
“Integrity is the key to understanding legal practice. Law's empire is defined by attitude, not territory or power or process.”

- Ronald Dworkin



Ronald Dworkin On Law As Integrity

Hans-W Micklitz



Ronald Dworkin On Law As Integrity:

Ronald Dworkin on Law as Integrity Paul Gaffney,1996 A full discussion on his understanding of rights as trump cards which privilege the individual claim over the group policy the critique of legal positivism the history of a legal institution according to the analogy of a chain novel and the insistence upon a theory of adjudication that is both constructive and yet faithful to the deepest intentions of legal documents Integrity, Community and Interpretation Simon Honeyball,James Walter,2019-05-20 First published in 1998 this volume examines the work of Ronald Dworkin the leading legal philosopher of our time ten years after his seminal work *Law s Empire* Its impact and influence was so extensive that the authors felt compelled to undertake both an in depth analysis of both the book itself and its critical reaction including a survey of the literature on *Law s Empire* Integrity, Community, and Interpretation Simon Honeyball,1997 *Exploring Law's Empire* Scott Hershovitz,2006-09-28 *Exploring Law s Empire* is a collection of essays examining the work of Ronald Dworkin in the philosophy of law and constitutionalism A group of leading legal theorists develop defend and critique the major areas of Dworkin s work including his criticism of legal positivism his theory of law as integrity and his work on constitutional theory The volume concludes with a lengthy response to the essays by Dworkin himself which develops and clarifies many of his positions on the central questions of legal and constitutional theory The volume represents an ideal companion for students and scholars embarking on a study of Dworkin s work *Readings in the Philosophy of Law - Third Edition* Keith C. Culver,Michael Giudice,2017-05-25 A rigorous introduction to profound questions about the nature and role of law THE THEORIES OF LEGAL PHILOSOPHY HASBOLLAH BIN MAT SAAD,2020-04-08 This book focused mainly on the subject matters that are related to the current issues of the relationship between the application of the law theory in the society and its aspects of practicality These two perspectives are the utmost important and relevant subjects which need more clarification that can be blended with our law We cannot always simply rely our thoughts to the theories of the western philosophers per se but we should have our own identity in shaping our law for the betterment of our country This book is designed and written in a very simple step so that the readers can understand the very basic of the subject matter in a better way The author also tried to open the readers minds through discussions in the related topics Refugees, Asylum Seekers and the Rule of Law Susan Kneebone,2009-03-19 An assessment of the impact of asylum on the integrity of the rule of law in five common law jurisdictions **Philosophy of Law as an Integral Part of Philosophy** Thomas Bustamante,Thiago Lopes Decat,2020-12-24 This edited collection considers the work of one of the most important legal philosophers of our time Professor Gerald J Postema It includes contributions from expert philosophers of law The chapters dig deep into important camps of Postema s rich theoretical project including the value of the rule of law the ideal of integrity in adjudication his works on analogical reasoning the methodology of jurisprudence dialogues with Ronald Dworkin Joseph Raz Frederick Schauer and HLA Hart The collection includes an original article by Professor Postema in which he develops his conception

of the rule of law and replies to some objections to previous works and an interview in which he provides a fascinating and unique insight into his philosophy of law

The Rule of Law Ian Shapiro, 1994 From the sprawling remnants of the Soviet empire to the southern tip of Africa attempts are underway to replace arbitrary political regimes with governments constrained by the rule of law This ideal which subordinates the wills of individuals social movements and even sometimes democratically elected majorities to the requirements of law is here explored by leading legal and political thinkers Part I of The Rule of Law examines the interplay of democracy and the rule of law while Part II focusses on the centuries old debate about the meaning of the rule of law itself Part III takes up the constraints that rationality exercises on the rule of law If the rule of law is desirable partly because it is rational then departures from that rule might also be desirable in the event that they can be shown to be rational Part IV concentrates on the limits of the rule of law considering the tensions between liberalism and the rule of law which exist despite the fact that reasoned commitment to the rule of the law is preeminently a liberal commitment Contributing to the volume are Robert A Burt Yale University Steven J Burton University of Iowa William N Eskridge Jr Georgetown University John Ferejohn Stanford University Richard Flathman Johns Hopkins University Gerald F Gaus University of Minnesota Duluth Jean Hampton University of Arizona Russell Hardin University of Chicago James Johnson University of Rochester Jack Knight Washington University Stephen Macedo Harvard University David Schmidtz Yale University Lawrence B Solum Loyola Marymount University Michael Walzer Princeton University Catherine Valcke University of Toronto and Michael P Zuckert Carleton College

God and the Secular Legal System Rafael Domingo, 2016-09-29 This is a timely contribution to the debate on the rights and liberties of religion beliefs and conscience in an age of secularization

