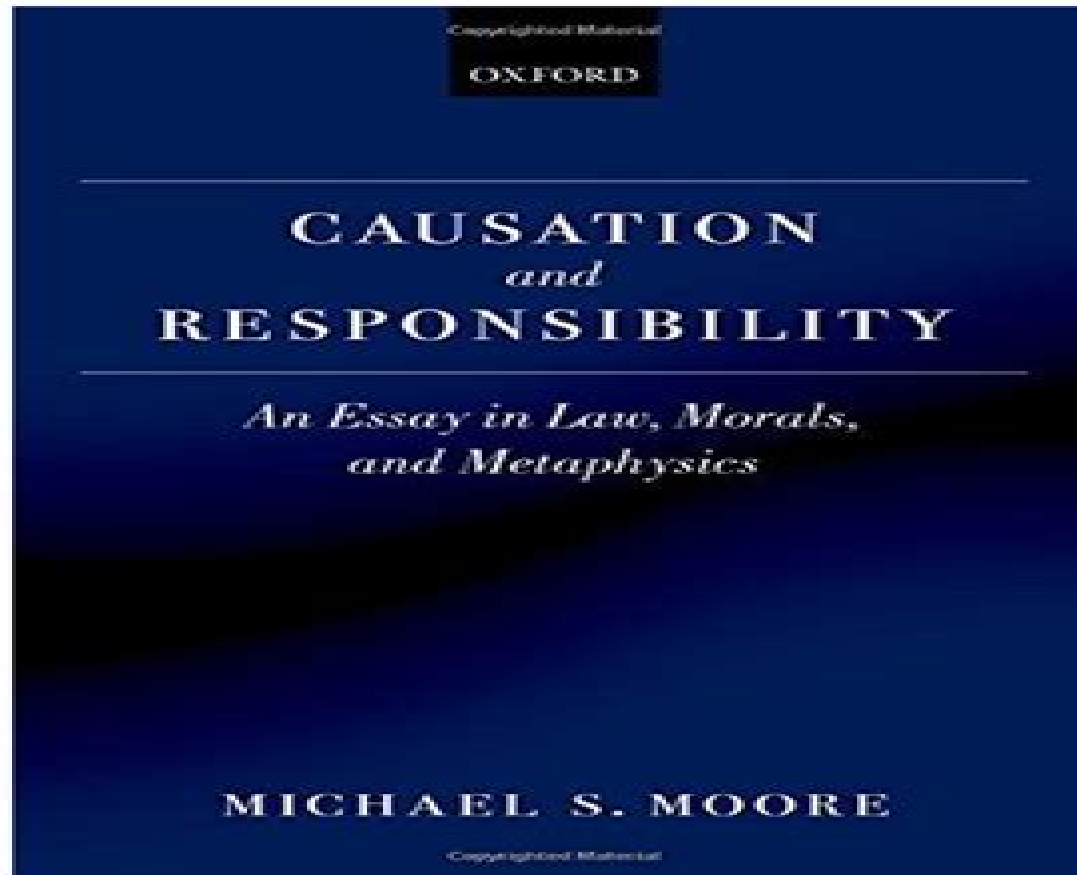


Causation and Responsibility: An Essay in Law, Morals, and Metaphysics



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Description :

The concept of causation is fundamental to ascribing moral and legal responsibility for events. Yet the relationship between causation and responsibility remains unclear. What precisely is the connection between the concept of causation used in attributing responsibility and the accounts of causal relations offered in the philosophy of science and metaphysics? How much of what we call causal responsibility is in truth defined by non-causal

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Benedikt Kahmen, Markus Stepanians

Causation And Responsibility An Essay In Law Morals And Metaphysics:

Causation and Responsibility Michael S. Moore, 2010-07-15 The concept of causation is fundamental to ascribing moral and legal responsibility for events Yet the relationship between causation and responsibility remains unclear What precisely is the connection between the concept of causation used in attributing responsibility and the accounts of causal relations offered in the philosophy of science and metaphysics How much of what we call causal responsibility is in truth defined by non causal factors This book argues that much of the legal doctrine on these questions is confused and incoherent and offers the first comprehensive attempt since Hart and Honor to clarify the philosophical background to the legal and moral debates The book first sets out the place of causation in criminal and tort law and outlines the metaphysics presupposed by the legal doctrine It then analyses the best theoretical accounts of causation in the philosophy of science and metaphysics and using these accounts criticises many of the core legal concepts surrounding causation such as intervening causation foreseeability of harm and complicity It considers and rejects the radical proposals to eliminate the notion of causation from law by using risk analysis to attribute responsibility The result of the analysis is a powerful argument for revising our understanding of the role played by causation in the attribution of legal and moral responsibility

