

THE LOST ART
of
DRAWING
THE
LINE

HOW FAIRNESS
WENT
TOO FAR

PHILIP K. HOWARD

Author of The Death of Common Sense

Lost Art Of Drawing The Line How Fairness Went Too Far

Steven Brill



Lost Art Of Drawing The Line How Fairness Went Too Far:

The Lost Art of Drawing the Line Philip K. Howard, 2001-06-12 The Lost Art of Drawing the Line will appall and irritate and entertain readers every bit as much as Philip Howard's first book Why is it that no one can fix the schools Why do ordinary judgements fill doctors with fear Why are seesaws disappearing from playgrounds Why has a wave of selfish people overtaken America In our effort to protect the individual against unfair decisions we have created a society where no one is in charge of anything Silly lawsuits strike fear in our hearts because judges don't think they have the authority to dismiss them Inner city schools are filthy and mired in a cycle of incompetence because no one has the authority to decide who's doing the job and who's not When no one is in charge we all lose our link to the common good When principals lack authority over schools of what use are the parents' views When no one can judge right and wrong why not be as selfish as you can be Philip Howard traces our well meaning effort to protect individuals through the twentieth century with the unintended result that we have lost much of our individual freedom Buttressed with scores of stories that make you want to collar the next self centered jerk or hapless bureaucrat The Lost Art of Drawing the Line demonstrates once again that Philip Howard is trying to drive us all sane

Drawing the Line Carrol Clarkson, 2013-11-11 Drawing the Line examines the ways in which cultural political and legal lines are imagined drawn crossed erased and redrawn in post apartheid South Africa through literary texts artworks and other forms of cultural production Under the rubric of a philosophy of the limit and with reference to a range of signifying acts and events this book asks what it takes to recalibrate a sociopolitical scene shifting perceptions of what counts and what matters of what can be seen and heard of what can be valued or regarded as meaningful The book thus argues for an aesthetics of transitional justice and makes an appeal for a postapartheid aesthetic inquiry as opposed to simply a political or a legal one Each chapter brings a South African artwork text speech building or social encounter into conversation with debates in critical theory and continental philosophy asking What challenge do these South African acts of signification and resignification pose to current literary philosophical debates

Evolution Versus Revolution Melvyn L. Fein, 2017-07-05 Revolutionary and evolutionary theorists have very different views about change Fein writes in favour of evolution He proposes an integrated model of social evolution one that accounts for the complexity inconclusiveness and impediments that characterize social transformations This multi dimensional approach recognizes that change is always saturated in conflict Major changes are rarely initiated by conscious decisions that are automatically implemented power and morality generally control the direction that significant alterations take Fein explains how the social generalist dilemma places our need for both flexibility and stability in opposition to each other such that non rational mechanisms are needed to produce a solution He also describes how an inverse force rule dictates that small societies are bound together by strong social forces whereas large ones are secured by weak forces This suggests that social roles are likely to become professionalized over time If social change is in fact analogous to natural rather than artificial selection we may be in the

midst of an only partially predictable middle class revolution Indeed the current impasse between liberals and conservatives may be evidence that we are in the consolidation phase of this process Should this be the case a paradigm shift not a classical revolution is in our future

Beyond Rationality Kenneth R. Hammond, 2007-01-04 With *Beyond Rationality* Kenneth R Hammond one of the most respected and experienced experts in judgment and decision making sums up his life's work and persuasively argues that decisions should be based on balance and pragmatism rather than rigid ideologies Hammond has long focused on the dichotomy between theories of correspondence whereby arguments correspond with reality and coherence whereby arguments strive to be internally consistent He has persistently proposed a middle approach that draws from both of these modes of thought and so avoids the blunders of either extreme In this volume Hammond shows how particular ways of thinking that are common in the political process have led to the mistaken judgments that created our current political crisis He illustrates this argument by analyzing penetrating case studies emphasizing the political consequences that arise when decision makers consciously or unconsciously ignore their adversaries particular mode of thought These analyses range from why Kennedy and Khrushchev misunderstood each other to why Colin Powell erred in his judgments over the presence of weapons of mass destruction in Iraq For anyone concerned about the current state of politics in the U S and where it will lead us *Beyond Rationality* is required reading

