

Common Good Law

Asks whether personalised medicine is superior to 'one-size-fits-all' treatment. Does it elevate individual choice above the common good?

Explores how republican political thought can make a constructive and distinctive contribution to our understanding of democracy and the challenges it faces.

Aquinas, Aristotle, and the Promise of the Common Good, first published in 2006, claims that contemporary theory and practice have much to gain from engaging Aquinas's normative concept of the common good and his way of reconciling religion, philosophy, and politics. Examining the relationship between personal and common goods, and the relation of virtue and law to both, Mary M. Keys shows why Aquinas should be read in addition to Aristotle on these perennial questions. She focuses on Aquinas's Commentaries as mediating statements between Aristotle's Nicomachean Ethics and Politics and Aquinas's own Summa Theologiae, showing how this serves as the missing link for grasping Aquinas's understanding of Aristotle's thought. Keys argues provocatively that Aquinas's Christian faith opens up new panoramas and possibilities for philosophical inquiry and insights into ethics and politics. Her book shows how religious faith can assist sound philosophical inquiry into the foundation and proper purposes of society and politics.

An eminent political scientist's brilliant analysis of economic, social, and political trends over the past century demonstrating how we have gone from an individualistic "I" society to a more communitarian "We" society and then back again, and how we can learn from that experience to become a stronger, more unified nation—from the author of *Bowling Alone* and *Our Kids*. Deep and accelerating inequality; unprecedented political polarization; vitriolic public discourse; a fraying social fabric; public and private narcissism—Americans today seem to agree on only one thing: This is the worst of times. But we've been here before. During the Gilded Age of the late 1800s, America was highly individualistic, starkly unequal, fiercely polarized, and deeply fragmented, just as it is today. However as the twentieth century opened, America became—slowly, unevenly, but steadily—more egalitarian, more cooperative, more generous; a society on the upswing, more focused on our responsibilities to one another and less focused on our narrower self-interest. Sometime during the 1960s, however, these trends reversed, leaving us in today's disarray. In a sweeping overview of more than a century of history, drawing on his inimitable combination of statistical analysis and storytelling, Robert Putnam analyzes a remarkable confluence of trends that brought us from an "I" society to a "We" society and then back again. He draws inspiring lessons for our time from an earlier era, when a dedicated group of reformers righted the ship, putting us on a path to becoming a society once again based on community. Engaging, revelatory, and timely, this is Putnam's most ambitious work yet, a fitting capstone to a brilliant career.

This book offers a concise explanation of the history and meaning of American academic freedom, and it attempts to intervene in contemporary debates by clarifying the fundamental functions and purposes of academic freedom in America.--From publisher

description.

"When Jean Tirole won the 2014 Nobel Prize in Economics, he suddenly found himself being stopped in the street by complete strangers and asked to comment on issues of the day, no matter how distant from his own areas of research. His transformation from academic economist to public intellectual prompted him to reflect further on the role economists and their discipline play in society. The result is *Economics for the Common Good*, a passionate manifesto for a world in which economics, far from being a 'dismal science,' is a positive force for the common good. Economists are rewarded for writing technical papers in scholarly journals, not joining in public debates. But Tirole says we urgently need economists to engage with the many challenges facing society, helping to identify our key objectives and the tools needed to meet them. To show how economics can help us realize the common good, Tirole shares his insights on a broad array of questions affecting our everyday lives and the future of our society, including global warming, unemployment, the post-2008 global financial order, the euro crisis, the digital revolution, innovation, and the proper balance between the free market and regulation. Providing a rich account of how economics can benefit everyone, *Economics for the Common Good* sets a new agenda for the role of economics in society"--Provided by publisher.

Is private ownership an inviolate right that individuals can wield as they see fit? Or is it better understood in more collective terms, as an institution that communities reshape over time to promote evolving goals? What should it mean to be a private landowner in an age of sprawling growth and declining biological diversity? These provocative questions lie at the heart of this perceptive and wide-ranging new book by legal scholar and conservationist Eric Freyfogle. Bringing together insights from history, law, philosophy, and ecology, Freyfogle undertakes a fascinating inquiry into the ownership of nature, leading us behind publicized and contentious disputes over open-space regulation, wetlands protection, and wildlife habitat to reveal the foundations of and changing ideas about private ownership in America. Drawing upon ideas from Thomas Jefferson, Henry George, and Aldo Leopold and interweaving engaging accounts of actual disputes over land-use issues, Freyfogle develops a powerful vision of what private ownership in America could mean—an ownership system, fair to owners and taxpayers alike, that fosters healthy land and healthy economies.