Critical Essays on "Causation and Responsibility" Benedikt Kahmen, Markus Stepanians, 2013-10-14 Due to its scope and depth Moore's *Causation and Responsibility* is probably the most important publication in the philosophy of law since the publication of Hart's and Honor's *Causation in the Law* in 1959 This volume offers for the first time a detailed exchange between legal and philosophical scholars over Moore's most recent work In particular it pioneers the dialogue between English speaking and German philosophy of law on a broad range of pressing foundational questions concerning causation in the law It thereby fulfills the need for a comprehensive international and critical discussion of Moore's influential arguments The 15 contributors to the proposed volume span the whole interdisciplinary field from law and morals to metaphysics and the authors include distinguished criminal and tort lawyers as well as prominent theoretical and practical philosophers from four nations In addition young researchers take brand new approaches in the field The collection is essential reading for anyone interested in legal and moral theory

Legal, Moral, and Metaphysical Truths Kimberly Kessler Ferzan, Stephen J. Morse, 2016 Reviewing the work of legal philosopher Michael S Moore this volume examines how crimes ought to be defined what justifies punishment what moral commitments underlie the law how our understanding of concepts such as causation impact law and morality and how psychiatry and cognitive neuroscience relate to law

Perspectives on Causation Richard Goldberg, 2011-10-21 The chapters in this volume arise from a conference held at the University of Aberdeen concerning the law of causation in the UK Commonwealth countries France and the USA The distinguished group of international experts who have contributed to this book examine the ways in which legal doctrine in causation is developing and how British law should seek to influence and be influenced by developments in other countries As such the book will serve as a focal point for

the study of this important area of law The book is organised around three themes the black letter law scientific evidence and legal theory In black letter law scholarship major arguments have emerged about how legal doctrine will develop in cases involving indeterminate defendants and evidential gaps in causation Various chapters examine the ways in which legal doctrine should develop over the next few years in particular in England Scotland Canada and the USA including the problem of causation in asbestos cases In the area of scientific evidence its role in the assessment of causation in civil litigation has never been greater The extent to which such evidence can be admitted and used in causation disputes is controversial This section of the book is therefore devoted to exploring the role of statistical evidence in resolving causation problems including recent trends in litigation in the UK USA Australia and in France and the question of liability for future harm In the legal theory area the so called NESS necessary element in a sufficient set test of causation is discussed and defended The importance of tort law responding to developing science and observations from the perspective of precaution and indeterminate causation are also explored The book will be of interest to legal academics policy makers in the field specialist legal practitioners those in the pharmaceutical and bioscience sectors physicians and scientists

Cause, Knowledge and Responsibility António Manuel Martins, 2015 The present volume discuss aspects of Cause Knowledge and Responsibility from various theoretical points of view The contributions provide input to intense discussions on these contested topics The volume is based on results of the conference of the Institut International de Philosophie IIP in 9-13 September 2009 at the University of Coimbra

Rethinking the Individualism-Holism Debate Julie Zahle, Finn Collin, 2014-06-05 This collection of papers investigates the most recent debates about individualism and holism in the philosophy of social science The debates revolve mainly around two issues firstly whether social phenomena exist sui generis and how they relate to individuals This is the focus of discussions between ontological individualists and ontological holists Secondly to what extent social scientific explanations may and should focus on individuals and social phenomena respectively This issue is debated amongst methodological holists and methodological individualists In social science and philosophy both issues have been intensively discussed and new versions of the dispute have appeared just as new arguments have been advanced At present the individualism holism debate is extremely lively and this book reflects the major positions and perspectives within the debate This volume is also relevant to debates about two closely related issues in social science the micro macro debate and the agency structure debate This book presents contributions from key figures in both social science and philosophy in the first such collection on this topic to be published since the 1970s

Psychopathology and Philosophy of Mind Valentina Cardella, Amelia Gangemi, 2021-03-30 This book explores how the human mind works through the lens of psychological disorders challenging many existing theoretical constructs especially in the fields of psychology psychiatry and philosophy of mind Drawing on the expertise of leading academics the book discusses how psychopathology can be used to inform our understanding of the human mind The book argues that studying mental disorders can deepen the understanding of

psychological mechanisms such as reasoning emotions and beliefs alongside fundamental philosophical questions including the nature of the self the universal aspects of morality and the role of rationality and normativity in human nature By crossing different domains this book offers a fresh perspective on the human mind based on the dialogue between philosophy cognitive science and clinical psychology Mental disorders discussed include schizophrenia anxiety disorders major depression obsessive compulsive disorder post traumatic stress disorder and paranoia This book caters to the increasing interest in interdisciplinary approach to solving some of the problems in psychopathology Since this book treats psychological engagement with empirically informed philosophy of mind this book is essential reading for students and researchers of cognitive psychology clinical psychology and philosophy as well as being of interest to clinicians and psychiatrists

