

AND THE CLAIMS OF JUSTICE

DRUCILLA CORNELL AND NICK FRIEDMAN

Online Mandate Dignity Dworkin Revolutionary Constitutionalism

Drucilla Cornell, Nick Friedman

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The Mandate of Dignity Drucilla Cornell, Nick Friedman, 2016-02-01 A major American legal thinker the late Ronald Dworkin also helped shape new dispensations in the Global South In South Africa in particular his work has been fiercely debated in the context of one of the world's most progressive constitutions Despite Dworkin's discomfort with that document s enshrinement of socioeconomic rights his work enables an important defense of a jurisprudence premised on justice rather than on legitimacy Beginning with a critical overview of Dworkin's work culminating in his two principles of dignity Cornell and Friedman turn to Kant and Hegel for an approach better able to ground the principles of dignity Dworkin advocates Framed thus Dworkin's challenge to legal positivism enables a theory of constitutional revolution in which existing legal structures are transformatively revalued according to ethical mandates By founding law on dignity Dworkin begins to articulate an ethical jurisprudence responsive to the lived experience of injustice This book then articulates a revolutionary constitutionalism crucial to the struggle for decolonization The Mandate of Dignity Drucilla Cornell, Nick Friedman, 2016 A major American legal thinker the late Ronald Dworkin also helped shape new dispensations in the Global South In South Africa in particular his work has been fiercely debated in the context of one of the world's most progressive constitutions Despite Dworkin's discomfort with that document's enshrinement of socioeconomic rights his work enables an important defense of a jurisprudence premised on justice rather than on legitimacy Beginning with a critical overview of Dworkin's work culminating in his two principles of dignity Cornell and Friedman turn to Kant and Hegel for an approach better able to ground the principles of dignity Dworkin advocates

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