The structure of common law has for many years been the subject of intense debate between formalists and functionalists. The former, drawing on legal realism, proposes that transactional law is a private law for interacting parties, while the later, inspired by Kant, argue it is a public law serving the collective ends of society. But what if there were a unity between functionalism and formalism? What if, in this unity, private law is modified by a common good? In this thoroughly revised and re-written edition of his classic book *'The Unity of the Common-Law: Studies in Hegelian Jurisprudence,'* Alan Brudner draws on Hegel's legal philosophy to exhibit this unity in each of transactional laws main divisions; property, contract, unjust enrichment and tort. Brudner suggests each of these divisions is composed of private-law and public-law parts that complement each other and that they are connected by a single narrative thread. This thread consists in development towards a goal. The goal is the dignity that comes with the attainment of the legal conditions necessary and sufficient for reconciling dependence with independence. Thus the end point is

what a transactional law can contribute to a life sufficient for dignity.

What are our obligations to others as people in a free society? Should government tax the rich to help the poor? Is the free market fair? Is it sometimes wrong to tell the truth? Is killing sometimes morally required? Is it possible, or desirable, to legislate morality? Do individual rights and the common good conflict? Michael J. Sandel's "Justice" course is one of the most popular and influential at Harvard. Up to a thousand students pack the campus theater to hear Sandel relate the big questions of political philosophy to the most vexing issues of the day, and this fall, public television will air a series based on the course. Justice offers readers the same exhilarating journey that captivates Harvard students. This book is a searching, lyrical exploration of the meaning of justice, one that invites readers of all political persuasions to consider familiar controversies in fresh and illuminating ways. Affirmative action, same-sex marriage, physician-assisted suicide, abortion, national service, patriotism and dissent, the moral limits of markets—Sandel dramatizes the challenge of thinking through these conflicts, and shows how a surer grasp of philosophy can help us make sense of politics, morality, and our own convictions as well. Justice is lively, thought-provoking, and wise—an essential new addition to the small shelf of books that speak convincingly to the hard questions of our civic life.

Contemporary philosophy is by its nature pluralistic, to a perhaps greater extent than at any moment of the preceding tradition, in that there are multiple forms of thought competing for a position on the center of the philosophic stage. The reasons for this conceptual proliferation are numerous. But certainly one factor is the increasing development of contemporary means of publication and communication, which in turn make possible the rapid dissemination of ideas as well as an informed reaction to them. And this in turn has increased the possibility for serious philosophic exchange by enhancing the available opportunities for the interaction of competing forms of thought. But, although informed philosophic interaction has in principle become increasingly possible in recent years, the frequency, scope and quality of such discussion has often been less than satisfactory. Contemporary philosophic viewpoints tend not to interact in a Hegelian manner, as complementary aspects of a totally satisfactory and a-perspectival view, facets of a singly and all-embracing true position. Rather, contemporary philosophic viewpoints tend to portray themselves as mutually exclusive alternatives only occasionally willing to acknowledge the possible validity or even the intrinsic interest of other perspectives. Thus, although the multiplication of different forms of philosophy in principle means that there are greater possibilities for meaningful exchange between them, in practice the tendency of each of the various philosophic positions to raise claims to philosophic truth from its point of view alone has had the effect of impeding such interaction.

Our society's longstanding commitment to the liberty of conscience has become strained by our increasingly muddled understanding of what conscience is and why we value it. Too often we equate conscience with individual autonomy, and

so we reflexively favor the individual in any contest against group authority, losing sight of the fact that a vibrant liberty of conscience requires a vibrant marketplace of morally distinct groups. Defending individual autonomy is not the same as defending the liberty of conscience because, although conscience is inescapably personal, it is also inescapably relational. Conscience is formed, articulated, and lived out through relationships, and its viability depends on the law's willingness to protect the associations and venues through which individual consciences can flourish: these are the myriad institutions that make up the space between the person and the state. Conscience and the Common Good reframes the debate about conscience by bringing its relational dimension into focus.

