

Darwinian Evolution And Classical Liberalism

Theories In Tension

Common Law and Liberal Theory Shaping Modern Liberalism Liberty and Liberalism The Missing Child in Liberal Theory The Triumph of Practice Over Theory in Ethics The Edinburgh Review From Communism to Liberalism Theories of the State The Supreme Court and Constitutional Theory, 1953-1993 Introduction to the Literature of Europe in the Fifteenth, Sixteenth, and Seventeenth Centuries The Liberal platform. Historic facts and current problems: a book of reference for platform speakers [&c.] to imperial, British, and Scottish subjects of the day [publ. by the Liberal publication department and the Scottish Liberal association. Ed. by W.K. Rose and R.M. Smith]. Unitarian Review and Religious Magazine The Contemporary Review Radical Critiques of the Law Liberalism and American Constitutional Law The Speaker, the Liberal Review Social Theory and Practice English Liberalism and the State The Westminster Review The Liberal Magazine James R. Stoner Edward A. Stettner Bruce Smith John O'Neill James P. Sterba Zbigniew Rau Patrick Dunleavy Ronald Kahn Henry Hallam Liberal publication dept Stephen M. Griffin Rogers M. Smith Harold John Schultz

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in this book james stoner s purpose is to recover the common law basis of american constitutionalism american constitutionalism in general he argues and judicial review in particular cannot be fully understood without acknowledging their roots in both common law and liberal political theory but for the most part the common law underpinnings of constitutionalism have received short shrift

a well researched and pertinent discussion of one of american liberalism s most important exponents choice a concise intelligent and highly readable study what is fresh and extremely valuable is the flesh that stettner puts on the bones of the old generalization about croly and liberalism this is a worthy addition to the literature on this important and influential american thinker american historical review

every day we experience shocks to our civic sensibility in our view these shocks are due to the marketization of our social endowment of family life of childhood health and knowledge of security and employment the raw side of the trend towards the marketization and defamilization of the social bond is what we see in street crime drugs school drop outs single family poverty homelessness and unemployment which we experience either directly or vicariously through media reportage whose power to observe is equalled only by its inability to explain indeed the media coverage of the daily degradation of the life world is itself an essential ingredient in the reduction of social concern to social anxiety that further undermines civility

this work combines the two most common approaches used to introduce students or general readers to ethics the historical and the applied using these approaches sterba examines traditional ethical theories and disagreements exploring aristotelian kantian and utilitarian ethics as well as their contemporary defenders

this is the first accessible systematic study of the five schools of thought that dominate modern political science in the west

combining theoretical sophistication with a fundamental comprehension of the political institutions of the usa this study aims to demystify the workings of the united states supreme court and its place in democracy

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

rogers smith describes the adverse influence of modern liberalism s governing ideas on the development of american constitutional law and offers a new more purposive theory to suit contemporary needs he begins with a fresh analysis of the liberal goals shared by america s constitutional framers and points out the weaknesses of their political thought examining vital constitutional doctrines of due process free speech voting apportionment and economic welfare he demonstrates how contemporary law is often an incoherent patchwork of principles drawn from different historic versions of liberalism smith considers and discards the major modern theories in political philosophy that bear on constitutional law the democratic relativism of alexander bickel and john hart ely the higher law views inherited from america s religious traditions and the neo kantian liberalism of ronald dworkin and john rawls returning instead to the early liberalism of john locke he suggests how a theory centered on the enlightenment commitment to promoting human capacities for reflective self direction or rational liberty might better guide current constitutional debates

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