

THOMAS CHRISTIANO

THE RULE OF THE MANY

Fundamental Issues in
Democratic Theory

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The ECHR and Human Rights Theory Alain Zysset, 2016-10-04 The European Convention of Human Rights ECHR has been relatively neglected in the field of normative human rights theory This book aims to bridge the gap between human rights theory and the practice of the ECHR In order to do so it tests the two overarching approaches in human rights theory literature the ethical and the political against the practice of the ECHR system The book also addresses the history of the ECHR and the European Court of Human Rights ECtHR as an international legal and political institution The book offers a democratic defence of the authority of the ECtHR It illustrates how a

conception of democracy more specifically the egalitarian argument for democracy developed by Thomas Christiano on the domestic level can illuminate the reasoning of the Court including the allocation of the margin of appreciation on a significant number of issues Alain Zysset argues that the justification of the authority of the ECtHR its prominent status in the domestic legal orders reinforces the democratic process within States Parties thereby consolidating our status as political equals in those legal and political orders

Social Rights Under the Constitution Cécile Fabre, 2000 The desirability or lack thereof of bills of rights has been the focus of some of the most enduring political debates over the last two centuries Unlike civil and political rights social rights to the meeting of needs standardly rights to adequate minimum income education housing and health care are not usually given constitutional protection This book argues that social rights should be constitutionalized and protected by the courts and examines when such constitutionalization conflicts with democracy It is thus located at the crossroads of two major issues of contemporary political philosophy to wit the issue of democracy and the issue of distributive justice Interestingly and surprisingly enough philosophers who engage in penetrating discussions on distributive justice do not usually reflect on the implications of their argument for democracy they are met with equal indifference on the part of theorists of democracy This book stems from the perception that there may be conflicts between the demands of democracy and the demands of distributive justice both of which are crucially important and from the resulting recognition that the question of the relationship between these two values cannot be ignored

Partisanship and Political Liberalism in Diverse Societies Matteo Bonotti, 2017-07-04 Since its publication in 1993 John Rawls's Political Liberalism has been central to debates concerning political legitimacy democratic theory toleration and multiculturalism in contemporary political theory Yet despite the immense body of literature which has been produced since Rawls's work was published very little has been said or written regarding the place of political parties and partisanship within political liberalism This book aims to fill this gap in the literature Its central argument is that political liberalism needs and nourishes political parties and that political parties are therefore not hostile but vital to it First partisanship generates its own distinctive kind of political obligations additional to any political obligations people may have qua ordinary citizens Second contrary to what many critics argue and despite its admittedly restrictive features Rawls's conception of public reason allows significant scope for partisan advocacy and partisan pluralism and in fact the very normative demands of partisanship are in syntony with those of public reason Third parties contribute to the overlapping consensus that for Rawls guarantees stability in diverse societies Fourth political liberalism nourishes political parties by leaving many issues including religious and socio economic ones open to democratic contestation In summary parties contribute both to the legitimacy and to the stability of political liberalism

Deliberative Peace Referendums Ron Levy, Ian O'Flynn, Hoi L. Kong, 2021 Referendums are now increasingly common in what can be called conflict societies as a way of using the sovereign authority of the people to bring about new constitutional settlements Cyprus the Democratic Republic of the Congo Eritrea Guatemala Iraq Kenya Kosovo

Montenegro New Caledonia Northern Ireland Papua New Guinea Somalia South Sudan Tanzania and Timor Leste are just some examples of countries where referendums have or will soon be held on these points This book investigates the practice of referendums as a method of peacebuilding in conflict societies their rationales their successes and their failures ultimately arguing that the referendum s utility for conflict management in large part depends on its design including how such design incorporates cautionary lessons from past trials

Wealth and Power Michael Bennett,Huub Brouwer,Rutger Claassen,2022-11-15 Is political equality viable when a capitalist economy unequally distributes private property This book examines the nexus between wealth and politics and asks how institutions and citizens should respond to it Theories of democracy and property have often ignored the ways in which the rich attempt to convert their wealth into political power implicitly assuming that politics is isolated from economic forces This book brings the moral and political links between wealth and power into clear focus The chapters are divided into three thematic sections Part I analyses wealth and politics from the perspective of various political traditions such as liberalism republicanism anarchism and Marxism Part II addresses the economic sphere and looks at the political influence of corporations philanthropists and commons based organisations Finally Part III turns to the political sphere and looks at the role of political parties and constitutions and phenomena such as corruption and lobbying **Wealth and Power Philosophical Perspectives** will be of interest to scholars and advanced students working in political philosophy political science economics and law

