

Liberalism and the Limits of Justice

second edition

MICHAEL J. SANDEL

Michael Sandel Liberalism And The Limits Of Justice

Christine T. Sistare



Michael Sandel Liberalism And The Limits Of Justice:

Liberalism and the Limits of Justice Michael J. Sandel, 1998-03-28 Previous edition published in 1982 **Liberalism**

Beyond Justice John Tomasi, 2001-02-11 Liberal regimes shape the ethical outlooks of their citizens relentlessly influencing their most personal commitments over time On such issues as abortion homosexuality and women's rights many religious Americans feel pulled between their personal beliefs and their need as good citizens to support individual rights These circumstances argues John Tomasi raise new and pressing questions Is liberalism as successful as it hopes in avoiding the imposition of a single ethical doctrine on all of society If liberals cannot prevent the spillover of public values into nonpublic domains how accommodating of diversity can a liberal regime actually be To what degree can a liberal society be a home even to the people whose viewpoints it was formally designed to include To meet these questions Tomasi argues the boundaries of political liberal theorizing must be redrawn Political liberalism involves more than an account of justified state coercion and the norms of democratic deliberation Political liberalism also implies a distinctive account of nonpublic social life one in which successful human lives must be built across the interface of personal and public values Tomasi proposes a theory of liberal nonpublic life To live up to their own deepest commitments to toleration and mutual respect liberals he insists must now rethink their conceptions of social justice civic education and citizenship itself The result is a fresh look at liberal theory and what it means for a liberal society to function well **Human Rights in Crisis** Geneviève

Souillac, 2005-01-01 Human Rights in Crisis uniquely documents recent ideas on democracy and human rights in the current French intellectual social and political context arguing that the French emphasis on the interdependence between democracy and human rights as a tool for the critique and renewal of democracy is a valid contribution to the global debate on the political philosophy and the ethics of human rights Centering on the work of four prominent contemporary French political philosophers Blandine Kriegel Marcel Gauchet Luc Ferry and Etienne Balibar Geneviève Souillac expertly examines the themes of contestation and reform that are the driving force in the French approach to democracy and human rights

Trade, Inequality and Justice: Toward a Liberal Theory of Just Trade Law Frank Garcia, 2021-10-25 Recent crises in trade policy and globalization highlight both the problematic role of economic inequality in international trade law and the shortcomings of contemporary largely economic approaches to this problem and to international trade law generally This book argues for an alternative approach to the problem of trade and inequality as a problem of justice Drawing on political and moral theory and legal philosophy the author develops a Rawlsian model for justice as fairness in international trade law This model highlights the important normative role of the principle of special and differential treatment which can justify economic inequality by making the wealthy markets of developed states work to the benefit of smaller economies thus satisfying the difference principle as applied to international economic relations Applying this model to contemporary trade law the author offers concrete proposals for modifying existing special and differential treatment doctrine and suggests

second generation policies for the problem of inequality once special and differential treatment is either fully implemented or rendered obsolete Published under the Transnational Publishers imprint **Becoming Free** Emily R. Gill, 2001 As ethnic racial religious and gender based groups demand rights to pursue radically diverse lifestyles or maintain their cultural traditions conflict seems inevitable even in a free society Government may offer remedies to social dilemmas such as affirmative action curbs on immigration or protection of gay rights but these may only fan the flames of resentment Yet any society that tolerates and protects diversity is more likely to preserve the freedom to live one's life without interference Emily Gill reexamines the liberal tradition to reconcile its core commitments to autonomy and diversity values that in theory are complementary but in practice are often at odds and to show that the interaction of these values determines how we as individuals become free In **Becoming Free** she argues that true freedom is enhanced through the promotion of diversity and the encouragement of rational reflection on the options it allows and that limited choice or ignorance diminishes such freedom Yet an incomplete freedom is what many individuals groups and states advocate when they commit to particular cultural traditions or religious beliefs despite the autonomy they themselves enjoy Gill traces the implications of these conflicting views by drawing on recent scholarship and legal decisions in six areas national citizenship cultural membership ethnicity and gender religious belief sexuality and civic education By exploring the tensions between autonomy and diversity in such instances as Boy Scouts membership restrictions gay rights legislation and education among the Amish she not only offers an insightful commentary on current issues but also explores the moral foundations of liberal thought Unlike those who criticize liberalism for its shallow philosophical grounding Gill shows it to have a substantive moral content grounded in the individual's capacity to make rational decisions based on critical reflection In her tightly woven arguments she explores real world problems in a meaningful way for students and for anyone concerned with the future of liberalism showing that becoming free is an ongoing process of human and social development **Justice across Boundaries** Onora

