

THE MYTH OF MORAL JUSTICE

WHY OUR LEGAL SYSTEM
FAILS TO DO WHAT'S RIGHT

*"Should be read by every law student in America."
—New York Times Book Review*

THANE ROSENBAUM

Myth Of Moral Justice Why Our Legal System Fails To Do Whats Right

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Myth Of Moral Justice Why Our Legal System Fails To Do Whats Right:

The Myth of Moral Justice Thane Rosenbaum, 2004-04-27 With a lawyer's expertise and a novelist's sensibility Rosenbaum tackles complicated philosophical questions about the longing for moral justice in our legal system **The Myth of Moral Justice** Thane Rosenbaum, 2011-08-23 We are obsessed with watching television shows and feature films about lawyers reading legal thrillers and following real life trials Yet at the same time most of us don't trust lawyers and hold them and the legal system in very low esteem In *The Myth of Moral Justice* law professor and novelist Thane Rosenbaum suggests that this paradox stems from the fact that citizens and the courts are at odds when it comes to their definitions of justice With a lawyer's expertise and a novelist's sensibility Rosenbaum tackles complicated philosophical questions about our longing for moral justice He also takes a critical look at what our legal system does to the spirits of those who must come before the law along with those who practice within it **Our Corrupt Legal System** Evan Whitton, 2010 Looks at the adversary system used in Britain and its former colonies including Australia the US Canada India Ireland New Zealand and South Africa Details the origins and methods of the more widespread investigative inquisitorial system used in other countries including Japan and South Korea Author is Walkley Award winner **Expert Witness in the Legal System: A Scientist's Search for Justice , God, Faith & Identity from the Ashes** Menachem Z. Rosensaft, 2014-11-10 A Powerful Life Affirming New Perspective on the Holocaust Almost ninety children and grandchildren of Holocaust survivors theologians scholars spiritual leaders authors artists political and community leaders and media personalities from sixteen countries on six continents reflect on how the memories transmitted to them have affected their lives Profoundly personal stories explore faith identity and legacy in the aftermath of the Holocaust as well as our role in ensuring that future genocides and similar atrocities never happen again **Why Can't We All Just Get Along** William N. Spencer, 2011-12-21 A study of interpersonal relationships in the workplace and everywhere else in life An open and honest look at what discriminations and problems face far too many American workers A comprehensive guide for all people regardless of their who what when or where to amicably co exist with one another *Beyond Proportionality* Thane Rosenbaum, 2025-05-20 A necessary book that addresses a moral and military question What can a nation do to defend itself against terrorists who pay no mind to the laws of war Must it value the lives of its enemies more than its own citizens Jeb Bush Two term Governor of Florida and Presidential candidate Imagine a war without battlefields There are no uniforms Civilians and combatants are indistinguishable Homes schools hospitals and religious buildings are used as command and communication centers and for the warehousing of weapons Apartment rooftops are launching pads the civilians who live inside human shields There are over 300 miles of reinforced tunnels all outfitted with weapons and passageways for terrorists to take hostages and travel freely *Beyond Proportionality* examines Israel's battles against Hamas and Hezbollah under the laws of war and concludes that its wartime conduct was based on military necessity and fought justly The targets are terrorists weapons and tunnels not civilians Israel relies upon verifiable

intelligence deploys precise weapons and endangers its own soldiers in order to minimize civilian death The bombings over Hiroshima Nagasaki and Dresden and the urban warfare in Iraq and Afghanistan produced large numbers of civilian dead that were not considered acts of genocide the war in Gaza was no different *Payback* Thane Rosenbaum, 2013-04-10 We call it justice the assassination of Osama bin Laden the incarceration of corrupt politicians or financiers like Rod Blagojevich and Bernard Madoff and the climactic slaying of cinema screen villains by superheroes But could we not also call it revenge We are told that revenge is uncivilized and immoral an impulse that individuals and societies should actively repress and replace with the order and codes of courtroom justice What if anything distinguishes punishment at the hands of the government from a victim's individual desire for retribution Are vengeance and justice really so very different No answers legal scholar and novelist Thane Rosenbaum in *Payback The Case for Revenge* revenge is in fact indistinguishable from justice Revenge Rosenbaum argues is not the problem It is in fact a perfectly healthy emotion Instead the problem is the inadequacy of lawful outlets through which to express it He mounts a case for legal systems to punish the guilty commensurate with their crimes as part of a societal moral duty to satisfy the needs of victims to feel avenged Indeed the legal system would better serve the public if it gave victims the sense that vengeance was being done on their behalf Drawing on a wide range of support from recent studies in behavioral psychology and neuroeconomics to stories of vengeance and justice denied to revenge practices from around the world to the way in which revenge tales have permeated popular culture including *Hamlet* *The Godfather* and *Braveheart* Rosenbaum demonstrates that vengeance needs to be more openly and honestly discussed and lawfully practiced Fiercely argued and highly engaging *Payback* is a provocative and eye opening cultural tour of revenge and its rewards from Shakespeare to *The Sopranos* It liberates revenge from its social stigma and proves that vengeance is indeed ours a perfectly human and acceptable response to moral injury Rosenbaum deftly persuades us to reconsider a misunderstood subject and along the way reinvigorates the debate on the shape of justice in the modern world *Saving Free Speech...from Itself* Thane Rosenbaum, 2020-03-17 In an era of political correctness race baiting terrorist incitement the Danish cartoons the shouting down of speakers and of course fake news liberals and conservatives are up in arms both about speech and its excesses and what the First Amendment means Speech has been weaponized Everyone knows it but no one seems to know how to make sense of the current confusion and what to do about it Thane Rosenbaum's provocative and compelling book is what is needed to understand this important issue at the heart of our society and politics Our nation's founders did not envision speech as a license to trample on the rights of others And the Supreme Court has decided cases where certain categories of speech are already prohibited without violating the Constitution Laws banning hate speech are prevalent in other democratic liberal societies where speech is not valued above human dignity and yet in Germany France the UK and elsewhere life continues freedoms have not rolled to the bottom of the bogeyman of a slippery slope and democracies remain vibrant There is already a great deal of second guessing about the

