

Declaring Rights

A Brief History with Documents

Jack N. Rakove



Declaring Rights A Brief Documentary History

Burns H. Weston, Anna Gear



Declaring Rights A Brief Documentary History:

When the People Rule Ewa Atanassow, Thomas Bartscherer, David A. Bateman, 2023-11-09 In recent decades popular sovereignty has come under increasing pressure The rise of populism often illiberal or authoritarian has undermined minority rights individual autonomy and rule of law The expansion of international institutions and greater reliance on market and non governmental organizations have gradually insulated large areas of policymaking from public control In turn these developments cast doubt on the viability and desirability of liberal democracy itself When the People Rule argues that comprehending and responding to the political crises of our time requires a radical refocusing on popular sovereignty Each chapter offers a fresh perspective and opens new avenues of inquiry into popular sovereignty advancing debate over the very heart of this principle what it means for the people to rule Thorough and timely this volume is also available as Open Access on Cambridge Core

The Cambridge Companion to Human Rights Law Conor Gearty, Costas Douzinas, 2012-11-22 Human rights are considered one of the big ideas of the early twenty first century This book presents in an authoritative and readable form the variety of platforms on which human rights law is practiced today reflecting also on the dynamic inter relationships that exist between these various levels The collection has a critical edge The chapters engage with how human rights law has developed in its various subfields what if anything has been achieved and at what cost in terms of expected or produced unexpected side effects The authors pass judgment about the consistency efficacy and success of human rights law set against the standards of the field itself or other external goals Written by world class academics this Companion will be essential reading for students and scholars of human rights law

Pilgrims in Medicine: Conscience, Legalism and Human Rights Thomas Alured Faunce, 2005-01-01 This arrestingly novel work develops a normative synthesis of medical humanities virtue ethics medical ethics health law and human rights It presents an ambitious complex and coherent argument for the reconceptualisation of the doctor patient relationship and its regulation utilising approaches often thought of as being separate if not opposed virtue based ethics and universal human rights The case is argued gracefully with moderation but also with respect for opposing positions The book s analysis of the foundational professional virtue of therapeutic loyalty is an original departure from the traditional discourse of patient autonomy and the ethical and legal duties of the medical practitioner The central argument is not merely presented as bookends in the introduction and conclusion It is cogently represented in each chapter and section and measured against the material considered A remarkable feature is the use of aptly selected canonical literature to inform the argument These references run from Hesse s *The Glass Bead Game* in the abstract to Joyce s *Ulysses* in the conclusion They include excerpts from and discussion about Bergman Borges Boswell Tolstoy de Beauvoir Chekhov Dostoevsky Samuel Johnson Aristotle Orwell Osler Chaucer Schweitzer Shakespeare Thorwalds Kafka and William Carlos Williams Such references are used not merely as an artistic and decorative leitmotif but become a critical narrative element and another complex and rich layer to this work The breadth and quality of the references are

testimony to the author's clear understanding of the modern law and literature movement. This work provides the basis of a medical school course. As many medical educators as possible should also be encouraged to read this work for the insights it will give them into using their own personal life narratives and those of their patients to inform their decision making process. This thesis will also be of value to the judiciary whose members are often called upon to make normatively difficult judgments about medical care and medical rules. The human rights material leads to a hopeful view of an international movement toward a universal synthesis between medical ethics and human rights in all doctor patient relationships.

Political Thought and the Origins of the American Presidency Ben Lowe, 2024-09-17 How the American executive office was constructed in the Constitution and implemented by the first presidents. This volume examines the political ideas behind the construction of the presidency in the U.S. Constitution as well as how these ideas were implemented by the nation's early presidents. The framers of the Constitution disagreed about the scope of the new executive role they were creating and this volume reveals the ways the duties and power of the office developed contrary to many expectations. Here leading scholars of the early republic examine principles from European thought and culture that were key to establishing the conceptual language and institutional parameters for the American executive office. Unpacking the debates at the 1787 Constitutional Convention, these essays describe how the Constitution left room for the first presidents to set patterns of behavior and establish a range of duties to make the office functional within a governmental system of checks and balances. Contributors explore how these presidents understood their positions and fleshed out their full responsibilities according to the everyday operations required to succeed. As disputes continue to surround the limits of executive power today, this volume helps identify and explain the circumstances in which limits can be imposed on presidents who seem to dangerously exceed the constitutional parameters of their office. *Political Thought and the Origins of the American Presidency* demonstrates that this distinctive time-tested role developed from a fraught, historically contingent and contested process. Contributors: Claire Rydell Arcenas, Lindsay M. Chervinsky, François Furstenberg, Jonathan Gienapp, Daniel J. Hulsebosch, Ben Lowe, Max Skjelsberg, Eric Slauter, Caroline Winterer, Blair Worden, Rosemarie Zagarri. A volume in the Alan B. and Charna Larkin Series on the American Presidency.