Show Me the Money!, 2002 **Publicize Your Book (Updated)** Jacqueline Deval, 2008-07-01 For first time authors or the seasoned pro this is the absolutely essential how to for getting publicity totally updated and expanded This indispensable guide from a book publicity insider offers everything authors must know to assist their publishers in publicizing marketing and promoting their books including Effective networking Defining a target readership Creating pitches for talk shows Getting media coverage Utilizing the Internet and other outlets Preparing for interviews and tours Hiring an independent publicist With totally revised and updated information advice and resources the insiders all agree Read this book Ellen Levine editorial director Hearst Magazines

Law and Society Steven Vago, 2015-07-14 For one semester undergraduate courses in Law and Society Sociology of Law Introduction to Law and a variety of criminal justice courses offered in departments of Sociology Criminal Justice and Political Science Examines the interplay between law and society *Law and Society 10e* provides an informative balanced and comprehensive analysis of the interplay between law and society This text presents an overview of the most advanced interdisciplinary and international research theoretical advances ongoing debates and controversies It raises new levels of awareness on the structure and functions of law and legal systems and the principal players in the legal arena and their impact on our lives In addition it looks at the legal system in the context of race class and gender and considers multicultural and cross cultural issues in a contemporary and interdisciplinary context

The Sociology of Community Connections John G. Bruhn, 2011-07-18 Many of our current social problems have been attributed to the breakdown or loss of community as a place and to the fragmentation of connections due to an extreme value of individualism in the Western world

particularly in the United States Not all scholars and researchers agree that individualism and technology are the primary culprits in the loss of community as it existed in the middle decade of the 20th century Nonetheless people exist in groups and connections are vital to their existence and in the daily performance of activities The second edition of the Sociology of Community Connections will identify and help students understand community connectedness in the present and future

Trust and the Health of Organizations John G. Bruhn, 2012-12-06 Leaders are usually held responsible for the trust health and success of an organization but it is the culture of organizations that provides the true foundation for these important factors The leader s personality and skills influence how a trustful environment and working relationship is created but the organization has a culture tradition and experience of its own which influences the leader s success The level of trust in an organization s culture will ultimately determine whether or not it is trustful healthy and successful Based on the interview of current and former chief executive officers from profit and non profit organizations to record their experiences in creating trust in their environment and their perceptions of the health of their organizations The collected data reveals The qualities of a trusted leader How they created trust or How trust was destroyed in organizations How leaders worked in distrustful environments How to create a more healthy organization This timely work will be of interest to organizations and occupational sociologists human resource workers social psychologists and students of management courses **Tailspin**

Steven Brill, 2019-04-02 In this revelatory narrative covering the years 1967 to 2017 Steven Brill gives us a stunningly cogent picture of the broken system at the heart of our society He shows us how over the last half century America s core values meritocracy innovation due process free speech and even democracy itself have somehow managed to power its decline into dysfunction They have isolated our best and brightest whose positions at the top have never been more secure or more remote The result has been an erosion of responsibility and accountability an epidemic of shortsightedness an increasingly hollow economic and political center and millions of Americans gripped by apathy and hopelessness By examining the people and forces behind the rise of big money lobbying legal and financial engineering the demise of private sector unions and a hamstrung bureaucracy Brill answers the question on everyone s mind How did we end up this way Finally he introduces us to those working quietly and effectively to repair the damages At once a diagnosis of our national ills a history of their development and a prescription for a brighter future Tailspin is a work of riveting journalism and a welcome antidote to political despair

Redefining Higher Education Melvyn L. Fein, 2022-02-26 Higher education is in trouble Commentators of all stripes bemoan escalating costs and diminishing quality Solutions have been offered from all quarters but tend to be piecemeal and all too often ideological In this tough minded look at the history current climate and future of university education in the United States Melvyn L Fein re examines the mission of higher education and outlines what institutions can do to better prepare students for an ever more complex techno commercial society Fein argues that students must have the opportunity to explore and discover what works for them and that the most important tool for institutions of

higher education is self direction Professors must be allowed to teach in their own ways bringing their own experience into the classroom Since university missions differ both universities and professors need the freedom to make decisions independently The imminent need is for a democratic elite consisting of self directed leaders who possess technical and social expertise as well as personal motivation The tools for change are appropriate curricula communities of learners and a genuine marketplace of ideas While there is no magic bullet Fein contends that we can and should build on the achievements of the past so as to evolve more responsive educational institutions those that promote merit responsibility and universalism

