

RONALD DWORKIN



JUSTICE FOR
HEDGEHOGS

Justice For Hedgehogs Ronald Dworkin

Peter MacKinnon



Justice For Hedgehogs Ronald Dworkin:

Justice for Hedgehogs Ronald Dworkin, 2011-05-03 The fox knows many things the Greeks said but the hedgehog knows one big thing In his most comprehensive work Ronald Dworkin argues that value in all its forms is one big thing that what truth is life means morality requires and justice demands are different aspects of the same large question He develops original theories on a great variety of issues very rarely considered in the same book moral skepticism literary artistic and historical interpretation free will ancient moral theory being good and living well liberty equality and law among many other topics What we think about any one of these must stand up eventually to any argument we find compelling about the rest Skepticism in all its forms philosophical cynical or post modern threatens that unity The Galilean revolution once made the theological world of value safe for science But the new republic gradually became a new empire the modern philosophers inflated the methods of physics into a totalitarian theory of everything They invaded and occupied all the honorifics reality truth fact ground meaning knowledge and being and dictated the terms on which other bodies of thought might aspire to them and skepticism has been the inevitable result We need a new revolution We must make the world of science safe for value

Symposium ,2010 *Justice for Hedgehogs* Ronald Dworkin, 2021-09-24 **Against Post-Liberal Courts and Justice** Lesley A. Jacobs, Matthew McManus, 2023-12-27 This book covers how Liberal institutions constitutional democracy economic markets liberal courts free trade international human rights around the world are under assault by the political right and we are witnessing the emergence of post liberal institutions These post liberal institutions are founded on the core conviction that the actions of liberal institutions including the United States Supreme Court are patently unjust This volume makes the case against post liberal courts and justice by reconnecting to the principles of moral equality and dignified freedom for all The intention is to show how there is great untapped potential in the work of Ronald Dworkin s work to demonstrate that it can help progressive liberals think through the great issues of the day and respond to the contemporary criticisms of the political right The core themes are concretely illustrated by focusing on some of the most controversial recent post liberal decisions of the Supreme Court ranging from election funding to abortion to race sensitive affirmative action to economic inequality in an age of increasingly unequal opportunities

Confronting Illiberalism: A Canadian Perspective Peter MacKinnon, *Natural Law and Thomistic Juridical Realism* Petar Popovic, 2022-02-04 This book proposes a rather novel legal philosophical approach to understanding the intersection between law and morality It does so by analyzing the conditions for the existence of a juridical domain of natural law from the perspective of the tradition of Thomistic juridical realism In order to highlight the need to reconnect with this tradition in the context of contemporary legal philosophy the book presents various other recent jurisprudential positions regarding the overlap between law and morality While most authors either exclude a conceptual necessity for the inclusion of moral principles in the nature of law or refer to the purely moral status of natural law at the foundations of the legal phenomenon the book seeks to elucidate the essential

properties of the juridical status of natural law In order to establish the juridicity of natural law the book explores the relevant arguments of Thomas Aquinas and some of his main commentators on this issue above all Michel Villey and Javier Hervada It establishes that Thomistic juridical realism observes the juridical phenomenon not only from the perspective of legal norms or subjective individual rights but also from the perspective of the primary meaning of the concept of right ius namely the just thing itself as the object of justice In this perspective natural rights already possess a fully juridical status and can be described as natural juridical goods In addition from the viewpoint of Thomistic juridical realism we can identify certain natural norms or principles of justice as the juridical title of these rights or goods The book includes an assessment of the prospective points of dialogue with the other trends in Thomistic legal philosophy as well as with various accounts of the nature of law in contemporary legal theory

Europe Jürgen Habermas, 2009-07-13 In this work one of Europe's leading intellectuals examines the political alternatives facing Europe today and outlines a course of action for the future Habermas advocates a policy of gradual integration of Europe in which key decisions about Europe's future are put in the hands of its peoples

Justice for Earthlings David Miller, 2013-01-10 David Miller explores what justice means for real people and challenges philosophical theories that ignore the facts of human life

Understanding Jurisprudence Raymond Wacks, 2015 Perfect for the student new to jurisprudence this book provides an illuminating introduction to the central questions of legal theory An experienced teacher of jurisprudence Professor Wacks approach is both accessible and entertaining providing the ideal base for further study