limits of free speech In 1977 courts permitted neo Nazis to march in a Chicago suburb populated by Holocaust survivors Today many wonder whether the alt right should have been prevented from marching in Charlottesville in 2017 Even the ACLU which represented both groups is having doubts as to whether the First Amendment should override basic notions of equality and citizenship *Philosophy of Technology and Engineering Sciences*, 2009-11-27 The Handbook *Philosophy of Technology and Engineering Sciences* addresses numerous issues in the emerging field of the philosophy of those sciences that are involved in the technological process of designing developing and making of new technical artifacts and systems These issues include the nature of design of technological knowledge and of technical artifacts as well as the toolbox of engineers Most of these have thus far not been analyzed in general philosophy of science which has traditionally but inadequately regarded technology as mere applied science and focused on physics biology mathematics and the social sciences First comprehensive philosophical handbook on technology and the engineering sciences Unparalleled in scope including explorative articles In depth discussion of technical artifacts and their ontology Provides extensive analysis of the nature of engineering design Focuses in detail on the role of models in technology *Smoke Signals* Martin A.

Lee, 2013-08-13 In this book the author an investigative journalist traces the social history of marijuana from its origins to its emergence in the 1960s as a defining force in an ongoing culture war He describes how the illicit marijuana subculture overcame government opposition and morphed into a multibillion dollar industry In 1996 Californians voted to legalize marijuana for medicinal purposes Similar laws have followed in several other states but not without antagonistic responses from federal state and local law enforcement The author draws attention to underreported scientific breakthroughs that are reshaping the therapeutic landscape medical researchers have developed promising treatments for cancer heart disease Alzheimer s diabetes chronic pain and many other conditions that are beyond the reach of conventional cures This book is an examination of the medical recreational scientific and economic dimensions of the world s most controversial plant

Justice Ignited Brian Martin, 2007 Attacks can backfire on attackers_sometimes spectacularly Examples include the beating of Rodney King by Los Angeles police in 1991 the surveillance of Ralph Nader in 1965 and the invasion of Iraq in 2003 Attackers often inhibit adverse reactions by covering up the attack devaluing the target and using other methods Through numerous detailed case studies *Justice Ignited* reveals the most promising tactics that can make unfair attacks backfire **Beyond Right and Wrong** Randall Kiser, 2010-01-07 Let us endeavor to see things as they are and then enquire whether we ought to complain Whether to see life as it is will give us much consolation I know not but the consolation which is drawn from truth if any there be is solid and durable that which may be derived from error must be like its original fallacious and fugitive Samuel Johnson Letter to Bennet Langton 1758 Attorneys and clients make hundreds of decisions in every litigation case From initially deciding which attorney to retain to deciding which witnesses to call at trial from deciding whether to file a complaint to deciding whether to appeal a verdict attorneys and clients make multiple critical decisions about

strategies costs arguments valuations evidence and negotiations Once made these decisions are scrutinized by an opponent intent on exploiting the consequences of any mistake In this intense and adversarial arena decision making errors often are transparent irreversible and dispositive wielding the power to bankrupt clients and dissolve law firms Although attorneys and clients may regard sound decision making as incidental to effective lawyering sound decision making actually is the essence of effective lawyering An attorney's knowledge intelligence and experience are inert resources until the attorney decides how to deploy those skills to serve the client's interests Those decisions in turn largely determine a case's course and outcome

Humour in Political Activism Majken Jul Sørensen, 2016-08-23 This book analyses how humour in political activism contributes to facilitating outreach mobilisation and the sustaining of cultures of resistance Drawing on examples of attention grabbing stunts from around the world Humour in Political Activism demonstrates how they succeed in turning relations of power upside down The ambiguity and unpredictability of humour Sørensen argues makes it difficult to respond to this form of political activism when it is performed in public Humorous political stunts can therefore challenge state power help influence changes in law and make significant contributions to the conversations about how societies should be organised The book also investigates the potential risks and limitations of using humour in nonviolent action and what makes humour unique compared with other forms of non humorous political activism

