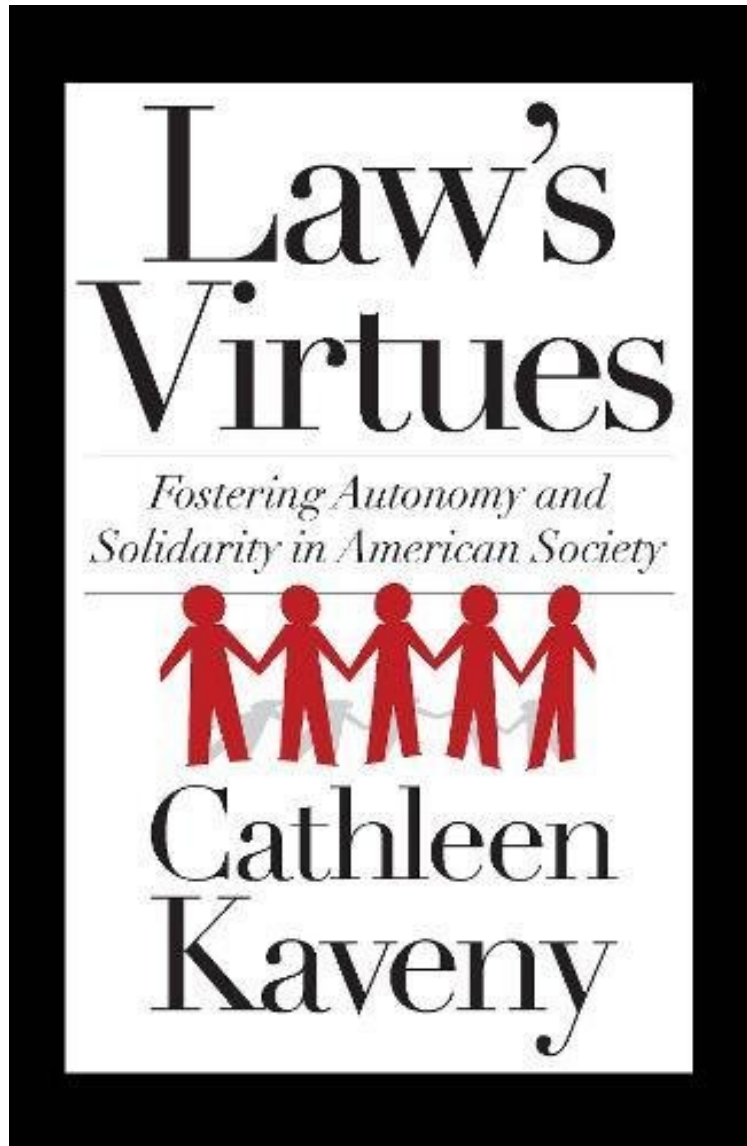


(Mobile book) Law's Virtues: Fostering Autonomy and Solidarity in American Society (Moral Traditions)

Law's Virtues: Fostering Autonomy and Solidarity in American Society (Moral Traditions)

Cathleen Kaveny

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Cathleen Kaveny : Law's Virtues: Fostering Autonomy and Solidarity in American Society (Moral Traditions) before purchasing it in order to gauge whether or not it would be worth my time, and all praised Law's Virtues: Fostering Autonomy and Solidarity in American Society (Moral Traditions):

5 of 5 people found the following review helpful. Even-handed argument of how law in a pluralist society can lead us