Practical Turn in Political Theory Eva Erman,2018-03-07 This book joins five key debates in the current theoretical literature that have been largely taking place in isolation and identifies common strands of argument and their shared problems to developed a unified way forward for practice based political theory

The Routledge Companion to Philosophy of Law Andrei Marmor,2012-04-27 The Routledge Companion to the Philosophy of Law provides a comprehensive non technical philosophical treatment of the fundamental questions about the nature of law Its coverage includes law s relation to morality and the moral obligations to obey the law the main philosophical debates about particular legal areas such as criminal responsibility property contracts family law law and justice in the international domain legal paternalism and the rule of law The entirely new content has been written specifically for newcomers to the field making the volume particularly useful for undergraduate and graduate courses in philosophy of law and related areas All 39 chapters written by the world s leading researchers and edited by an internationally distinguished scholar bring a focused philosophical perspective to their subjects The Routledge Companion to the Philosophy of Law promises to be a valuable and much consulted student resource for many years

The Nature of Legislative Intent Richard Ekins,2012-10-12 Are legislatures able to form and act on intentions The question matters because the interpretation of statutes is often thought to centre on the intention of the legislature and because the way in which the legislature acts is relevant to the authority it does or should enjoy Many scholars argue that legislative intent is a fiction the legislative assembly is a large diverse group rather than a single person and it seems a mystery how the intentions of the

individual legislators might somehow add up to a coherent group intention This book argues that in enacting a statute the well formed legislature forms and acts on a detailed intention which is the legislative intent The foundation of the argument is an analysis of how the members of purposive groups act together by way of common plans sometimes forming complex group agents The book extends this analysis to the legislature considering what it is to legislate and how members of the assembly cooperate to legislate The book argues that to legislate is to choose to change the law for some reason the well formed legislature has the capacity to consider what should be done and to act to that end This argument is supported by reflection on the centrality of intention to the nature of language use The book then explains in detail how members of the assembly form and act on joint intentions which do not reduce to the intentions of each member before outlining some implications of this account for the practice of statutory interpretation Developing a robust account of the nature and importance of legislative intention the book represents a significant contribution to the literature on deliberative democracy that will be of interest to all those thinking about legal interpretation and constitutional theory Issues in Political Theory

Catriona McKinnon,2015 This political theory textbook invites students to apply the concepts they encounter to real world politics Each chapter includes a 2 000 word case study to highlight the theories that have been discussed **Mediating Peace**

Sebastian Kim,Pauline Kollontai,Sue Yore,2016-01-14 This volume examines the role and contributions of art music and film in peace building and reconciliation offering a distinctive approach in various forms of art in peace building in a wide range of conflict situations particularly in religiously plural contexts As such it provides readers with a comprehensive perspective on the subject The contributors are composed of prominent scholars and artists who examine theoretical professional and practical perspectives and debates and address three central research questions which form the theoretical basis of this project namely In what way have particular forms of art enhanced peace building in conflict situations How do artistic forms become a public demonstration and expression of a particular socio political context and In what way have the arts played the role of catalyst for peace building and if not why not This volume demonstrates that art contributes in conflict and post conflict situations in three main ways transformation at an individual level peace building between communities and bridging justice and peace for sustainable reconciliation **Interactive Justice**

Emanuela Ceva,2016-05-12 Contemporary societies are riddled with moral disputes caused by conflicts between value claims competing for the regulation of matters of public concern This familiar state of affairs is relevant for one of the most important debates within liberal political thought should institutions seek to realize justice or peace Justice driven philosophers characterize the normative conditions for the resolution of value conflicts through the establishment of a moral consensus on an order of priority between competing value claims Peace driven philosophers have concentrated perhaps more modestly on the characterization of the ways in which competing value claims should be balanced with a view to establishing a modus vivendi aimed at containing the conflict Interactive Justice addresses an important question related to this debate on what terms should the parties interact during

their conflict for their interaction to be morally acceptable to them Although largely unexplored by political philosophers this is a main area of concern in conflict management Building on a proceduralist interpretation of relational concerns of justice the author develops a liberal normative theory of interactive justice for the management of value conflict in politics grounded in the fundamental values of fair hearing and procedural equality This book innovatively builds a bridge between works in political philosophy and peace studies to propose a fresh lens through which to view the normative responses liberal institutions ought to give to value conflict in politics and moves beyond the apparent dichotomy between pursuing end state justice through conflict resolution or peace through conflict containment In Our Name Eric Beerbohm, 2015-12-29 When a government in a democracy acts in our name are we as citizens responsible for those acts What if the government commits a moral crime The protestors slogan Not in our name testifies to the need to separate ourselves from the wrongs of our leaders Yet the idea that individual citizens might bear a special responsibility for political wrongdoing is deeply puzzling for ordinary morality and leading theories of democracy In Our Name explains how citizens may be morally exposed to the failures of their representatives and state institutions and how complicity is the professional hazard of democratic citizenship Confronting the ethical challenges that citizens are faced with in a self governing democracy Eric Beerbohm proposes institutional remedies for dealing with them Beerbohm questions prevailing theories of democracy for failing to account for our dual position as both citizens and subjects Showing that the obligation to participate in the democratic process is even greater when we risk serving as accomplices to wrongdoing Beerbohm argues for a distinctive division of labor between citizens and their representatives that charges lawmakers with the responsibility of incorporating their constituents moral principles into their reasoning about policy Grappling with the practical issues of democratic decision making In Our Name engages with political science law and psychology to envision mechanisms for citizens seeking to avoid democratic complicity