O'Neill, 2016-02-15 Who ought to do what and for whom if global justice is to progress In this collection of essays on justice beyond borders Onora O'Neill criticises theoretical approaches that concentrate on rights yet ignore both the obligations that must be met to realise those rights and the capacities needed by those who shoulder these obligations She notes that states are profoundly anti cosmopolitan institutions and that even those committed to justice and universal rights often lack the competence and the will to secure them let alone to secure them beyond their borders She argues for a wider conception of global justice in which obligations may be held either by states or by competent non state actors and in which borders themselves must meet standards of justice This rich and wide ranging collection will appeal to a broad array of academic researchers and advanced students of political philosophy political theory international relations and philosophy of law

Radical Critiques of the Law Stephen M. Griffin, Robert C. L. Moffat, 1997 The past two decades have seen an outpouring of work in legal theory that is self consciously critical of aspects of American law and the institutions of the liberal state In

this lively volume eminent scholars in philosophy law and political science respond to this recent scholarship by exploring what constitutes a radical critique of the law examining such theories as critical legal studies feminist theory and theories of difference and critical race theory The authors consider whether the critiques advanced in recent legal theory can truly be called radical and what form a radical critique of American law should take Writing at the cutting edge of the critique of critical legal theory they offer insights first on critical legal scholarship then on feminist political and legal theory A third group of contributions questions the radicalness of these approaches in light of their failure to challenge fundamental aspects of liberalism while a final section focuses on current issues of legal reform through critical views on criminal punishment including observations on rape and hate speech Each major essay describes the underlying principles in the development of a radical legal theory and addresses unresolved questions relating to it while accompanying commentaries present conflicting views The resulting dialogue explores wide ranging issues like equity value relativism adversarial and empathic legal advocacy communitarianism and the social contract impartiality and contingency natural law and corrective justice A common thread for many of the articles is a focus on the social dimension of society and law which finds the individualism of prevailing liberal theories too limiting **Radical Critiques of the Law** is particularly unique in presenting critical and feminist approaches in one volume along with skeptical commentary about just how radical some critiques really are Proposing alternative critiques that embody considerably greater promise of being truly radical it offers provocative reading for both philosophers and legal scholars by showing that many claims to radicalism are highly problematic at best

Campus Hate Speech on Trial Timothy C. Shiell, 2009 Ban it the initial arguments for campus speech codes Wayne dick s plea the critics fight back See you in court the campus hate speech cases Hostile environment takes a front seat The attack on hostile environment And the verdict is The debate 1998 2008 *Political Thinking, Political Theory, and Civil Society* Steven M. DeLue, 2002 DeLue Steven M Political Thinking Political Theory and Civil Society 2nd Edition A comprehensive and thoughtful overview of the Western tradition of political thought this book approaches the subject in a way that helps readers develop their own political thinking and critical thinking skills Readers are asked to consider What is the nature of a civil society and why is it important The major writers discussed in the book are read not only with an interest in understanding their views but also an interest in understanding their relationship to the idea of a civil society DeLue contends that a civil society is important for securing the way of life that most of us value and want to preserve a way of life that allows people to place significance on their own lives For those interested in politics and theories *The Liberalism-Communitarianism Debate* C. F. Delaney, 1994-08-17 This collection of essays offers one of the latest challenges to liberalism and communitarianism The contributors political scientists and philosophers explore both schools of thought providing arguments for each Publisher **Liberty, Equality, and Plurality** Larry May, Christine T. Sistare, Jonathan Schonsheck, 1997 Voters as well as ethicists and legal experts are currently debating many of the issues inherent in balancing individual with majority