This book consists of two parts: the essay "The Idea of Public Reason Revisited," first published in 1997, and "The Law of Peoples," a major reworking of a much shorter article by the same name published in 1993. Taken together, they are the culmination of more than fifty years of reflection on liberalism and on some of the most pressing problems of our times by John Rawls. "The Idea of Public Reason Revisited" explains why the constraints of public reason, a concept first discussed in *Political Liberalism* (1993), are ones that holders of both religious and non-religious comprehensive views can reasonably endorse. It is Rawls's most detailed account of how a modern constitutional democracy, based on a liberal political conception, could and would be viewed as legitimate by reasonable citizens who on religious, philosophical, or moral grounds do not themselves accept a liberal comprehensive doctrine--such as that of Kant, or Mill, or Rawls's own "Justice as Fairness," presented in *A Theory of Justice* (1971). *The Law of Peoples* extends the idea of a social contract to the Society of Peoples and lays out the general principles that can and should be accepted by both liberal and non-liberal societies as the standard for regulating their behavior toward one another. In particular, it draws a crucial distinction between basic human rights and the rights of each citizen of a liberal constitutional democracy. It explores the terms under which such a society may appropriately wage war against an "outlaw society," and discusses the moral grounds for rendering assistance to non-liberal societies burdened by unfavorable political and economic conditions.

One of the most influential works in the history of political theory, Aristotle's *Politics* is a treatise in practical philosophy, intended to inform legislators and to create the conditions for virtuous and self-sufficient lives for the citizens of a state. In this Companion, distinguished scholars offer new perspectives on the work and its themes. After an opening exploration of the relation between Aristotle's ethics and his politics, the central chapters follow the sequence of the eight books of the *Politics*, taking up questions such as the role of reason in legitimizing rule, the common good, justice, slavery, private property, citizenship, democracy and deliberation, unity, conflict, law and authority, and education. The closing chapters discuss the interaction between Aristotle's political thought and contemporary democratic theory. The volume will provide

a valuable resource for those studying ancient philosophy, classics, and the history of political thought. In this book, Amitai Etzioni, public intellectual and leading proponent of communitarian values, defends the view that no society can flourish without a shared obligation to "the common good." Rejecting claims made by some liberal thinkers that it is not possible to balance individual rights with uncoerced civic responsibility, Etzioni explores a number of key issues which pose important questions for those concerned with promoting the common good in contemporary society. Are we morally obliged to do more for our communities beyond treating everyone as endowed with basic rights? Should privacy be regarded not merely as a right but also as an obligation? And should the right to free speech take priority over the need to protect children from harmful material in the media and on the internet? Etzioni asks how we can strike a healthy balance between individual rights and public safety in an age of global terrorism. He evaluates various new government devices, from wiretaps to viruses, which open our lives to public scrutiny. Particular attention is given to the issues surrounding government-issued DNA tests. The book concludes by questioning whether we can still talk of a relationship between the common good and the nation-state, or whether the "online" society in which we live will make it increasingly difficult to maintain those communities which are the very homeland of the common good. This new book, by one of the world's leading social and political thinkers, will be important reading for students and scholars of political science, social philosophy, sociology, and public policy, as well as for the interested general reader.

In the wake of the financial crisis of 2008 and ongoing debt-related troubles there have been widespread calls to put banking and economic activity on a secure ethical foundation, either by regulation or through voluntary reform. In this volume a distinguished set of authors explore various economic, philosophical, and ethical ideas from historical, contemporary, and future-looking perspectives. At the core are two related ideas much mentioned but far more rarely examined: the idea of natural law and that of the common good. In these essays the foundations and meaning of these notions are carefully studied and put to work in examining the nature and scope of ethics in relation to global economics. Global justice is an exciting area of refreshing, innovative new ideas for a changing world facing significant challenges. Not only does work in this area often force us to rethink about ethics and political philosophy more generally, but its insights contain seeds of hope for addressing some of the greatest global problems facing humanity today. The Oxford Handbook of Global Justice has been selective in bringing together some of the most pressing topics and issues in global justice as understood by the leading voices from both established and rising stars across twenty-five new chapters. This Handbook explores severe poverty, climate change, egalitarianism, global citizenship, human rights, immigration, territorial rights, and much more.