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

Political Accountability Antonino Palumbo, 2017-03-02 Political accountability forms a cornerstone of modern democracy it directs the political system towards the public interest and allows the exercise of the principles of autonomy and self determination that lie at the core of democratic politics Sadly existing democracies with their large centralized bureaucracies have evolved in ways that progressively undermine the ability of citizens to keep their representatives accountable and

political regimes responsive Far from reversing this trend the neoliberal reforms introduced since the 1980s have increased that accountability gap Globalization and the alleged passage from government to governance have aggravated the problem further The notion of accountability that survives these changes is a problematic form of auditing carried out by a constellation of quangos autonomous agencies and NGOs whose own accountability is problematic This volume collects the main contributions to current debates on political accountability It explores the challenges traditional conventions of accountability face today at the domestic trans and international levels and indicates the distinctive solutions those challenges require

Felony Disenfranchisement in America Katherine Irene Pettus, 2013-04-01 State felony disenfranchisement laws that date back to Reconstruction fracture the American electorate into those who are citizens in the fullest sense of the term in Aristotle's words and those who are deprived of political voice still have the status of slaves The existence of this invisible constituency approximately 5.8 million or 2.5% of the national voting population who live alongside the ruling enfranchised electorate is one of the scandals of our generation In this second edition of *Felony Disenfranchisement in America* Katherine Irene Pettus draws on philosophy history law and punishment theory to make the compelling argument that state disenfranchisement policies have collective moral and political significance that transcends the personal tragedy of being legally deprived of full citizenship status Pettus argues that the war on drugs mass incarceration and racially unbalanced disenfranchisement rates distort and disfigure the body politic as a whole and undermine the legitimacy of the domestic and foreign policies promulgated by our elected representatives

Democracy Without Shortcuts Cristina Lafont, 2020 This book defends the value of democratic participation It aims to improve citizens democratic control and vindicate the value of citizens participation against conceptions that threaten to undermine it

Political Epistemology Elizabeth Edenberg, Michael Hannon, 2021-05-20 This collection explores one of the most rapidly growing areas of philosophy political epistemology Epistemological issues are at the center of our political lives It has become increasingly difficult to discern legitimate sources of evidence misinformation spreads faster than ever and the role of truth in politics has allegedly decayed in recent years It is therefore no coincidence that political discourse is currently saturated with epistemic notions like post truth fake news truth decay echo chambers and alternative facts *Political Epistemology* brings together leading philosophers to explore ways in which the analytic and conceptual tools of epistemology bear on political philosophy and vice versa It is organized around three broad themes truth and knowledge in politics epistemic problems for democracy and disagreement and polarization The contributors provide new and rich insights on topics such as propaganda fake news weaponized skepticism belief polarization political disagreement the epistemic value of democracy voter ignorance irrationality in politics and identity politics A premise underlying the development of political epistemology is that progress on certain foundational issues in both political philosophy and epistemology cannot be achieved without sharing insights across fields beyond a certain point This will be a foundational text for philosophers political scientists and

political psychologists for years to come

Enjoying the Melody of Appearance: An Mental Symphony within **Rule Of The Many Fundamental Issues In Democratic Theory**

In a global used by displays and the ceaseless chatter of fast communication, the melodic elegance and mental symphony created by the prepared word frequently diminish in to the background, eclipsed by the persistent sound and interruptions that permeate our lives. But, situated within the pages of **Rule Of The Many Fundamental Issues In Democratic Theory** a marvelous fictional prize overflowing with fresh emotions, lies an immersive symphony waiting to be embraced. Crafted by an outstanding composer of language, that charming masterpiece conducts readers on a psychological journey, well unraveling the hidden tunes and profound influence resonating within each carefully constructed phrase. Within the depths of the touching evaluation, we will explore the book is central harmonies, analyze its enthralling publishing style, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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