and minority group rights though often there seems to be an inverse correlation between the two May Washington U chairs lively multidisciplinary discussions on the in compatibility of liberty and equality with responsibility being the wild card law morality and limits on liberty in regard to freedom of speech poverty taxation and assisted suicide and equality and the clash of cultures in cases of hate speech and religious freedom vs refusal of medical treatment Annotation copyrighted by Book News Inc Portland OR

Civility and Its Discontents Christine T. Sistare, 2004 Contributors from philosophy and political science discuss the observation that civility civic virtue tolerance and socio cultural unity have declined while exploring the nature of civil society the conflict between individual liberty and the common good and the role of law and government policy in weaving the threads of the social fabric From publisher description

A Law of Peoples for Recognizing States Chris Naticchia, 2016-11-02 Which political entities should the international community recognize as member states granting them the rights and powers of statehood and entitling them to participate in formulating adjudicating and implementing international law What criteria should it use and are those criteria defensible From Kosovo Palestine and Taiwan to South Sudan Scotland South Ossetia Abkhazia and Catalonia these questions continuously arise and constantly challenge the international community for a consistent principled stance In response to this challenge Chris Naticchia offers a social contract argument for a theory of international recognition a normative theory of the criteria that states and international bodies should use to recognize political entities as member states of the international community Regardless of whether political entities adequately respect human rights or practice democracy he argues we must recognize a critical mass of them to get international institutions working Then we should recognize secessionist entities that suffer from persistent grave and widespread human rights abuses by their government and under certain conditions minority nations within multinational states that seek independence We must also recognize entities whose recognition would contribute to the economic development of the least well off entities Drawing on the social contract tradition and developing a broadly Rawlsian view *A Law of Peoples for Recognizing States* will both challenge and appeal to a broad readership in political philosophy international law and international relations

The Dance with Community Robert Booth Fowler, 1991 Not an essay in normative political philosophy but a discussion of the present day developments in American political thought as they focus on community Fowler political science U of Wisconsin tells the story of the coming of age of community in the thought of American political intellectuals and provides measured analysis and reflection on some of the directions in which thinking about community has proceeded Annotation copyrighted by Book News Inc Portland OR

Justifying Judgment Vincent Joseph Samar, 1998 Samar philosophy Loyola U seeks to develop a metatheory of law that judges could use to decide very hard cases in which the law offers no firm precedents or it is not clear whether the applicable law is just He discusses theories of political philosophy that set a foundation for the duty to obey law presents a natural law justification for a legal system containing morally just laws uses his metatheory to resolve five historically significant constitutional cases and offers

suggestions for legal education Annotation copyrighted by Book News Inc Portland OR *The Virtues of Vengeance* Peter A. French,2001 In the course of his study of vengeance as a moral concept French exposes important distinctions between types of moral theories karmic and non karmic and between people who are morally handicapped and those who are morally challenged He examines concepts relevant to vengeance such as honor moral authority and evil and issues such as the rationality of revenge and proportionality in punishment BOOK JACKET The Sharon Kowalski Case Casey Charles,2003 A gripping story of love and law The Sharon Kowalski Case chronicles one of the true landmarks in the fight for the rights of same sex partners fully framed for the first time within its social political and historical contexts *Telos* ,2004

Constitutional Interpretation Keith E. Whittington,1999 With its detailed and wide ranging explorations in history philosophy and law this book is essential reading for anyone interested in how the Constitution ought to be interpreted and what it means to live under a constitutional government BOOK JACKET *Justice* Michael J. Sandel,2007-09-27 Moreover Sandel s organization of the readings and his own commentaries allow readers to engage with a variety of pressing contemporary issues

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