The Oxford Handbook of International Human Rights Law Dinah Shelton, 2013-09 The Oxford Handbook of International Human Rights Law provides an authoritative and original overview of one of the key branches of international law. Forty contributors comprehensively analyse the role of human rights in international law from a global perspective, examining its origins and principles and measuring its impact on the world.

A Short History of European Law Tamar Herzog, 2018-01-08 A Short History of European Law brings to life 2,500 years of legal history, tying current norms to the circumstances of their conception. Tamar Herzog describes how successive legal systems built upon one another from ancient times through the European Union. Roman law formed the backbone of each configuration, though the way it was used and reshaped varied dramatically from one century and place to the next. Only by considering Continental civil law and English

common law together do we see how they drew from and enriched this shared tradition A remarkable achievement sure to become a go to text for scholars and students alike A must read for anyone eager to understand the origins of core legal concepts and institution like due process and rule of law that profoundly shape the societies in which we live today Amalia D Kessler Stanford University A fundamental and timely contribution to the understanding of Europe as seen through its legal systems Herzog masterfully shows the profound unity of legal thinking and practices across the Continent and in England Federico Varese Oxford University Required reading for Americanists North and South and indeed for all of us inhabiting a postcolonial world deeply marked by the millennia of legal imaginings whose dynamic transformations it so lucidly charts David Nirenberg University of Chicago

Encyclopedia of Human Rights David P Forsythe, 2009-08-27 Winner of the 2010 Dartmouth Medal this major five volume encyclopedia offers comprehensive coverage of all aspects of human rights theory practice law and history The set will provide situation profiles and full coverage of the development of the movement historical cases of abuse the key figures major organizations and a range of other issues in economics government religion and journalism that touch on human rights theory and practice In addition to providing original analytical articles covering standard subjects such as the right to health and health care Amnesty International the Balkan wars and former President of Ireland Mary Robinson it offers innovative coverage of such subjects as the Internet intellectual property rights the American civil rights movement globalization and Brazil in historical context Focusing primarily on developments since 1945 it offers an unrivaled reference source for students and researchers even human rights experts are likely to find much original material and keen insights in many of the entries KEY SUBJECT AREAS INCLUDE ORGANIZATIONS AND INSTITUTIONS American Civil Liberties Union World Health Organization UNICEF Carter Center LEADING FIGURES Adolf Hitler Steve Biko Elie Wiesel Simone de Beauvoir Joseph Stalin Eleanor Roosevelt Pol Pot Shirin Ebadi Kim Jong Il HUMAN RIGHTS EVENTS AND CRISES Darfur Irish Famine Soviet Gulag Central America in the 1980s Colonialism Belgian Congo AIDS HUMAN RIGHTS NORMS Ethnic Cleansing Women s Rights Religious Freedom Torture International Law Disability Rights

Revisiting the Origins of Human Rights Pamela Slotte, Miia Halme, 2015-09-11 Scholars of history law theology and anthropology critically revisit the history of human rights

The Routledge International Handbook of Globalization Studies Bryan Turner, Robert Holton, 2015-12-22 The second edition of the Routledge International Handbook of Globalization Studies offers students clear and informed chapters on the history of globalization and key theories that have considered the causes and consequences of the globalization process There are substantive sections looking at demographic economic technological social and cultural changes in globalization The handbook examines many negative aspects new wars slavery illegal migration pollution and inequality but concludes with an examination of responses to these problems through human rights organizations international labour law and the growth of cosmopolitanism There is a strong emphasis on interdisciplinary approaches with essays covering sociology demography economics politics anthropology and history The

second edition has been completely revised and features important new thinking on themes such as Islamophobia and the globalization of religious conflict shifts in global energy production such as fracking global inequalities fiscal transformations of the state and problems of taxation globalization and higher education and an analysis of the general sense of catastrophe that surrounds contemporary understandings of the consequences of a global world *Undoing Slavery* Kathleen M.

