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The justification given for the use of restraint is to reduce risk to the individual concerned. As a rule we all have the right to take risks in our lives; risk-taking is a part of normal life. Any activity has some degree of risk attached to it, but that risk can change according to our capabilities. There is hardly any

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An enlightening, intensely researched examination of

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violations of the constitutional principles that preserve individual rights and civil liberties from courtrooms to classrooms. With telling anecdote and detail, Pulitzer Prize-winner David K. Shipler explores the territory where the Constitution meets everyday America, where legal compromises—before and since 9/11—have undermined the criminal justice system’s fairness, enhanced the executive branch’s power over citizens and immigrants, and impaired some of the freewheeling debate and protest essential in a constitutional democracy. Shipler demonstrates how the violations tamper with America’s safety in unexpected ways. While a free society takes risks to observe rights, denying rights creates other risks. A suspect’s right to silence may deprive police of a confession, but a forced confession is often false. Honoring the right to a jury trial may be cumbersome, but empowering prosecutors to coerce a guilty plea means evidence goes untested, the charge unproved. An investigation undisciplined by the Bill of Rights may jail the innocent and leave the guilty at large and dangerous. Weakened constitutional rules allow the police to waste precious resources on useless intelligence gathering and frivolous arrests. The criminal courts act less as impartial adjudicators than as conveyor belts from street to prison in a system that some disillusioned participants have nicknamed “McJustice.” There is, always, a human cost. Shipler shows us victims of torture and abuse—not only suspected terrorists at the hands of the CIA but also murder suspects interrogated by the Chicago police. We see a poverty-stricken woman forced to share an attorney with her drug dealer boyfriend and sentenced to six years in prison when the conflict of

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interest turns her lawyer against her. We meet high school students suspended for expressing unwelcome political opinions. And we see a pregnant immigrant deported, after years of living legally in the country, for allegedly stealing a lottery ticket. Often shocking, yet ultimately idealistic, *Rights at Risk* shows us the shadows of America where the civil liberties we rightly take for granted have been eroded—and summons us to reclaim them.

What are the limits of human rights, and what do these limits mean? This volume engages critically and constructively with this question to provide a distinct contribution to the contemporary discussion on human rights. Fassbender and Traisbach, along with a group of leading experts in the field, examine the issue from multiple disciplinary perspectives, analysing the limits of our current discourse of human rights. It does so in an original way, and without attempting to deconstruct, or deny, human rights. Each contribution is supplemented by an engaging comment which furthers this important discussion. This combination of perspectives paves the way for further thought for scholars, practitioners, students, and the wider public. Ultimately, this volume provides an exceptionally rich spectrum of viewpoints and arguments across disciplines to offer fresh insights into human rights and its limitations.

This book provides health and social care professionals with an authoritative reading resource on the ethics and use of restraint. It provides an overview of the different forms of restraint, the conditions under which they are used, and their

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implications for the health and wellbeing of older people.

Disability studies scholars and activists have long criticized and critiqued so-termed 'charitable' approaches to disability where the capitalization of individual disabled bodies to invoke pity are historically, socially, and politically circumscribed by paternalism. Disabled individuals have long advocated for civil and human rights in various locations throughout the globe, yet contemporary human rights discourses problematically co-opt disabled bodies as 'evidence' of harms done under capitalism, war, and other forms of conflict, while humanitarian non-governmental organizations often use disabled bodies to generate resources for their humanitarian projects. It is the connection between civil rights and human rights, and this concomitant relationship between national and global, which foregrounds this groundbreaking book's contention that disability studies productively challenge such human rights paradigms, which troublingly eschew disability rights in favor of exclusionary humanitarianism. It relocates disability from the margins to the center of academic and activist debates over the vexed relationship between human rights and humanitarianism. These considerations thus productively destabilize able-bodied assumptions that undergird definitions of personhood in civil rights and human rights by highlighting intersections between disability, race, gender ethnicity, and sexuality as a way to interrogate the possibilities (and limitations) of human rights as a politicized regime.

