kind of constructivism for basic property rights and for government. Kant greatly refines Hume's construction of justice within his 'metaphysical principles of justice', whilst preserving the core model of Hume's innovative constructivism. Hume's and Kant's constructivism avoids the conventionalist and relativist tendencies latent if not explicit in contemporary forms of moral constructivism.

Ethical Rationalism and the Law - Patrick Capps 2017-01-26

What role does reason play in determining what, if anything, is morally right? What role does morality play in law? Perhaps the most controversial answer to these fundamental questions is that reason supports a supreme principle of both morality and legality. The

contributors to this book cast a fresh critical eye over the coherence of modern approaches to ethical rationalism within law, and reflect on the intellectual history on which it builds. The contributors then take the debate beyond the traditional concerns of legal theory into areas such as the relationship between morality and international law, and the impact of ethically controversial medical innovations on legal understanding.

Kant's Critical Epistemology - Kenneth R. Westphal 2020-09-01

This book assesses and defends Kant's Critical epistemology, and the rich yet neglected resources it provides for understanding and resolving fundamental issues regarding human experience, perceptual judgment, empirical knowledge and cognitive sciences. Kenneth Westphal first examines Kant's methods and strategies for examining human sensory-perceptual experience, and then examines Kant's central, proper, and subtle attention to judgment, and so to the humanly possible valid use of concepts and principles to judge particulars we confront. This provides a comprehensive account of Kant's anti-Cartesianism, the integrity of his three principles of causal judgment, and Kant's account of discriminatory perceptual-motor behaviour, including both sensory reafference and perceptual affordances. Westphal then defends the significance of Kant's subtle and illuminating account of causal judgment for three main philosophical domains: history and philosophy of science, theory of action and human freedom, and philosophy of mind. Kant's Critical Epistemology will appeal to researchers and advanced students interested in Kant and the relations of his thought to contemporary philosophical debates and to the sciences of the mind.

Public Reason in Political Philosophy - Piers Norris Turner 2017-08-10

When people of good faith and sound mind disagree deeply about moral, religious, and other philosophical matters, how can we justify political institutions to all of them? The idea of public reason—of a shared public standard, despite disagreement—arose in the seventeenth and

eighteenth centuries in the work of Hobbes, Locke, Rousseau, and Kant. At a time when John Rawls' influential theory of public reason has come under fire but its core idea remains attractive to many, it is important not to lose sight of earlier philosophers' answers to the problem of private conflict through public reason. The distinctive selections from the great social contract theorists in this volume emphasize the pervasive theme of intractable disagreement and the need for public justification. New essays by leading scholars then put the historical work in context and provide a focus of debate and discussion. They also explore how the search for public reason has informed a wider body of modern political theory—in the work of Hume, Hegel, Bentham, and Mill—sometimes in surprising ways. The idea of public reason is revealed as an overarching theme in modern political philosophy—one very much needed today.

Knowledge, Reason, and Taste - Paul Guyer 2013-12-08

Immanuel Kant famously said that he was awoken from his "dogmatic slumbers," and led to question the possibility of metaphysics, by David Hume's doubts about causation. Because of this, many philosophers have viewed Hume's influence on Kant as limited to metaphysics. More recently, some philosophers have questioned whether even Kant's metaphysics was really motivated by Hume. In *Knowledge, Reason, and Taste*, renowned Kant scholar Paul Guyer challenges both of these views. He argues that Kant's entire philosophy—including his moral philosophy, aesthetics, and teleology, as well as his metaphysics—can fruitfully be read as an engagement with Hume. In this book, the first to describe and assess Hume's influence throughout Kant's philosophy, Guyer shows where Kant agrees or disagrees with Hume, and where Kant does or doesn't appear to resolve Hume's doubts. In doing so, Guyer examines the progress both Kant and Hume made on enduring questions about causes, objects, selves, taste, moral principles and motivations, and purpose and design in nature. Finally, Guyer looks at questions Kant and Hume left open to their successors.