Brown,2023-02-01 *Undoing Slavery* excavates cultural political medical and legal history to understand the abolitionist focus on the body on its own terms Motivated by their conviction that the physical form of the human body was universal and faced with the growing racism of eighteenth and nineteenth century science abolitionists in North America and Britain focused on undoing slavery's harm to the bodies of the enslaved Their pragmatic focus on restoring the bodily integrity and wellbeing of enslaved people threw up many unexpected challenges This book explores those challenges Slavery exploited the bodies of men and women differently enslaved women needed to be acknowledged as mothers rather than as reproducers of slave property and enslaved men needed to claim full adult personhood without triggering white fears about their access to male privilege Slavery's undoing became more fraught by the 1850s moreover as federal Fugitive Slave Law and racist medicine converged The reach of the federal government across the borders of free states and theories about innate racial difference collapsed the distinctions between enslaved and emancipated people of African descent making militant action necessary Escaping to so called free jurisdictions refugees from slavery demonstrated that a person could leave the life of slavery behind But leaving behind the enslaved body the fleshy archive of trauma and injury proved impossible Bodies damaged by slavery needed urgent physical care as well as access to medical knowledge untainted by racist science As the campaign to end slavery revealed legal rights alone while necessary were not sufficient either to protect or heal the bodies of African descended people from the consequences of slavery and racism Uniquely Human: the Basis of Human Rights Gabriel

Moran,2013-08-21 *The basis of human rights* remains in need of exploration The effectiveness of the language of human rights is threatened by its widespread but uncritical use This book is neither a sermon to believers nor an attack by a skeptic It is a critical look at the basis of those few rights that are genuinely universal for example a right not to be tortured or a right to basic subsistence A human right is a claim that every human being can make on the whole human race The rights that are specifically human arise from a human respect for all living beings There is still a widespread assumption that human rights is just another name for the confused idea of natural rights from the eighteenth century rights that were promulgated by and for adult white males The authors of the UN's Universal Declaration of Human Rights in 1948 assumed that they were reformulating an old idea Instead they were beginning a new idea Human rights can be realized only through conversations across differences within gender age culture and religion This book traces those continuing conversations that fill out the diversity within the unity of the human race The convergence of many particular traditions creates a human tradition that can sustain human rights as a standard of moral conduct for all nations *Habeas Corpus in Wartime* Amanda

L. Tyler, 2017 This book is the most comprehensive account of the role of habeas corpus in wartime ever written It draws on a wealth of untapped resources to shed light on the political and legal understanding of habeas corpus that has unfolded over the course of Anglo American history The book traces the roots of the habeas privilege enshrined in the United States Constitution to England and then carries the story forward to document the profound influence of English law on early American law It then takes the story forward to document the understanding of the privilege and the role of suspension over the course of American history

The Just State Benjamin Straumann, 2025-01-22 An intellectual history of one of the most important contributions to Western society The Just State explores influential Greek and Roman ideas about justice and their institutional context and discusses their legacy in later political thought Bringing Greco Roman and modern ideas into conversation with each other Benjamin Straumann traces the history of ancient political thought by focusing on classical ideas about justice With a readable narrative style Straumann places Greek and Roman theories of justice in their historical context starting from Homer and the pre Socratic period through to the later Roman Empire and outlines the respective contribution of the Greek and Roman traditions of thinking about justice to early modern and Enlightenment political thought Concise chapters address Athenian democracy the Sophist movement the political philosophies of Plato and Aristotle the origins of constitutionalism in the Roman Republic classical influences on the American and French revolutions and more Highlighting how modern debates on justice can be enriched by an engagement with their classical foundations The Just State Examines the impact of Greek and Roman political thought on modern ideas and institutions Discusses the emergence of the city state and the origins of Greek political philosophy Describes the political ideas of the Hellenistic philosophical schools such as the Stoic idea of natural law Surveys the political philosophy found in influential works by Plato Aristotle Cicero St Augustine and other classical thinkers Explores the reception history of Roman ideas about justice from the re discovery of the Roman law of the Digest c 1100 CE to early modern thought about politics The Just State Greek and Roman Theories of Justice and their Legacy in Western Thought is an excellent textbook for undergraduate classes on the history of political thought and graduate seminars on classical political theory and ancient philosophy