The Cambridge Handbook of Deliberative Constitutionalism Ron Levy, Hoi Kong, Graeme Orr, Jeff King, 2018-04-19 Deliberative democratic theory emphasises the importance of informed and reflective discussion and persuasion in political decision making The theory has important implications for constitutionalism and vice versa as constitutional laws increasingly shape and constrain political decisions The full range of these implications has not been explored in the political and constitutional literatures to date This unique Handbook establishes the parameters of the field of deliberative constitutionalism which bridges deliberative democracy with constitutional theory and practice Drawing on contributions from world leading authors this volume will serve as the international reference point on deliberation as a foundational value in constitutional law and will be an indispensable resource for scholars students and practitioners interested in the vital and complex links between democratic deliberation and constitutionalism

God and the Secular Legal System Rafael Domingo, 2016-09-29 This timely book offers a theistic approach to secular legal systems and demonstrates that these systems are neither agnostic nor atheist Critical but succinct in its approach this book focuses on an extensive range of liberal legal approaches to religious and moral issues and subjects them to critical scrutiny from a secular perspective Expertly written by a leading scholar the author offers a rare combination of profundity of ideas and simplicity of expression It is a ringing defense of the theistic conception of secular legal systems and an uncompromising attack on the agnostic and atheist conception

Access to Justice and Human Security Sindiso Mnisi Weeks, 2017-11-22

For most people in rural South Africa traditional justice mechanisms provide the only feasible means of accessing any form of justice. These mechanisms are popularly associated with restorative justice, reconciliation and harmony in rural communities. Yet this ethnographic study grounded in the political economy of rural South Africa reveals how historical conditions and contemporary pressures have strained these mechanisms' ability to deliver the high normative ideals with which they are notionally linked. In places such as Msinga access to justice is made especially precarious by the reality that human insecurity, a composite of physical, social and material insecurity, is high for both ordinary people and the authorities who staff local justice forums. Cooperation is low between traditional justice mechanisms and the criminal and social justice mechanisms the state is meant to provide and competition from purportedly more effective twilight institutions like vigilante associations is rife. Further contradictions are presented by profoundly gendered social relations premised on delicate social trust that is closely monitored by one's community and enforced through self-help measures like witchcraft accusations in a context in which violence is culturally and practically a highly plausible strategy for dispute management. These contextual considerations compel us to ask what justice we can reasonably speak of access to in such an insecure context and what solutions are viable under such volatile human conditions. The book concludes with a vision for access to justice in rural South Africa that takes seriously ordinary people's circumstances and traditional authorities' lived experiences as documented in this detailed study. The author proposes a cooperative governance model that would maximise the resources and capacity of both traditional and state justice apparatus for delivering the legal and social justice, namely peace and protection from violence as well as mitigation of poverty and destitution that rural people genuinely need.

The Constitutional Structure of Europe's Area of 'Freedom, Security and Justice' and the Right to Justification Ester Herlin-Karnell, 2019-04-18. This book explores the implications of freedom as a non-domination oriented view for understanding EU security regulation and its constitutional implications. At a time when the European borders are under pressure and with the refugee and migration crisis which escalated in 2015, the idea of exploring a constitutional theory for the Area of Freedom, Security and Justice (AFSJ) might seem to be a utopian project. This appears especially true in the light of the increased threat of terrorism in Europe and on a global scale and where the expanding EU security agenda is often advanced through the administrative law path in contrast to the constitutional trajectory. Add to this the prolonged financial crisis which continues to cast a long shadow on the future development of EU integration and which suggests that Europe needs to re-invent itself beyond the sphere of economics. Therefore it is precisely because of the current uncertainties regarding the progress of the EU and the constitutional law project that a constitutional take on the AFSJ is of particular importance. The book investigates the meaning of non-domination and the idea of justice and justification in the area of EU security regulation. In doing so it focuses on the development of an AFSJ, what it means and why it represents a fascinating example of contemporary constitutional law with interacting layers of security regulation, human rights law and transnational