Post-Liberalism Melvyn L. Fein, 2017-07-05 Liberalism is dying despite its superficial appearance of vigor Most of its adherents still believe it is the wave of the future but they are clinging to a sinking dream So says Melvyn L Fein who argues that liberalism has made countless promises almost none of which have come true Under its auspices poverty was not eliminated crime did not diminish the family was not strengthened education was not improved nor was universal peace established These failures were not accidental they flow directly from liberal contradictions In Post Liberalism Fein demonstrates why this is the case Fein contends that an inverse force rule dictates that small communities are united by strong forces such as personal relationships and face to face hierarchies while large scale societies are integrated by weak forces such as technology and social roles As we become a more complex techno commercial society the weak forces become more dominant This necessitates greater decentralization in direct opposition to the centralization that liberals celebrate Paradoxically this suggests that liberalism as an ideology is regressive rather than progressive If so it must fail Liberals assume that some day under their tutelage these trends will be reversed but this contradicts human nature and history s lessons According to Fein we as a species are incapable of eliminating hierarchy or of loving all other humans with equal intensity Neither as per Emile Durkheim are we able to live in harmony without appropriate forms of social cohesion

Introduction to Governance, Government and Public Administration Aimee L. Franklin, Jos C.N.

Raadschelders, 2023-07-26 This undergraduate textbook introduces students to the subjects of public administration government and governance It provides an accessible and informative overview of the various substantive areas that comprise the study of public administration drawing on examples and case studies from around the world The opening chapters outline some of the basics of the political administrative institutional arrangements for governing The following chapters introduce students to the fundamentals of public administration Study questions supplemental guidance for instructors and a glossary of terms will be useful for both students and teachers

Handbook of Employment

Discrimination Research Laura Beth Nielsen, Robert L. Nelson, 2008-06-06 This volume contains a collection of original papers by leading legal scholars and social scientists that develop new perspectives on anti discrimination law with an emphasis on employment discrimination The articles were written for a conference held at Stanford Law School in Spring 2003 that was sponsored by the American Bar Foundation and Stanford Law School The purpose of that conference this

volume and ongoing work by the Discrimination Research Group based at the American Bar Foundation and the Center for Advanced Study in the Behavioral Sciences to advance the social scientific understanding of employment discrimination and the operation of employment discrimination law as a social system and to consider the legal and policy implications of this emerging body of social science. Now is a pivotal moment for an attempt at a deeper understanding of discrimination and law. After three decades of theoretical development and empirical research on employment discrimination and its treatment in law, it is crucial that lawyers, social scientists, and policymakers assess what we know and do not know about employment discrimination and its treatment by law. To date, there are several streams of active research that only occasionally engage with each other. Economists and sociologists continue to debate the extent to which women, minorities, and other traditionally disadvantaged groups face discrimination in labor markets and organizations. Organization scholars and legal scholars have begun to map the effect of anti-discrimination law on organizational structures and processes and to raise questions about the extent to which the legalization of organizational employment systems represents symbolic or substantive changes in employment practices.

Ethics, Law, and Aging Review, Volume 11 Marshall B. Kapp, 2005-09-01. We are now engaged in a movement that de-emphasizes the reliance on institutional forms of long-term care for disabled persons needing ongoing daily living assistance and converges on the use of non-institutional service providers and residential settings. In this latest edition of *Ethics, Law, and Aging Review*, Kapp and ten expert contributors help us examine the forces and potential for changing the long-term care industry both positively and negatively and address this paradigm shift from the impersonal public psychiatric institutions of the 1960s and 1970s to the present-day assisted living environments that have been fueled by economic, social, political, and legal forces. Most importantly, this volume identifies obstacles to change and enlighten service providers, advocates, and key policy makers to the pitfalls that can largely interfere with positive outcomes as a result of long-term care deinstitutionalization. Topics explored include: Community-based alternatives for older adults with serious mental illness; Failing consumer-directed alternatives to nursing homes; Ethics of Medicare privatization. Lawyers, Lawsuits, and Legal Rights Thomas F. Burke, 2002. Burke drills deep into America's unique culture of litigation and is rewarded with a powerful insight: it is not the public or even lawyers that are so darn litigious but American law itself. This meticulous, dispassionate book stands not only to advance the debate but I hope to reshape it. Jonathan Rauch, author of *Government's End: Why Washington Stopped Working*. *Lawyers, Lawsuits, and Legal Rights* is a fascinating study of the American penchant for public policies that rely on lawsuits to get things done. Burke's analysis is insightful and original. This book compellingly shows that litigious policies have deep roots in our Constitution, culture, and politics. Charles Epp, author of *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective*. Burke's authoritative book demonstrates that the highly litigious American system is not an isolated anomaly but in fact fits in with deeply rooted