The Sacredness of the Person Hans Joas, 2013-02-19 What are the origins of the idea of human rights and universal human dignity How can we most fully understand and realize these rights going into the future In The Sacredness of the Person internationally renowned sociologist and social theorist Hans Joas tells a story that differs from conventional narratives by tracing the concept of human rights back to the Judeo Christian tradition or alternately to the secular French Enlightenment While drawing on sociologists such as mile Durkheim Max Weber and Ernst Troeltsch Joas sets out a new path proposing an affirmative genealogy in which human rights are the result of a process of sacralization of every human being According to Joas every single human being has increasingly been viewed as sacred He discusses the abolition of torture and slavery once common practice in the pre 18th century west as two milestones in modern human history The author concludes by

portraying the emergence of the UN Declaration of Human Rights of 1948 as a successful process of value generalization Joas demonstrates that the history of human rights cannot adequately be described as a history of ideas or as legal history but as a complex transformation in which diverse cultural traditions had to be articulated legally codified and assimilated into practices of everyday life The sacralization of the person and universal human rights will only be secure in the future warns Joas through continued support by institutions and society vigorous discourse in their defense and their incarnation in everyday life and practice *Human Rights in the World Community* Burns H. Weston, Anna Grear, 2016-04 Designed for educational use in international relations law political science economics and philosophy classes *Human Rights in the World Community* treats the full range of human rights issues including implementation problems and processes involving international national and nongovernmental action Now with online appendices *The Mythic Meanings of the Second Amendment* David C. Williams, 2003-01-01 David Williams offers a new reading of the Second Amendment suggesting that it guarantees to individuals a right to arms only insofar as they are part of a united consensual people so that their uprising can be a unified revolution rather than a civil war **A Laboratory of Liberty** Marc Lerner, 2011-10-14 Looking at a series of Swiss political debates this book offers a case study of a revolutionary transformation to a rights based society and political culture Based on a tradition of political innovation and experimentation Swiss citizens recalibrated their understanding of liberty and republicanism from 1750 to 1848 The resulting hybrid political culture centered around republican ideas changing understandings of liberty and self rule Drawing from the public political debates in three characteristic cantons *A Laboratory of Liberty* places the Swiss transformation into a European context Current trends in Revolutionary studies focus on the revolution in its global context and this book demonstrates that the Swiss case enhances our understanding of the debates over the nature of liberty in the transatlantic world during the Age of Revolution **The Civic Constitution** Elizabeth Beaumont, 2014 *The Civic Constitution* provides a compelling case for rethinking the U S Constitution By exploring pivotal struggles over governmental power individual rights and the boundaries of citizenship this book challenges reigning approaches and reveals the profound importance of civic founders who worked to reinvent the constitutional order

Teaching and Learning About Religious Diversity in the Past and Present Karel Van Nieuwenhuyse, John Maiden, Stefanie Sinclair, 2025-01-29 This edited book explores examples of different ways in which societies and individuals have dealt with the concepts of religious diversity toleration and peace making in politics and law and how these examples can inform educators and learners in in and non formal education today Chapters introduce and analyse nine key documents the Capitulations of Granada 1492 the Confederation of Warsaw 1573 the Peace of Westphalia 1648 the Royal Charter of Rhode Island 1663 the Declaration of the Rights of Man and of the Citizen 1789 the European Convention of Human Rights 1950 the Belfast Good Friday Agreement 1998 the Ohrid Framework Agreement 2001 and the Mardin Declaration 2010 In addition to explaining how each document manages toleration and peace the authors also provide clippings short visual and textual

excerpts relating to the document under discussion These aim to challenge thinking about the historical document and its potential significance for the present The book s contributors consider the past as a source of inspiration for learning in formal and informal educational contexts such as classrooms museums and youth work It will be of interest to teachers and scholars in history citizenship philosophy ethics and religious education in schools and beyond

Modern Isonomy Gerald Stourzh, 2021-12-17 Until the eighteenth century Western societies were hierarchical ones Since then they have transformed themselves into societies dominated by two features participatory democracy and the protection of human rights In *Modern Isonomy* distinguished political theorist Gerald Stourzh unites these ideas as isonomy The ideal Stourzh argues is a state and indeed a world in which individual rights including the right to participate in politics equally are clearly defined and possessed by all Stourzh begins with ancient Greek thought contrasting isonomy which is associated with the rule of the many with gradated societies oligarchies and monarchies He then discusses the American experiment with the development of representative democracy as well as the French Revolution which proclaimed that all people are born and remain free and with equal rights But progress on the creation and protection of rights for all has been uneven Stourzh discusses specifically the equalization of slaves peasants women Jews and indigenous people He demonstrates how deeply intertwined the protection of equal rights is with the development of democracy and gives particular attention to the development of constitutional adjudication notably the constitutional complaint of individuals He also discusses the international protection human rights Timely and thought provoking *Modern Isonomy* is an erudite exploration of political and human rights

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