



# Reasonable Disagreements

with Richard A. Epstein and Adam J. White

# Reasonable Disagreement

**Jon Mandle, David A. Reidy**



## **Reasonable Disagreement:**

**Reasonable Disagreement** Christopher McMahon, 2009-07-16 This book length treatment of reasonable disagreement in politics sheds light on this important and overlooked aspect of political life *The Morality of Conflict* Samantha Besson, 2005-11-25 This book explores the relationship between the law and pervasive and persistent reasonable disagreement about justice It reveals the central moral function and creative force of reasonable disagreement in and about the law and shows why and how lawyers and legal philosophers should take reasonable conflict more seriously Even though the law should be regarded as the primary mode of settlement of our moral conflicts it can and should also be the object and the forum of further moral conflicts There is more to the rule of law than convergence and determinacy and it is important therefore to question the importance of agreement in law and politics By addressing in detail issues pertaining to the nature and sources of disagreement its extent and significance as well as the procedural institutional and substantive responses to disagreement in the law and their legitimacy this book suggests the value of a comprehensive approach to thinking about conflict which until recently has been analysed in a compartmentalized way It aims to provide a fully fledged political morality of conflict by drawing on the analysis of topical jurisprudential questions in the new light of disagreement Developing such a global theory of disagreement in the law should be read in the context of the broader effort of reconstructing a complete account of democratic law making in pluralistic societies The book will be of value not only to legal philosophers and constitutional theorists but also to political and democratic theorists as well as to all those interested in public decision making in conditions of conflict

**Freedom and Equality** Clare Chambers, 2024-03-19 Should the state recognise gender Can a liberal state discourage traditional family structures Is women s sport compatible with equality of opportunity Should feminists defend women s freedom to choose cosmetic surgery Is genital cutting always wrong or is it only wrong for girls Freedom and Equality investigates the contours of feminist liberalism a philosophical approach that is appealing but elusive Its hallmark is a liberalism that prioritises equality and individual autonomy while offering a rigorous critique of using individuals choices as the measure of justice Liberalism without feminism prioritises individual choice a strategy that has played a crucial role in the liberal defence of freedom against authoritarianism and conformity However as feminism shows relying on individual choice is insufficient to render an outcome just because people often choose things that harm or disadvantage themselves From beauty norms to the gendered division of labour from marriage to religion women and men choose to arrange their lives in ways that perpetuate inequality Often these choices are made in response to social norms including unjust unequal or harmful norms It follows that relying on individual choice as a measure of justice actually leaves unjust social structures intact Any defender of autonomy and equality must be prepared to criticise individuals choices while prioritising individual choosers The essays in this collection cover a wide range of issues fundamental to liberalism to feminism and to their intersection They explore the foundational philosophical concepts of choice equality of opportunity

ideology and the state and they engage directly with key political controversies including women's sport the state recognition of gender the regulation of cosmetic and cultural surgeries and state action to secure equality in the family Clare Chambers argues that feminist liberalism is both possible and necessary It is possible because the two doctrines of feminism and liberalism are compatible their fundamental values of freedom and equality aligned But feminism is necessary because liberalism has shown that it is simply not up to the task of securing gender equality and women's liberation alone

*Cultural Human Rights* Francesco Francioni, Martin Scheinin, 2008 What is the relationship between culture and human rights Can the idea of cultural rights which are predicated on the distinctiveness and exclusivity of a community's beliefs and traditions be compatible with the concept of human rights which are universal and an inherent right to all human beings If we accept such compatibility what is the actual content of cultural rights Who are their beneficiaries individuals or peoples or groups as collective entities And what precise obligations do cultural rights pose upon states or other actors in international law or for the international community as a whole International instruments on the protection of human rights do not provide self-evident answers to these questions This book seeks to analyse these dilemmas and to assess the impact that they are having on international law and the development of a coherent category of cultural human rights

**Procedural Justice in the United Nations Framework Convention on Climate Change** Luke Tomlinson, 2015-04-28 This book considers what is needed for fairness in the decisions of the UNFCCC It analyses several principles of procedural fairness in order to develop practical policy measures for fair decision making in the UNFCCC This includes measures that determine who should have a right to participate in its decisions how these decisions should take place and what level of equality should exist between these actors In doing so it proposes that procedural fairness is a fundamental feature of a multilateral response to address climate change By showing that procedural fairness is most likely to be achieved through the inclusive process of the UNFCCC it also shows that global efforts to address climate change should continue in this forum

A Companion to Rawls Jon Mandle, David A. Reidy, 2015-11-23 Wide ranging and up to date this is the single most comprehensive treatment of the most influential political philosopher of the 20th century John Rawls An unprecedented survey that reflects the surge of Rawls scholarship since his death and the lively debates that have emerged from his work Features an outstanding list of contributors including senior as well as next generation Rawls scholars Provides careful textually informed exegesis and well developed critical commentary across all areas of his work including non-Rawlsian perspectives Includes discussion of new material covering Rawls's work from the newly published undergraduate thesis to the final writings on public reason and the law of peoples Covers Rawls's moral and political philosophy his distinctive methodological commitments and his relationships to the history of moral and political philosophy and to jurisprudence and the social sciences Includes discussion of his monumental 1971 book *A Theory of Justice* which is often credited as having revitalized political philosophy