legal theory at its core **Justice as Friendship** Seow Hon Tan, 2016-03-09 This book explores the question of justification of law. It examines some perennial jurisprudential debates and suggests that law must find its justification in morality. Drawing upon the Aristotelian inspiration that friends have no need for justice in ideal friendship, we behave justly. Seow Hon Tan develops a theory of law based on the universal phenomenon of friendship. Friendships and legal relations attract rights and obligations by virtue of the manner in which parties are situated. Friendship teaches us that how parties are situated gives rise to legitimate expectations; it attests to the intrinsic worth of each person. The methodology for deciphering norms within and moral lessons from friendship can be transposed to law, resulting in an intersubjectively agreeable and rich conception of justice. In determining the content of legal rights and obligations, we can and should draw upon such determination in friendship. Justice as Friendship aims to provide a vision for law's development and invites the practitioner to advance its central claims in their area of expertise. In dealing with selected legal doctrines, the book draws upon illustrative cases from the United States, the United Kingdom, and the Commonwealth. The book traverses the fields of jurisprudence, philosophy, ethics, political theory, contract law, and tort law. Positive Freedom and the Law Kim

Treiger-Bar-Am, 2019-07-25 This book explains why we should stop thinking of freedom as limited to a right to be left alone. It explores how Kantian philosophy and Jewish thought instead give rise to a concept of positive freedom. At heart, freedom is inextricably linked to the obligation to respect the autonomy and dignity of others. Freedom thus requires relationships with others and provides an important source of meaning in liberal democratic societies. While individualism is said to foster detachment, positive freedom fosters relations. Moving from moral theory to law, duties are seen as intrinsic to rights. The book considers test cases involving the law of expression regarding authorial rights and women's prayer at Jerusalem's holy site of the Western Wall. Affirmative duties of respect are essential. Rights held by copyright owners require that all authors, including so-called users, are shown respect. Moreover, rights held by the authorities at the Western Wall require that all worshippers, including those whose interpretation of Jewish law differs from that adopted by the authorities, are respected.

Morality and Power Mike Berry, 2017-08-25 Offering a compelling critique of orthodox economic analysis in the public realm, Mike Berry exposes the lack of development in economic thinking in public policy since the economic crisis of 2008. Focusing on both the ethically unacceptable outcomes of recent public policy and the threat of populism and rising nationalism, this book offers noteworthy suggestions for an alternative social democratic future. Both students and practitioners of heterodox economics and public policy will find this a compelling insight into the ethical concerns and social impacts raised by the political ascendancy of neoliberal policies in recent decades. **The Thin Justice of International Law** Steven R. Ratner, 2015-01-15 In a world full of armed conflict and human misery, global justice remains one of the most compelling missions of our time. Understanding the promises and limitations of global justice demands a careful appreciation of international law, the web of binding norms and institutions that help govern the behaviour of states and other global

actors This book provides a new interdisciplinary approach to global justice one that integrates the work and insights of international law and contemporary ethics It asks whether the core norms of international law are just appraising them according to a standard of global justice derived from the fundamental values of peace and the protection of human rights Through a combination of a careful explanation of the legal norms and philosophical argument Ratner concludes that many international law norms meet such a standard of justice even as distinct areas of injustice remain within the law and the verdict is still out on others Among the subjects covered in the book are the rules on the use of force self determination sovereign equality the decision making procedures of key international organizations the territorial scope of human rights obligations including humanitarian intervention and key areas of international economic law Ultimately the book shows how an understanding of international law s moral foundations will enrich the global justice debate while exposing the ethical consequences of different rules

National Identity in EU Law Elke Cloots, 2015 With a focus on how national identity impacts the decision making of the European Court of Justice Elke Cloots provides an innovative adjudication scheme that purports to assist the ECJ in its search for a proper balance between respect for national identity and European integration