The Politics of Justice in European Private Law Hans-W Micklitz, 2018-11-15 The Politics of Justice in European Private Law intends to highlight the differences between the Member States concepts of social justice which have developed historically and the distinct European concept of access justice Contrary to the emerging critique of Europe s justice deficit in the aftermath of the Euro crisis this book argues that beneath the larger picture of the Monetary Union a more positive and more promising European concept of justice is developing European access justice is thinner than national social justice but access justice represents a distinct conception of justice nevertheless Member States or nation states remain free to complement European access justice and bring to bear their own pattern of social justice

Statutory and Common Law Interpretation Kent Greenawalt, 2013 Kent Greenawalt s second volume on aspects of legal interpretation analyzes statutory and common law interpretation suggesting that multiple factors are important for each and that the relation between them influences both The book argues against any simple textualism claiming that even reader understanding of statutes depends partly on perceived intent In respect to common law interpretation use of reasoning by analogy is defended and any simple dichotomy of holding and dictum is resisted

Gadamer and Law Francis J. Mootz Iii, 2017-07-05 Hans Georg Gadamer s philosophical hermeneutics is especially relevant for law which is grounded in the

interpretation of authoritative texts from the past to resolve present day disputes In this collection leading scholars consider the importance of Gadamer s philosophy for ongoing disputes in legal theory The work of prominent philosophers including Fred Dallmayr P Christopher Smith and David Hoy is joined with the work of leading legal theorists such as William Eskridge Lawrence Solum and Dennis Patterson to provide an overview of the connections between law and Gadamer s hermeneutical philosophy Part I considers the relevance of Gadamer s philosophy to longstanding disputes in legal theory such as the debate over originalism the rule of law and proper modes of statutory and constitutional exegesis Part II demonstrates Gadamer s significance for legal theory by comparing his approach to the work of Nietzsche Habermas and Dworkin

The Promise of Legality Geneviève Cartier, Mark D Walters, 2025-05-15 This book assembles critical contributions on the work of TRS Allan the Professor Emeritus of Jurisprudence and Public Law at the University of Cambridge whose leading work in legal and constitutional theory spans almost 45 years Allan has charted a distinctive path for legal political and moral theory and practice and has become a highly significant figure in the UK and in common law parliamentary systems around the world His ideas challenge established opinions about constitutional law within these systems as well as established views about the rule of law from more abstract or philosophical perspectives Allan claims that law and morality find an inherent connection through the rule of law He argues that there is a connection that flourishes in common law jurisdictions because although Parliament has sovereign legislative powers its laws gain their full legal meaning only through an interpretive lens This lens seeks to reconcile sovereign will with legality s basic moral ideals especially the idea that law must be general and capable of guiding behaviour and thus respectful of the equality and dignity of its subjects Allan s scholarship is powerful yet controversial and it has inspired 20 leading scholars from the UK Canada Australia and New Zealand to engage with the central themes of his work By doing so the contributors help to make that work accessible to a new generation of scholars and students They also provide a timely framework for engaging in the most important challenges facing our democracies today how our legal systems do or do not honour and respect democracy and therefore legislative sovereignty while at the same time honouring and respecting the rule of law or the Promise of Legality

Constitutional Rights after Globalization Gavin Anderson, 2005-05-11 Constitutional Rights after Globalization juxtaposes the globalization of the economy and the worldwide spread of constitutional charters of rights The shift of political authority to powerful economic actors entailed by neo liberal globalization challenges the traditional state centred focus of constitutional law Contemporary debate has responded to this challenge in normative terms whether by reinterpreting rights or redirecting their ends e g to reach private actors However globalization undermines the liberal legalist epistemology on which these approaches rest by positing the existence of multiple sites of legal production e g multinational corporations beyond the state This dynamic between globalization and legal pluralism on one side and rights constitutionalism on the other provides the context for addressing the question of rights constitutionalism s counterhegemonic potential This shows first that the interpretive and instrumental