to human flourishing

By Julie Balamut

Dr. Kaveny's book is a welcome addition to the discussion of how Americans have viewed and interpreted civil law mostly as prevention from doing wrong, "law as policemen," a view argued recently by Joel Feinberg. Unlike the "law as policeman" model, she suggests that we look at our current way of making and interpreting our laws as "law leading to virtue." Instead of punishing doing wrong and viewing law as strictly punitive, she uses the model that Aquinas offers where the pursuit of the virtue of justice, promoting the common good should be considered in creating and interpreting our laws. Her argument is compelling, practical, and positive, as we continue to face the absolute deadlock we have reached as a society regarding such continuing hot button issues as abortion laws and euthanasia. Dr. Kaveny offers solid expertise both as a leading attorney and as a well-regarded theologian. She also weighs equally the importance of the legal and ethical issues of autonomy and, nicely, I think, brings in John Paul II's proclamation on solidarity; the idea that as humans we need to work together to see the injustices placed on the marginalized and work together as people of faith and as Americans to solve these injustices, while not infringing on equally compelling individual rights. Like the clear, concise thinker she is, she presents the history and arguments for the ways we have dealt with our laws in the past and in many ways the present, and intelligently points out her views of the strengths and weaknesses of the arguments. Then she offers her suggestions on how they could be accomplished in our pluralistic society, points out the challenges, and empowers us, not as liberals and conservatives, but as good people who want to make this country better for all Americans, to consider her proposals. I never thought I would want to read another essay about abortion as I'm weary about how the issue has divided people of good will for too many years. Dr. Kaveny addresses it head on and offers a way for all of us to consider this issue as we move forward in a way that may not be so hateful and divisive. Even though this book is in the very fine Ethics in Modern Life academic series, Dr. Kaveny writes so clearly, offers such illustrative examples, and presents others' work in clear, non-judgemental language. And don't be afraid of her discussions of moral theology, especially her discussions on Aquinas. As an Aquinas fan, who knows first-hand how difficult he can be, it is great to see his work explained so well and his ideas considered in our present day struggles in coming to terms with very hot contemporary issues that continue to divide us. I'd strongly suggest this book for those interested in how theology (not just Catholic or Christian) is used in considering the impact of how our civil laws can help us listen to each other instead of scream and denigrate each other. I thought it was a great book and can't wait for Dr. Kaveny's next discussion on the issues she presents so intelligently and convincingly in *Law's Virtues*. 0 of 0 people found the following review helpful. It was a thorough analysis from within the Catholic tradition ...

By Rohan

It was a thorough analysis from within the Catholic tradition. Professor Kaveny is speaking to secular legal theorists and to conservative Catholics who see that one issue should take precedence in our political discourse. Again agree with her or disagree with her, every informed Catholic should read this book. It will inform your thinking and you will develop your own theological developments within a political and legal context. Professor's Kaveny's approach to law will be in contrast to the liberal theory often embraced by political liberals and libertarians. However, it is much worth the time and effort to read through. 0 of 0 people found the following review helpful. Great book

By Mben

The book was new and reached me in good shape. I enjoyed reading it; it is written in clear language. Prof. Kaveny is really an astute author! I will definitely recommend it for people interested in philosophy of law, or in law in general.

Can the law promote moral values even in pluralistic societies such as the United States? Drawing upon important federal legislation such as the Americans with Disabilities Act, legal scholar and moral theologian Cathleen Kaveny argues that it can. In conversation with thinkers as diverse as Thomas Aquinas, Pope John Paul II, and Joseph Raz, she argues that the law rightly promotes the values of autonomy and solidarity. At the same time, she cautions that wise lawmakers will not enact mandates that are too far out of step with the lived moral values of the actual community. According to Kaveny, the law is best understood as a moral teacher encouraging people to act virtuously, rather than a police officer requiring them to do so. In *Law's Virtues* Kaveny expertly applies this theoretical framework to the controversial moral-legal issues of abortion, genetics, and euthanasia. In addition, she proposes a moral analysis of the act of voting, in dialogue with the election guides issued by the US bishops. Moving beyond the culture wars, this bold and provocative volume proposes a vision of the relationship of law and morality that is realistic without being relativistic and optimistic without being utopian.