elements of American political culture Where citizens of other countries rely on expert or bureaucratic judgment to resolve disputes Americans turn to the courts Equally novel and compelling Lawyers Lawsuits and Legal Rights marshals an impressive set of evidence and delivers a refreshingly well written look at the state of American litigation Frank R Baumgartner co author of Agendas and Instability in American Politics Ethical School Leadership Spencer J. Maxcy, 2002-05-14 Typically educational leadership is not considered a moral ethical undertaking But educators face a dismaying array of moral ethical challenges from academic dishonesty to sexual harassment every day in our nation s schools Ethical School Leadership provides a systematic approach to resolving these school based moral ethical issues It offers real world moral ethical dilemmas alternate theories of ethical decision making and differing philosophies of leadership Present and future school leaders will find knowledge dispositions and performance criteria by which to evaluate case studies of moral ethical leadership This book provides encouraging practical thinking about the moral ethical problems facing our school leaders today and will be of interest to school principals teachers school board members and students of education

Distorting the Law William Haltom, Michael McCann, 2009-11-15 In recent years stories of reckless lawyers and greedy citizens have given the legal system and victims in general a bad name Many Americans have come to believe that we live in the land of the litigious where frivolous lawsuits and absurdly high settlements reign Scholars have argued for years that this common view of the depraved ruin of our civil legal system is a myth but their research and statistics rarely make the news William Haltom and Michael McCann here persuasively show how popularized distorted understandings of tort litigation or tort tales have been perpetuated by the mass media and reform proponents Distorting the Law lays bare how media coverage has sensationalized lawsuits and sympathetically portrayed corporate interests supporting big business and reinforcing negative stereotypes of law practices Based on extensive interviews nearly two decades of newspaper coverage and in depth studies of the McDonald s coffee case and tobacco litigation Distorting the Law offers a compelling analysis of the presumed litigation crisis the campaign for tort law reform and the crucial role the media play in this process Access to Justice Deborah L. Rhode, 2004-09-23 Equal Justice Under Law is one of America s most proudly proclaimed and widely violated legal principles But it comes nowhere close to describing the legal system in practice Millions of Americans lack any access to justice let alone equal access Worse the increasing centrality of law in American life and its growing complexity has made access to legal assistance critical for all citizens Yet according to most estimates about four fifths of the legal needs of the poor and two to three fifths of the needs of middle income individuals remain unmet This book reveals the inequities of legal assistance in America from the lack of access to educational services and health benefits to gross injustices in the criminal defense system It proposes a specific agenda for change offering tangible reforms for coordinating comprehensive systems for the delivery of legal services maximizing individual s opportunities to represent themselves and making effective legal services more affordable for all Americans who need them **The Collapse of the Common Good** Philip K.

Howard, 2007-12-18 In pursuit of fairness at any cost we have created a society paralyzed by legal fear Doctors are paranoid and principals powerless Little league coaches scared of liability stop volunteering Schools and hospitals start to crumble The common good fades replaced by a cacophony of people claiming their individual rights By turns funny and infuriating this startling book dissects the dogmas of fairness that allow self interested individuals to bully the rest of society Philip K Howard explains how trying to honor individual rights we removed the authority needed to maintain a free society Teachers don't even have authority to maintain order in the classroom With no one in charge the safe course is to avoid any possible risk Seesaws and diving boards are removed Ridiculous warning labels litter the American landscape Caution Contents Are Hot Striving to protect individual rights we ended up losing much of our freedom When almost any decision that someone disagrees with is a possible lawsuit no one knows where he stands A huge monument to the unknown plaintiff looms high above America casting a dark shadow across our daily choices Today in the land of free speech you'd have to be a fool to say what you really think This provocative book not only attacks the sacred cows of political correctness but takes a breathtakingly bold stand on how to reinvigorate our common good Only by restoring personal authority can schools begin to work again Only by judges and legislatures taking back the authority to decide who can sue for what can doctors feel comfortable using their best judgment and Americans be liberated to say and do what they know is right Lucid honest and hard hitting The Collapse of the Common Good shows how Americans can bring back freedom and common sense to a society disabled by lawyers and legal fear

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