assumptions underlying constitutional adjudication are empirically suspect constitutional law tends more to disorder than coherence and frequently is an ineffective tool for social change Instead legal pluralism contends that constitutionalism's importance lies in symbolic terms as a legitimating discourse The competing liberal and new politics of definition the latter highlighting how neoliberal values and institutions constrain political action are contrasted to show how each advances different agenda A comparative survey of constitutionalism's engagement with private power shows that conceiving of constitutions in the predominant liberal legalist mode has broadly favoured hegemonic interests It is concluded that counterhegemonic forms of constitutional discourse cannot be effected within but only by unthinking the dominant liberal legalist paradigm in a manner that takes seriously all exercises of political power Reading Dworkin Critically Alan Hunt, 1992 This volume offers a critical interrogation of the widely influential legal and political philosophy of Ronald Dworkin As the central figure in contemporary Anglo American legal theory he has been involved in various debates in the past mainly with critics on the right who took issue with his radical liberalism In contrast the authors of this text challenge Dworkin's radical credentials not only with regard to his general political philosophy but also with reference to his legal theory his interpretive method and his view of judging This volume offers a critical interrogation of the widely influential legal and political philosophy of Ronald Dworkin As the central figure in contemporary Anglo American legal theory he has been involved in various debates in the past mainly with critics on the right who took issue with his radical liberalism In contrast the authors of this text challenge Dworkin's radical credentials not only with regard to his general political philosophy but also with reference to his legal theory his interpretive method and his view of judging *Natural Law and Justice* Lloyd L. Weinreb, 1987 Human beings are a part of nature and apart from it The argument of *Natural Law and Justice* is that the philosophy of natural law and contemporary theories about the nature of justice are both efforts to make sense of the fundamental paradox of human experience individual freedom and responsibility in a causally determined universe Lloyd Weinreb restores the original understanding of natural law as a philosophy about the place of humankind in nature He traces the natural law tradition from its origins in Greek speculation through its classic Christian statement by Thomas Aquinas He goes on to show how the social contract theorists adapted the idea of natural law to provide for political obligation in civil society and how the idea was transformed in Kant's account of human freedom He brings the historical narrative down to the present with a discussion of the contemporary debate between natural law and legal positivism including particularly the natural law theories of Finnis Richards and Dworkin Weinreb then adopts the approach of modern political philosophy to develop the idea of justice as a union of the distinct ideas of desert and entitlement He shows liberty and equality to be the political analogues of desert and entitlement and both pairs to be the normative equivalents of freedom and cause In this part of the book Weinreb considers the theories of justice of Rawls and Nozick as well as the communitarian theory of MacIntyre and Sandel The conclusion brings the debates about natural law and justice together as parallel efforts to understand the

human condition This original contribution to legal philosophy will be especially appreciated by scholars teachers and students in the fields of political philosophy legal philosophy and the law generally

Philosophical Perspectives on Democracy in the 21st Century Ann E. Cudd, Sally J. Scholz, 2013-12-03 This work offers a timely philosophical analysis of fundamental principles of democracy and the meaning of democracy today It explores the influence of big money and capitalism on democracy the role of information and the media in democratic elections and constitutional issues that challenge democracy in the wake of increased threats to privacy since 2001 and in light of the Citizens United decision of the US Supreme Court It juxtaposes alternate positions from experts in law and philosophy and examines the question of legitimacy as well as questions about the access to information the quality of information the obligations to attain epistemic competence among the electorate and the power of money Drawing together different political perspectives as well as a variety of disciplines this collection allows readers the opportunity to compare different and opposing moral and political solutions that both defend and transform democratic theory and practice

Beyond the Law's Reach? Shmuel Nili, 2024-09-05 *Beyond the Law's Reach* argues that fundamental assumptions in contemporary political philosophy need to be rethought in the face of pervasive political violence At an applied level Nili develops this claim by delving into a series of specific controversies all revolving around affluent democracies policy responses to the threat of pervasive violence abroad Examples include the ethics of giving refuge to beleaguered autocrats to avert civil war in their country the ethics of prosecuting foreign officials who have colluded with drug cartels and the admission of oligarchs who acquired their riches by distorting their country's rule of law At a more theoretical level the book shows that the moral principles needed to adjudicate these particular controversies can illuminate broader issues in normative political theory These range from the philosophy of criminal punishment through the relationship between the law's letter and its spirit to the general plausibility of certain moral theories and meta theories as public policy guides Ranging from influential theories of justice to some of the hardest moral dilemmas facing communities and leaders struggling with the shadow of violence this book explores the difficult circumstances in which we must aside not just the assumption of a stable liberal democracy but even the dream of a clear path towards such democracy

Law and Truth Dennis Michael Patterson, 1999 Taking up a single question What does it mean to say a proposition of law is true this book advances a major new account of truth in law Drawing upon the later philosophy of Wittgenstein as well as more recent postmodern theory of the relationship between language meaning and the world Patterson examines leading contemporary jurisprudential approaches to this question and finds them flawed in similar and previously unnoticed ways He offers a powerful alternative account of legal justification one in which linguistic practice the use of forms of legal argument holds the key to legal meaning

Ronald Dworkin On Law As Integrity Book Review: Unveiling the Power of Words

In some sort of driven by information and connectivity, the ability of words has be evident than ever. They have the ability to inspire, provoke, and ignite change. Such is the essence of the book **Ronald Dworkin On Law As Integrity**, a literary masterpiece that delves deep to the significance of words and their impact on our lives. Written by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we shall explore the book is key themes, examine its writing style, and analyze its overall effect on readers.

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