The Routledge Handbook of Philosophy of Agency Luca Ferrero, 2022-01-25 One of the most basic and important distinctions we draw is between those entities with the capacity of agency and those without As humans we enjoy agency in its full blooded form and therefore a proper understanding of the nature of agency is of great importance to appreciate who we are and what we should expect and demand of our existence The Routledge Handbook of Philosophy of Agency is an outstanding reference source to the key issues problems and debates in this exciting subject and is the first collection of its kind Comprising 42 chapters by an international team of contributors the Handbook is divided into eight clear parts The Metaphysics of Agency Kinds of Agency Agency and Ability Agency Mind Body and World Agency and Knowledge Agency and Moral Psychology Agency and Time Agency Reasoning and Normativity A broad range of topics are covered including the relation of agency to causation teleology animal agency intentionality planning skills disability practical knowledge self knowledge the will responsibility autonomy identification emotions personal identity reasons morality the law aesthetics and games The Routledge Handbook of Philosophy of Agency is essential reading for students and researchers within philosophy of action philosophy of mind metaphysics philosophy of psychology and ethics

Neurolaw: The Call for Adjusting Theory Based on Scientific Results José M. Muñoz, Eric García-López, Elena Rusconi, 2020-12-10 This eBook is a collection of articles from a Frontiers Research Topic Frontiers Research Topics are very popular trademarks of the Frontiers Journals Series they are collections of at least ten articles all centered on a particular subject With their unique mix of varied contributions from Original Research to Review Articles Frontiers Research Topics unify the most influential researchers the latest key findings and historical advances in a hot research area Find out more on how to host your own Frontiers Research Topic or contribute to one as an author by contacting the Frontiers Editorial Office frontiersin.org/about/contact

The Hastings Law Journal , 2010-11

The Supreme Court Cases India. Supreme Court, 2019

Jurisprudence Brian Bix, 2012 A broad overview of the main topics and central issues in legal theory Jurisprudence provides students with an informative introduction Academically challenging and often controversial ideas are pre

Florida Law Review , 2012

New Advances in Causation, Agency and Moral Responsibility Fabio Bacchini, Stefano Caputo, 2015-01-12 This volume brings together a

number of previously unpublished essays that will advance the reader's philosophical understanding of specific aspects of causation agency and moral responsibility These are deeply intertwined notions and a large proportion of the volume is taken up by papers that shed light on their mutual connections or defend certain claims concerning them The volume investigates several important questions including Can causation be perceived If it can can it be perceived in any way other than visually Can the interventionist theory developed by James Woodward offer an adequate account of causation Is a causal relation a necessary condition for moral responsibility Can there be a responsibility difference without a causal difference Are causal ascriptions based on the more primitive language game of blame ascriptions What can be learnt from the analogy between causal interference and unbreakable processes on one side and motivational interferences and unbreakable resolutions on the other side How can humans be routinely considered responsible for non deliberated omissions Should the connection between moral responsibility and the epistemic conditions usually required for moral responsibility to be obtained be weakened What is the connection between awareness of one's doing and intentional action

Causing Human Actions Jesús Humberto Aguilar, Andrei A. Buckareff, 2010 The contributors first consider metaphysical issues then reasons explanations of action and finally new directions for thinking about the CTA They discuss such topics as the tenability of some alternatives to the CTA basic causal deviance the etiology of action teleologism and anticausalism and the compatibility of the CTA with theories of embodied cognition Two contributors engage in an exchange of views on intentional omissions that stretches over four essays directly responding to each other in their follow up essays Pub desc

Index, 1978 *A Religious Encyclopædia* Philip Schaff, Samuel Macauley Jackson, David Schley Schaff, 1883 *A Religious Encyclopaedia: Or Dictionary of Biblical, Historical, Doctrinal, and Practical Theology* Philip Schaff, Samuel Macauley Jackson, 1889

Causation and Free Will Carolina Sartorio, 2016 Carolina Sartorio argues that only the actual causes of our behaviour matter to our freedom Although this simple view of freedom clashes with most theories of responsibility including the most prominent actual sequence theories currently on offer Sartorio argues for its truth The key she claims lies in a correct understanding of the role played by causation in a view of that kind Causation has some important features that make it a responsibility grounding relation and this contributes to the success of the view Also when agents act freely the actual causes are richer than they appear to be at first sight in particular they reflect the agents sensitivity to reasons where this includes both the existence of actual reasons and the absence of other counterfactual reasons So acting freely requires more causes and quite complex causes as opposed to fewer causes and simpler causes and is compatible with those causes being deterministic The book connects two different debates the one on causation and the one on the problem of free will in new and illuminating ways

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