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Ronald Dworkin- Combined Academic
Ronald Dworkin is widely accepted as the most important and most controversial Anglo-American jurist of the past forty years. And this same-named volume on his work has become a minor classic in the field, offering the most complete analysis and integration of Dworkin's work to date. This third edition offers a substantial revision of earlier texts and, most importantly, incorporates ...

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Book Reviews | Ronald Dworkin

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This is a lucid and comprehensive introduction to, and critical assessment of, Ronald Dworkin's seminal contributions to legal and political philosophy. His theories have a complexity, originality, and moral power that have excited a wide range of academic and political thinkers, and even those who disagree with him acknowledge that his ideas must be confronted and given serious consideration. His enormous output of books and papers and his formidable profusion of lectures and seminars throughout the world, in addition to his teaching duties at Oxford and New York University, have made him a giant figure in contemporary thought. In short, Dworkin's theory of law is that the nature of legal argument lies in the best moral interpretation of existing social practices. His theory of justice is that all political judgments ought to rest ultimately upon the injunction that people are equal as human beings, irrespective of the circumstances in which they are born. Dworkin does not fit into an orthodox category. His theory of law is radical in that it sees legal argument primarily about rights yet conservative in seeing it as constrained by history. He is libertarian both in valuing ambition and in asserting a right to pornography, yet socialist in believing that no person has a right to a greater share of resources than anyone else. In particular, he advocates a system that would tax people on the resources they accumulate solely through their talent alone. Because Dworkin writes for a number of audiences--sometimes the general public, sometimes academic lawyers, sometimes philosophers and economists--it is often difficult to identify the different strands of his thought. The book aims to makehis theories clear and accessible and to give an overall picture of his thinking that is sympathetic yet rigorously argued. This is the sixth book in the series Jurists: Profiles in Legal Theory.

A landmark work of political and legal philosophy, Ronald Dworkin's Taking Rights Seriously was acclaimed as a major work on its first publication in 1977 and remains profoundly influential in the 21st century. A forceful statement of liberal principles - championing the legal, moral and political rights of the individual against the state - Dworkin demolishes prevailing utilitarian and legal-positivist approaches to jurisprudence. Developing his own theory of adjudication, he applies this to controversial public issues, from civil disobedience to positive discrimination. Elegantly written and cuttingly insightful, Taking Rights Seriously is one of the most important works of public thought of the last fifty years.

In his last book, Ronald Dworkin addresses timeless questions: What is religion and what is God's place in it? What are death and immortality? He joins a sense of cosmic mystery and beauty to the claim that value is objective, independent of mind, and immanent in the world. Belief in God is one manifestation of this view, but not the only one.

Book Reviews | Ronald Dworkin

In this substantially revised second edition, Neil MacCormick delivers a clear and current introduction to the life and works of H.L.A. Hart, noted Professor of Jurisprudence at Oxford University from 1952 to 1968. Hart established a worldwide reputation through his powerful philosophical arguments and writings in favor of liberalizing criminal law and applying humane principles to punishment. This book demonstrates that Hart also made important contributions to analytical jurisprudence, notably by clarifying many terms and concepts used in legal discourse, including the concept of law itself. Taking into account developments since the first edition was published, this book provides a constructively critical account of Hart's legal thought. The work includes Hart's ideas on legal reasoning, judicial discretion, the social sources of law, the theory of legal rules, the sovereignty of individual conscience, the notion of obligation, the concept of a right, and the relationship between morality and the law. MacCormick actively engages with current scholarly interpretations, bringing this accessible account of England's greatest legal philosopher of the twentieth century up-to-date.

A rigorous introduction to profound questions about the nature and role of law.

How should the state face the challenge of radical pluralism? How can constitutional orders be changed when they prove unable to regulate society? Santi Romano, Carl Schmitt, and Costantino Mortati, the leading figures of Continental legal institutionalism, provided three responses that deserve our full attention today. Mariano Croce and Marco Goldoni introduce and analyze these three towering figures for a modern audience. Romano thought pluralism to be an inherent feature of legality and envisaged a far-reaching reform of the state for it to be a platform of negotiation between autonomous normative regimes. Schmitt believed pluralism to be a dangerous deviation that should be curbed through the juridical exclusion of alternative institutional formations. Mortati held an idea of the constitution as the outcome of a basic agreement among hegemonic forces that should shape a shared form of life. The Legacy of Pluralism explores the convergences and divergences of these towering jurists to take stock of their ground-breaking analyses of the origin of the legal order and to show how they can help us cope with the current crisis of national constitutional systems.

In this highly original book, Robert Nagel demonstrates how contemporary constitutional politics reflect the moral character of American culture. He persuasively argues that judicial decisions embody wider social tendencies towards moral evasiveness, privatization, and opportunism. Constitutional interpretation, he urges, is often an effort to stifle political disagreement and, ultimately, to censor our own beliefs and traditions. Nagel ranges over such controversial topics as the confirmation hearings of Clarence Thomas and Robert Bork, local resistance to abortion rights, political correctness on campus, and judicial decisions dealing with pornography, flag burning, gay rights, school prayer, and racial desegregation. Crossing conventional political and philosophical lines, the analysis is surprising and provocative. Nagel sees fundamental similarities between liberals like Ronald Dworkin and conservatives like Bork. He finds judicial arrogance in jurists as different as William Brennan and Sandra O'Connor. Clearly written and forcefully argued, this work is an audacious examination of judicial power as an integral part of our increasingly anxious and intolerant society.

Book Reviews | Ronald Dworkin

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