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This book tackles a complex area of law, social policy and social work, providing a comprehensive analysis of the theoretical, practical and legal boundaries of State power following safeguarding and child protection referrals in England. The book examines the history, rationale and implications of the current position, concluding that the balance of power is weighted in favour of the State. The Limits of State Power & Private Rights is ground-breaking in its approach to the subject and its detailed, critical analysis. Traditionally the subject matter of the book is considered within a welfare framework. The analysis in this book argues that a policing agenda is embedded within policy but without appropriate safeguards and controls, creating potentially irreconcilable tension described by the author as the 'welfare/policing dichotomy'. This book is of importance to academics, lawyers, social workers, policy makers, practitioners and service users. The book is written so as to be accessible to a multi-disciplinary audience, but is sufficiently detailed so as to be suitable for specialists and non-specialists alike in this subject area. The chapters include introductory and contextual sections as well as doctrinal, theoretical and socio-legal analysis. Although the focus is on the English system, the book is equally applicable to the many worldwide jurisdictions adopting the Anglo/American 'child rights' based framework of child protection. It is also of use as a comparative work in countries where a family support based system is practiced.

Combining ethical theory with discussions of caselaw, Jeffrey Brand-Ballard challenges arguments for the

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traditional view, including arguments from the fact that judges swear oaths to uphold the law, and arguments from our duty to obey the law, among others.

This provocative, lucidly written reconstruction of utilitarianism focuses on the practical constraints involved in ethical choice: information may be inadequate, and understanding of causes and effects may be limited. Good decision making may be especially constrained if other people are closely involved in determining an outcome. Hardin demonstrates that many of these structural issues can and should be distinguished from the thornier problems of utilitarian value theory, and he is able to show what kinds of moral conclusions we can reach within the limits of reason.

This book argues that human rights should be balanced with other values that are indispensable for social harmony and personal happiness.

This book demonstrates the importance of a duty-based approach to morality. The dominance of what has been labeled "rights talk" leads to the neglect of duties without corresponding rights (e.g., duties of virtue) and stimulates the proliferation of questionable human rights. Therefore, this book argues for a duty-based perspective on morality in order to, first, salvage duties of virtue, and, second, counter the trend of rights-proliferation by providing some conceptual clarity concerning rights and duties that will enable us to differentiate between genuine and spurious rights-claims. The argument for this duty-

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based perspective is made by examining two particularly contentious duties: duties to aid the global poor and civic duties. These two duties serve as case studies and are explored from the perspectives of political theory, jurisprudence and moral philosophy. The argument is made that both these duties can only be adequately defined and allocated if we adopt the perspective of duties, as the predominant perspective of rights either does not recognize them to be duties at all or else leaves their content and allocation indefinite. This renewed focus on duties does not wish to diminish the importance of rights. Rather, the duty-based perspective on morality will strengthen human rights discourse by distinguishing more strictly between genuine and inauthentic rights. Furthermore, a duty-based approach enriches our moral landscape by recognizing both duties of justice and duties of virtue. The latter duties are not less important or supererogatory, but function as indispensable complements to the duties prescribed by justice. In this perceptive and exceptionally lucid book, Eric Boot argues that a duty-focused approach to morality will remedy the shortcomings he finds in the standard accounts of human rights. The study tackles staple philosophical topics such as the contrasts between duties of virtue and duties of justice and imperfect and perfect obligations. But more importantly perhaps, it also confronts the practical question of what our human rights duties are and how we ought to act on them. Boot's book is a splendid example of how philosophy can engage and clarify real world problems. Kok-Chor Tan, Department of Philosophy, University of Pennsylvania. A lively and enjoyable

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defence of the importance of our having duties to fellow human beings in severe poverty. At a time when global justice has never been more urgent, this new book sheds much needed light. Thom Brooks, Professor of Law and Government and Head of Durham Law School, Durham University

Federalists vision of the Constitution; an interdisciplinary investigation.

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