Expounding upon, 'The Republic,' the earlier work of his teacher Plato, Aristotle in 'Politics' examines the various options for

governance and their respective values. A detailed and pragmatic approach to the subject, Aristotle's 'Politics' provides much of the foundation for modern political thought

A distinguished religious leader's stirring case for reconstructing a shared framework of virtues and values. With liberal democracy embattled, public discourse grown toxic, family life breaking down, and drug abuse and depression on the rise, many fear what the future holds. In *Morality*, respected faith leader and public intellectual Jonathan Sacks traces today's crisis to our loss of a strong, shared moral code and our elevation of self-interest over the common good. We have outsourced morality to the market and the state, but neither is capable of showing us how to live. Sacks leads readers from ancient Greece to the Enlightenment to the present day to show that there is no liberty without morality and no freedom without responsibility, arguing that we all must play our part in rebuilding a common moral foundation. A major work of moral philosophy, *Morality* is an inspiring vision of a world in which we can all find our place and face the future without fear.

A consensus has recently emerged among academics and policymakers that US copyright law has fallen out of balance. Lawmakers have responded by taking up proposals to reform the Copyright Act. But how should they proceed? This book offers a new and insightful view of copyright, marking the path toward a world less encumbered by legal restrictions and yet richer in art, music, and other expressive works. Two opposing viewpoints have driven the debate over copyright policy. One side questions copyright for the same reasons it questions all restraints on freedoms of expression, and dismisses copyright, like other forms of property, as a mere plaything of political forces. The opposing side regards copyrights as property rights that deserve—like rights in houses, cars, and other forms of property—the fullest protection of the law. Each of these viewpoints defends important truths. Both fail, however, to capture the essence of copyright. In *Intellectual Privilege*, Tom W. Bell reveals copyright as a statutory privilege that threatens our natural and constitutional rights. From this fresh perspective come fresh solutions to copyright's problems.

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Presenting with moving insight the relations between man, as a person and as an individual, and the society of which he is a part, Maritain's treatment of a lasting topic speaks to this generation as well as those to come. Maritain employs the personalism rooted in Aquinas's doctrine to distinguish between social philosophy centered in the dignity of the human person and that centered in the primacy of the individual and the private good.

Inspired by the recovery of natural law and virtue ethics in recent ethical discourse, certain members of the American Maritain Association have written essays to stimulate this recovery further. Their efforts are assembled in this volume, *Freedom, Virtue, and the Common Good*. Writing under the influence of Jacques Maritain and Yves R. Simon, they herein examine the requirements of a satisfactory natural law and virtue ethics, broadly understood as a moral philosophy giving primacy to character-formation and to the development of individual and social habits necessary to perfect human life. The ethics herein envisioned is one that must first be grounded in a sound philosophy of the human person.

In Jean-Jacques Rousseau's *Discourses on the Origin of Inequality*, he outlines his own history of the development of human

society. He explains in general terms how the differences between social and economic classes arose alongside the formation of modern states. He also explores the means by which these inequalities were actually built into and perpetuated by the foundational notions of modern society and government. Rather than endorse a return to the peaceful ways of pre-modern human beings, Rousseau addresses these inequalities in his seminal work, *The Social Contract*. Rousseau does not see government as an inherently corrupting influence, and he makes very clear and precise recommendations about how the state can and should protect the equality and character of its citizens.

The Protestant philosophical and theological heritage of Thomas Aquinas This major new book provides an introduction to Thomas Aquinas's influence on Protestantism. The editors, both noted commentators on Aquinas, bring together a group of influential scholars to demonstrate the ways that Anglican, Lutheran, and Reformed thinkers have analyzed and used Thomas through the centuries. Later chapters also explore how today's Protestants might appropriate the work of Aquinas to address a number of contemporary theological and philosophical issues. The authors set the record straight and disavow the widespread impression that Aquinas is an irrelevant figure for the history of Protestant thought. This assumption has dominated not only Protestant historiography but also Roman Catholic accounts of the Reformation and Protestant intellectual life. The book opens the possibility for contemporary reception, engagement, and critique and even intra-Protestant relations and includes: Information on the fruitful appropriation of Aquinas in Anglican, Lutheran, and Reformed theologians over the centuries Important essays from leading scholars on the teachings of Aquinas New perspectives on Thomas Aquinas's position as a towering figure in the history of Christian thought Aquinas Among the Protestant is a ground-breaking and interdenominational work for students and scholars of Thomas Aquinas and theology more generally.