From Me to We Bob Doppelt, 2017-09-08 In From Me to We The Five Transformational Commitments Required to Rescue the Planet Your Organization and Your Life systems change expert Bob Doppelt reveals that most people today live a dream world controlled by false perceptions and beliefs The most deeply held illusion is that all organisms on Earth including each of us exist as independent entities At the most fundamental level the change needed to overcome our misperceptions is a shift from focusing only on me our personal needs and wants to also prioritizing the broader we the many ecological and social relationships each of us are part of those that make life possible and worthwhile Research shows that by using the techniques described in this book this shift is possible and not that difficult to achieve From Me to We offers five transformational commitments that can help you change your perspective and engage in activities that will help resolve today's environmental and social problems Not coincidentally making these commitments can improve the quality of your life as well Bob Doppelt's latest book is a wake up call to the creed of individualism He calls for recognition of the laws of interdependence cause and effect moral justice trusteeship and free will The book will be essential to all of those interested in how we can create and stimulate a sea change in how to enable the necessary behavioral change we need to deal with the myriad environmental and social pressures consuming the planet

The Golem in Jewish American Literature Nicola Morris, 2007 The Golem in Jewish American Literature explores the golem in the fiction of Thane Rosenbaum Nomi Eve and Steve Stern as well as writers such as Michael Chabon Nicola Morris sees this clay humanoid created in Jewish legend for practical and spiritual purposes as a metaphor for power and powerlessness and for the complexities and responsibilities surrounding the act of creation Further she employs the golem

figure as a device to examine the problematic Holocaust representation in the second generation the uncertain boundaries between fiction and historiography the ethics of intertextuality and the writer's responsibility to literary folkloric and oral sources Morris concludes with an impassioned plea for the responsible uses of power technology and language

Humorous Political Stunts Majken Jul Sørensen, 2015 A group of anti conscription activists break into a prison demanding to be jailed together with their friend already locked up because of his beliefs Clowns from the rebel clown army mimic police sent to control political protests Visiting Santas hand out presents taken from shop shelves without the approval of the shopping centre management These are examples of humorous political stunts public actions hoaxes and happenings that confront systems of power This book contains many amusing stories of such stunts showing the boldness and creativity of the activists Interviews and documents are used to show how humour can facilitate outreach mobilisation and a culture of resistance Humorous Political Stunts combines insights from the fields of nonviolence and humour studies and makes theoretical contributions to each area

Holocaust Narratives Thorsten Wilhelm, 2020-06-09 Holocaust Narratives Trauma Memory and Identity Across Generations analyzes individual multi generational frameworks of Holocaust trauma to answer one essential question How do these narratives change to not only transmit the trauma of the Holocaust and in the process add meaning to what is inherently an event that annihilates meaning but also construct the trauma as a connector to a past that needs to be continued in the present Meaningless or not unspeakable or not unknowable or not the trauma in all its impossibilities and intractabilities spawns literary and scholarly engagement on a large scale Narrative is the key connector that structures trauma for both individual and collective

The Mantra of Efficiency Jennifer Karns Alexander, 2008-03-03 Winner 2010 Edelstein Prize Society for the History of Technology Efficiency associated with individual discipline superior management and increased profits or productivity often counts as one of the highest virtues in Western culture But what does it mean exactly to be efficient How did this concept evolve from a means for evaluating simple machines to the mantra of progress and a prerequisite for success In this provocative and ambitious study Jennifer Karns Alexander explores the growing power of efficiency in the post industrial West Examining the ways the concept has appeared in modern history from a benign measure of the thermal economy of a machine to its widespread application to personal behaviors like chewing habits spending choices and shop floor movements to its controversial use as a measure of the business success of American slavery she argues that beneath efficiency's seemingly endless variety lies a common theme the pursuit of mastery through techniques of surveillance discipline and control Six historical case studies two from Britain one each from France and Germany and two from the United States illustrate the concept's fascinating development and provide context for the meanings of and uses for efficiency today and in the future

The Experience of Tragic Judgment Julen Etxabe, 2013-05-02 Adjudication between conflicting normative universes that do not share the same vocabulary standards of rationality and moral commitments cannot be resolved by recourse to traditional principles Such cases are always in a sense tragic And

what is called for in our pluralistic and conflictual world is not to be found as many would suppose in an impersonal set of procedures with which all participants could be treated as having rationally agreed. The very idea of such a neutral system is an illusion. Rather, what is needed, Julen Etxabe argues in this book, is a heightened awareness of the difficulty of judgment. The *Experience of Tragic Judgments* draws upon Sophocles' play *Antigone* in order to consider this difficulty and the virtues that attend its acknowledgment. Based on the transformative experience that the audience undergoes in engaging with this play, what is proposed is a reconceptualization of judgment not as it is generally thought to occur in a single isolated moment like the falling of an axe but rather as an experience that develops in and through space and time.

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