"Moving beyond the 'culture wars' model of political engagement, Cathleen Kaveny digs deep in *Law's Virtues* to deliver a must read for anyone who cares about the relationship of law and morality in our pluralistic society." *America Magazine*

"Thought provoking." *Choice*

"A rich and, finally, polemical commentary on how Americans committed to Catholic teaching should respond morally and jurisprudentially to certain new moral problems." *Journal of Religion*

"Professor Kaveny's book is an excellent resource for understanding the relationship that ought to exist between law and ethics." *Health Progress*

"Given [the author's] intellectual gifts and also her position as professor of both theology and law at a prominent Catholic University, the arguments of this book will very likely have an influence, especially in Catholic circles, during the presidential campaign season of 2016." Kevin L. Flannery, *First Things*

"Cathleen Kaveny, a moral theologian and law professor, writes this book from the perspectives of a pro-life

commitment and acceptance of some moral teaching function for law, and a deep respect for our pluralistic representative democracy with its recognition of individual freedom. Her scholarly, thoughtful, well-written, balanced exposition of the complex issue of the role of law and its application to the burning issues of abortion, euthanasia, and genetics is must reading for all those interested in this contemporary discussion."Charles Curran, Elizabeth Scurlock University Professor of Human Values, Southern Methodist University"Through an impressive analysis that draws on her scholarly training in law and theology, Kaveny argues for a more nuanced view of how law can function as a moral teacher in a pluralistic society, reminding us that good lawmaking is practical, not merely theoretical, and the laws we make must teach lessons to ordinary people, not saints."Vincent Rougeau, dean, Boston College Law School"Seeing and championing the view that the law incorporates and inculcates morality, Kaveny balances this insight with realistic recognition of the limitations of law in a society marked by moral controversies. Intelligently, vigorously, and very specifically, she charts a course between legal laissez-faire and moral absolutism."John T. Noonan Jr., Judge, United States Court of Appeals for the Ninth Circuit"Cathleen Kaveny's *Law's Virtues* offers a lively, carefully nuanced, freshly creative approach to law and morality in a pluralistic society. Here is a major contribution to substantive dialogue and debate on controversial issues, and a welcome model of respect for conversation partners. "Margaret Farley, Gilbert L. Stark Professor Emerita of Christian Ethics, Yale University Divinity School"Cathleen Kaveny's *Law's Virtues* is a wonderful book. It makes a clear, rich, nuanced, and compelling case for law's function as a moral teacher in a pluralistic society."James F. Childress, University Professor and Hollingsworth Professor of Ethics, University of Virginia"Law's Virtues is an important and timely book. As the US faces another presidential election, the fundamental questions Kaveny addresses about the relationship between law, moral theology, and political action will loom large before the public. In lucid prose, she explicates a convincing, broadly Thomistic theory of 'the law as teacher' and applies that theory to such vexing questions as abortion, euthanasia, and genetic testing. Moreover, she provides a truly traditional understanding of such misunderstood and frequently abused terms as 'intrinsic evil' and 'immoral cooperation.' Kaveny helps us to understand what it means for voting to be a moral act, and how to navigate our way through the culture wars using sound theology as a compass. This will be an important book to read during this election season and in the years to come."Daniel Sulmasy, MD, PhD, University of Chicago"True to her title, the author aims to model ways to think of law as a teacher of virtue in a pluralistic society, thereby melding Aquinas' classical reflection on virtue with the rich way legal theorist Joseph Raz assesses autonomy, enriched by John Paul II on solidarity. A tall order executed elegantly in prose accessible to all while deftly clarifying distinctions, expressly to counter the way ethical tools (like 'intrinsically evil') have been harnessed to misleading rhetorical use in 'culture wars' rather than used to illuminate taxing ethical issues. This painstaking study of the ways ethics and law intersect invites an illuminating exchange between theory and practice to guide citizens in voting as well as ethicists in assessing."David Burrell, CSC, Hesburgh Professor emeritus, University of Notre Dame

About the Author Cathleen Kaveny is John P. Murphy Foundation Professor of Law and professor of theology at the University of Notre Dame. She holds a JD and a PhD in religious ethics from Yale University. She is a regular columnist for *Commonweal*.