Liberalism and Value Pluralism George Crowder, 2002-05-01 Value pluralism is the idea

associated with the late Isaiah Berlin that fundamental human values are irreducibly plural and incommensurable. Ends like liberty, equality and community are intrinsic goods which can neither be ranked in an absolute hierarchy nor translated into units of a common denominator. If that is true, how can we choose among such values when they come into conflict in particular cases? In particular, what reason is there to justify the value ranking characteristic of liberal democracy favouring personal autonomy and toleration? Recent commentators have seen value pluralism as undermining the traditional claims of liberalism to universal authority, rendering it at best no more than one political form among others with no greater claim to legitimacy. Against that view, George Crowder argues that a strong distinctive case for liberalism as a universal project is implied by value pluralism itself. Reflection on the elements of value pluralism yields a set of ethical principles including respect for universal values, rejection of political utopianism, promotion of value diversity, accommodation of reasonable disagreement and cultivation of civic virtues. Those principles are best satisfied by a liberal form of politics characterised by a strong commitment to personal autonomy, by policies of moderate redistribution and multiculturalism and by constitutional restraints on democratic politics. This is the first book-length defence of liberalism on the basis of value pluralism, complementing and extending the work of Berlin and others.

*Relativism and the Foundations of Liberalism* Graham Long, 2011-10-04. Moral relativism is often regarded as both fatally flawed and incompatible with liberalism. This book aims to show why such criticism is misconceived. First, it argues that relativism provides a plausible account of moral justification. Drawing on the contemporary relativist and universalist analyses of thinkers such as Harman, Nagel and Habermas, it develops an alternative account of coherence relativism. Turning to liberalism, the book argues that moral relativism is not only consistent with the claims of contemporary liberalism but underpins those claims. The political liberalism of Rawls and Barry is founded on an unacknowledged commitment to a relativist account of justification. In combining these two elements, the book offers a new understanding of relativism and demonstrates its relevance for contemporary liberal thought.

Social Philosophy Gerald F. Gaus, 2015-03-04. This accessible introductory text discusses how people in a pluralistic society such as ours can accept a common social ethic, a publicly justified morality. It presents analyses of the basic concepts including justifications of liberty, harm to others, private property rights, distributive justice, environmental harms, help to others and offensive behaviour. Gaus acquaints the reader with the major figures in social philosophy: John Stuart Mill, Jeremy Bentham, Thomas Hobbes, John Locke, David Hume, John Rawls, David Gauthier and Joel Feinberg, as well as recent communitarian philosophers. The basic technical aspects of social philosophy are also introduced: game theory, social choice theory, the ideas of rational action, rational bargaining and public goods. Throughout, helpful short examples and stories are used to illustrate the material.

Universal Ethics Göran Bexell, Dan-Erik Andersson, 2021-08-04. Questions on universal ethics are of utmost importance for peaceful relations between nations, cultures and religions. Are there common values or are all morals just expressions for various political, economic or religious interests? In this book, scholars from different academic fields and with

various views discuss questions that in different ways concern both the possibilities and risks of universal or common ethics The book is divided into five parts philosophical and ethical perspectives human rights perspectives universal ethics and religion globalization and global governance universal ethics and Nordic values Scholars from such fields as philosophy ethics human rights history political science sociology and theology are represented All of the authors are active researchers at Scandinavian universities This collection of articles is directed to professionals in various disciplines but can also serve as an introduction to the subject of universal ethics

**Multiculturalism and Moral Conflict** Maria Dimova-Cookson, Peter Stirk, 2009-10-16 Bringing together leading scholars on multiculturalism this book confronts the reality of moral conflict in the debate on multiculturalism while resisting the simplification which frequently accompanies commentary on both sides of a polarised debate

**Is Political Authority an Illusion?** Michael Huemer, Daniel Layman, 2021-11-09 What gives some people the right to issue commands to everyone else and force everyone else to obey them And why should people obey the commands of those with political power These two key questions are the heart of the issue of political authority and in this volume two philosophers debate the answers Michael Huemer argues that political authority is an illusion and that no one is entitled to rule over anyone He discusses and rebuts the major theories supporting political authority's rightfulness implicit social contract theory hypothetical contract theories democratic theories of authority and utilitarian theories Daniel Layman argues that democratic governments have authority because they are needed to protect our rights and because they are accountable to the people Each author writes two replies directly addressing the arguments and ideas of the other

**Key Features** Covers a key foundational problem of political philosophy the authority of government Debate format ensures a full hearing of both sides A Glossary includes key concepts in political philosophy related to the issue of authority Annotated Further Reading sections point students to additional resources Clear concrete examples and arguments help students clearly see both sides of the argument A Foreword by Matt Zwolinski describes a broader context for political authority and then traces the key points and turns in the authors debate