Erika Bachiochi offers an original look at the development of feminism in the United States, advancing a vision of rights that rests upon our responsibilities to others. In *The Rights of Women*, Erika Bachiochi explores the development of feminist thought in the United States. Inspired by the writings of Mary Wollstonecraft, Bachiochi presents the intellectual history of a lost vision of women's rights, seamlessly weaving philosophical insight, biographical portraits, and constitutional law to showcase the once predominant view that our rights properly rest upon our concrete responsibilities to God, self, family, and community. Bachiochi proposes a philosophical and legal framework for rights that builds on the communitarian tradition of feminist thought as seen in the work of Elizabeth Fox-Genovese and Jean Bethke Elshtain. Drawing on the insight of prominent figures such as Sarah Grimké, Frances Willard, Florence Kelley, Betty Friedan, Pauli Murray, Ruth Bader Ginsburg, and Mary Ann Glendon, this book is unique in its treatment of the moral roots of women's rights in America and its critique of the movement's current trajectory. *The Rights of Women* provides a synthesis of ancient wisdom and modern political insight that locates the family's vital work at the very center of personal and political self-government. Bachiochi demonstrates that when rights are properly understood as a civil and political apparatus born of the natural duties we owe to one another, they make more visible our personal responsibilities and more viable our common life together. This smart and sophisticated application of Wollstonecraft's thought will serve as a guide for how we

might better value the culturally essential work of the home and thereby promote authentic personal and political freedom. The Rights of Women will interest students and scholars of political theory, gender and women's studies, constitutional law, and all readers interested in women's rights.

Drawing on the work of Aristotle, Aquinas, Edmund Burke, and John Finnis, *A Vindication of Politics* argues for the intrinsic value of political association. Rather than an activity defined by law and government, politics emerges as a cultural enterprise that connects generations and ennobles our common life.

This central volume in the *Collected Essays* brings together John Finnis's wide-ranging contribution to central issues in political philosophy. The volume begins by examining the general theory of political community and social justice. It includes the powerful and well-known Maccabean Lecture on Bills of Rights — a searching critique of Ronald Dworkin's moral-political arguments and conclusions, of the European Court of Human Rights' approach to fundamental rights, and of judicial review as a constitutional institution. It is followed by an equally searching analysis of Kant's thought on the intersection of law, right, and ethics. Other papers in the book's opening section include an early assessment of Rawls's *A Theory of Justice*, a radical re-interpretation of Aquinas on limited government and the significance of the private/public distinction, and a challenging paper on virtue and the constitution. The volume then focuses on central problems in modern political communities, including the achievement of justice in work and distribution; the practice of punishment; war and justice; the public control of euthanasia and abortion; and the nature of marriage and the common good. There are careful and vigorous critiques of Nietzsche on morality, Hart on punishment, Dworkin on the enforcement of morality and on euthanasia, Rawls on justice and law, Thomson on the woman's right to choose, Habermas on abortion, Nussbaum and Koppelman on same-sex relations, and Dummett and Weithman on open borders. The volume's previously unpublished papers include a foundational consideration of labour unions, a fresh statement of a new grounding for the morality of sex, a surprising reading of C.S. Lewis's *Abolition of Man* on contraception, and an introduction reviewing some of the remarkable changes in private and public morality over the past half-century.

The way that Americans understand their Constitution and wider legal tradition has been dominated in recent decades by two exhausted approaches: the originalism of conservatives and the “living constitutionalism” of progressives. Is it time to look for an alternative? Adrian Vermeule argues that the alternative has been there, buried in the American legal tradition, all along. He shows that US law was, from the founding, subsumed within the broad framework of the classical legal tradition, which conceives law as “a reasoned ordering to the common good.” In this view, law's purpose is to promote the goods a flourishing political community requires: justice, peace, prosperity, and morality. He shows how this legacy has been lost, despite still being implicit within American public law, and convincingly argues for its recovery in the form of “common good constitutionalism.” This erudite and brilliantly original book is a vital intervention in America's most significant contemporary legal debate while also being an enduring account of the true nature of law that will resonate for decades with scholars and students.

