



Real Rights

Carl Wellman

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Real Rights offers a new theory of the grounds of legal and moral rights, thereby providing a platform from which to determine whether alleged rights are "real" or not. In particular, Wellman conceives of a legal or moral right as a complex of liberties, claims, powers, and immunities, and distinguishes the kinds of laws and moral reasons that can ground each of these. The book argues that only agents can be right-holders, that children and the mentally-limited can have only limited rights, while fetuses, the dead, and groups can have none. It also discusses the duties implied by any real right, as well as the kinds of considerations (including conflicting rights) that could override implied duties. This original and systematic discussion of the grounds of rights should interest a wide range of scholars and practitioners in philosophy, law, and political science.

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