**The Binge Watcher's Guide to The West Wing** Joshua Stein, 2024-08-15 What's Next The Bingewatchers Guide to the West Wing looks back at the classic television show 25 years later Aaron Sorkin's political drama had an enormous influence on American politics The show is a time capsule from the political moment after the Berlin Wall fell but before 9/11 This first book focuses on the first two seasons of the show examining how the television show explains political issues scandals and vision The West Wing was a show about political optimism something that's hard to imagine now it also influenced less optimistic political dramas including Shonda Rhimes Scandal and even sitcoms including Parks and Recreation The show is a political and cultural touchstone The book gives a critical appraisal of many of the show's themes including how its optimism and politics have held up over the years

**Rawls's Law of Peoples** Rex Martin, David A. Reidy, 2008-04-15 This volume examines Rawls's theory of international justice as worked out in his controversial last book The Law of Peoples

**Reflections on Rawls** Shaun P.

Young,2016-04-08 The late John Rawls was one of the most inspiring provocative and influential political philosophers of the twentieth century In this collection a panel of distinguished political philosophers critically explore the intellectual legacy of Rawls The essays herein engage Rawls s political theorizing from his earliest published writings in the 1950s to his final publication in 2001 Justice as Fairness A Restatement and explore a diversity of issues related to his arguments such as the attractiveness of his methodology methodologies and the normative coherence and empirical validity of his claims In turn the effectiveness both of his arguments and those of various supporters and critics are evaluated from the perspective of a variety of analytical approaches including cosmopolitanism communitarianism perfectionism liberalism and legal theory This book is an edifying and engaging dialogue with ideas and arguments that have provided the theoretical framework for much of contemporary political philosophy and a thoughtful assessment of their continuing significance and place within the pantheon of political philosophy

**Reasonableness and Fairness** Christopher McMahon,2016-11-03 We all know or think we know what it means to say that something is reasonable or fair but what exactly are these concepts and how have they evolved and changed over the course of history In this book Christopher McMahon explores reasonableness fairness and justice as central concepts of the morality of reciprocal concern He argues that the basis of this morality evolves as history unfolds so that forms of interaction that might have been morally acceptable in the past are judged unacceptable today The first part of his study examines the notions of reasonableness and fairness as they are employed in ordinary practical thought and the second part develops a constructivist theory to explain why and how this part of morality can undergo historical development without arriving at any final form His book will interest scholars of ethics political theory and the history of ideas

Toleration in Political Conflict Glen Newey,2013-10-03 Political disputes over toleration are endemic while toleration as a political value seems opposed to those of civic equality neutrality and sometimes democracy Toleration in Political Conflict sets out to understand toleration as both politically awkward and indispensable The book exposes the incoherence of Rawlsian reasonable pluralist justifications of toleration and shows that toleration cannot be fully reconciled with liberal political values While reason d tat concerns very often overshadow debates over toleration these debates for example about terrorism need not be framed as a conflict between toleration and security Framing them in this way tends to obscure objectionable behaviour by tolerators themselves and their reliance on asymmetric power Glen Newey concludes by sketching a picture of politics as dependent on free speech which he argues is entailed by the demands of free association That in turn suggests that questions of toleration are inescapable within the conditions of politics itself

**A Perfectionist Theory of Justice** Collis Tahzib,2022 This book makes a significant contribution to one of the most persistent debates in contemporary political philosophy that between liberals and perfectionists

**Animals, Political Liberalism and Public Reason** Federico Zuolo,2020-07-17 This book explores the problem of disagreement concerning the treatment of animals in a liberal society Current laws include an unprecedented concern for animal welfare yet disagreement remains pervasive This

issue has so far been neglected both in political philosophy and animal ethics. Although starting from disagreement has been the hallmark of many politically liberal theories, none have been devoted to the treatment of animals, and conversely, most theories in animal ethics do not take the disagreement on this issue seriously. Bridging this divide with a change of perspective, Zuolo argues that we should begin from the disagreement on the moral status of animals and the treatment we owe them. Reconstructing the epistemic nature of disagreement about animals, Zuolo proposes a novel form of public justification to find principles acceptable to all. By setting out a unified framework which honours the liberal principles of respect for diversity, a robust liberal political theory capable of dealing with diverse forms of disagreement and even some forms of radical dissent is achieved.

Pluralism Peter Lassman, 2013-04-26. The problem of value pluralism permeates modern political philosophy. Its presence can be felt even when it is not explicitly the central topic under investigation. Political thinkers such as Max Weber, Isaiah Berlin, and Stuart Hampshire derive pessimistic, sometimes tragic, conclusions from their reflections upon pluralism. On the other hand, there is a more optimistic view represented by John Rawls and Jürgen Habermas that sees value pluralism as a problem that is easier to live with. This book presents the first accessible overview for both post and undergraduate students of the way in which this problem has been understood and responded to by modern political thinkers.



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