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Individual Duty within a Human Rights Discourse (Applied Legal Philosophy)

Douglas Hodgson

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Over the past two decades or so, legal literature has devoted much attention to various human rights issues at both the national and international levels. Yet there has been comparatively little written on the concept and importance of individual duty within the human rights discourse. This book attempts to comprehensively and systematically examine the corollary of human right - the principle of individual duty - from a number of different perspectives, including history, the law (principally international human rights and humanitarian law and national constitutional law), philosophy, jurisprudence, religion, and ethics. The author attempts to demonstrate that a greater emphasis upon individual duties is consistent with a cultural relativist critique, natural law theory, the experience of national legal systems and regional human rights systems, certain socio-political philosophies and conventional sociological postulates, and the dictates of good public policy. The author urges the assignment of a greater, indeed revived, role for the principle of individual duty in order to achieve a more salutary balance between rights and duties and in the relationship between individual freedom and the welfare of the general community.

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