Harvard Law Review: Volume 127, Number 2 - December 2013 Harvard Law Review, 2013-12-10 The December 2013 issue of the Harvard Law Review is dedicated to the memory of Ronald Dworkin with In Memoriam essays offered by Richard Fallon Jr Charles Fried John C P Goldberg Frances Kamm Frank Michelman Martha Minow and Laurence Tribe The issue features an article by David Pozen entitled The Leaky Leviathan Why the Government Condemns and Condones Unlawful Disclosures of Information The issue also includes essays by Nicola Lacey and Geoffrey Shaw examining a previously lost writing by H L A Hart on discretion as well as the publication of Hart s essay Discretion itself which he wrote while visiting at Harvard in 1956 1957 Student Notes explore such subjects as regulation of the shadow banking system vagueness and delegation in the CFAA and the good faith exception to the exclusionary rule In addition student contributions explore Recent Cases on First Amendment commercial speech doctrine and pharmaceutical marketing school finance under state law duty of a school to protect from bullying warrantless search of cell phone data and untimely raising of ineffective assistance of counsel in a habeas petition after counsel failure A Recent Legislation summary explores restrictions on War Powers in the context of Guantanamo detainees and a summary of Recent Legislative Debate involves the filibuster of a Texas abortion bill Finally there are also several summaries of Recent Publications The Harvard Law Review is offered in a quality digital edition featuring active Contents linked notes active URLs in notes and proper formatting The contents of Volume 127 Number 2 Dec 2013 include scholarly articles and essays by leading academic figures

Tax Law and Racial Economic Justice Andre L. Smith, 2015-06-03 No study of Black people in America can be complete without considering how openly discriminatory tax laws helped establish a racial caste system in the United States how they were designed to exclude blacks from lucrative markets and the voting franchise and how tax laws extracted and redistributed vast sums of black wealth Not

only was slavery nearly a 100% tax on black labor so too was Jim Crow apartheid and tax laws specified the peculiar institution as negro slavery The first instances of affirmative action in the United States were tax laws designed to attract white men to the South The nineteenth century Federal Tariff indirectly redistributed perhaps a majority of the profits from slavery from the South to the North and is the principle reason the Confederate states seceded The only constitutional amendment obtained by the Civil Rights Movement is the Twenty Sixth Amendment abolishing poll taxes in federal elections Blending traditional legal theory neoclassical economics and a pan African view of history these six interrelated essays on race and taxes demonstrate that even in today s supposedly post racial society there is no area of human activity where racial dynamics are absent

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Table of Contents Justice For Hedgehogs Ronald Dworkin

1. Understanding the eBook Justice For Hedgehogs Ronald Dworkin
 - The Rise of Digital Reading Justice For Hedgehogs Ronald Dworkin
 - Advantages of eBooks Over Traditional Books
2. Identifying Justice For Hedgehogs Ronald Dworkin
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Justice For Hedgehogs Ronald Dworkin
 - User-Friendly Interface
4. Exploring eBook Recommendations from Justice For Hedgehogs Ronald Dworkin
 - Personalized Recommendations
 - Justice For Hedgehogs Ronald Dworkin User Reviews and Ratings

- Justice For Hedgehogs Ronald Dworkin and Bestseller Lists
- 5. Accessing Justice For Hedgehogs Ronald Dworkin Free and Paid eBooks
 - Justice For Hedgehogs Ronald Dworkin Public Domain eBooks
 - Justice For Hedgehogs Ronald Dworkin eBook Subscription Services
 - Justice For Hedgehogs Ronald Dworkin Budget-Friendly Options
- 6. Navigating Justice For Hedgehogs Ronald Dworkin eBook Formats
 - ePub, PDF, MOBI, and More
 - Justice For Hedgehogs Ronald Dworkin Compatibility with Devices
 - Justice For Hedgehogs Ronald Dworkin Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Justice For Hedgehogs Ronald Dworkin
 - Highlighting and Note-Taking Justice For Hedgehogs Ronald Dworkin
 - Interactive Elements Justice For Hedgehogs Ronald Dworkin
- 8. Staying Engaged with Justice For Hedgehogs Ronald Dworkin
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Justice For Hedgehogs Ronald Dworkin
- 9. Balancing eBooks and Physical Books Justice For Hedgehogs Ronald Dworkin
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Justice For Hedgehogs Ronald Dworkin
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Justice For Hedgehogs Ronald Dworkin
 - Setting Reading Goals Justice For Hedgehogs Ronald Dworkin
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Justice For Hedgehogs Ronald Dworkin
 - Fact-Checking eBook Content of Justice For Hedgehogs Ronald Dworkin
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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