THE GOOD SOCIETY examines how many of our institutions- from the family to the government itself- fell from grace, and offers

concrete proposals for revitalizing them.

Patrick Riordan takes a different approach to the questions of global ethics by following the direction of questioning initially pioneered by Aristotle; for him the most basic question of ethics is 'what is the good life'? So in the context of contemporary global ethics the Aristotelian questioner wonders about the good life on a global scale. *Global Ethics and Global Common Goods* fills the gap in existing literature caused by the neglect of the topic of the good in global ethics. Beginning by outlining answers to questions such as 'what is good?' and 'is there a highest good?' Riordan demonstrates the value of a common good perspective in matters of universal human rights and their institutions and practices, the study of international relations and the construction of global institutions, and debates about global justice between cosmopolitanism, nationalism and economic globalization.

Philosophical questions provoked by these debates are identified and pursued, such as the question of a common human nature which seems presupposed by the language of universal rights. For experienced students of political philosophy and international relations this is a crucial text in the literature exploring the possibilities for politics on a world scale, while the perspective of the common good adds a new and distinctive dimension to current debates on global security and the challenges of managing conflict. Natural law is a perennial though poorly represented and understood issue in political philosophy and the philosophy of law. In this 2006 book, Mark C. Murphy argues that the central thesis of natural law jurisprudence - that law is backed by decisive reasons for compliance - sets the agenda for natural law political philosophy, demonstrating how law gains its binding force by way of the common good of the political community. Murphy's work ranges over the central questions of natural law jurisprudence and political philosophy, including the formulation and defense of the natural law jurisprudential thesis, the nature of the common good, the connection between the promotion of the common good and requirement of obedience to law, and the justification of punishment.

First published in 1986. In this thought-provoking book the widely acclaimed thinker and activist, Marcus Raskin, moves beyond the limits and failures of socialism and capitalism to an original theory of social reconstruction for a humane society. Presenting concrete alternatives for education, health, economics and national security he develops a new conception of democracy and the rule of law in relation to our common good. A political and philosophic tool designed for those who search for alternatives in their lives and in the world, *The Common Good* shows how to organize for social reconstruction, the type of leadership now required, and the importance of restoring progress as a political purpose. Defining politics as broader than the mere manifestation of power, Raskin's vision helps the left and liberals find their way towards a new public philosophy and program.

Natural Law in Jurisprudence and Politics Cambridge University Press

The essays in this volume analyze the relationship between core concepts of the common good and the work of American political philosopher John Rawls. One of the main criticisms that has been made of Rawls is his supposed neglect of central aspects of collective life. The contributors to this book explore the possibility of a substantive and community-oriented interpretation of Rawls's thought. The chapters investigate Rawls's views on values such as community, faith, fraternity, friendship, gender

equality, love, political liberty, reciprocity, respect, sense of justice, and virtue. They demonstrate that Rawls finds a balance between certain individualistic aspects of his theory of justice and the value of community. In doing so, the book offers insightful new readings of Rawls. John Rawls and the Common Good will be of interest to scholars and advanced students working in political, moral, and legal philosophy.

An interdisciplinary group of privacy scholars explores social meaning and value of privacy in new privacy-sensitive areas. Judges, courts, and scholars in the United States agree that the Constitution is the supreme law of the land, but there is much disagreement about its meaning. So what seems to be incontestable truth is riddled with disagreements about every day questions of decision making on matter such as whether people are entitled to government created programs, what rights are fundamental, the criteria for voting, the three branches of governments' several responsibilities, and even who should have the final say in defining the Constitution's meaning. Constitutional Ethos is a groundbreaking investigation into the fundamental principles of constitutional principle, meaning, and interpretation. It explores the core purposes of American representative democracy in light of historical sources, recent precedents, and contemporary debates. Alexander Tsesis argues that a central norm of U.S. law can be derived from the Declaration of Independence and Preamble. This book develops a theory of constitutional law structured on the public duty to protect individual rights for the general welfare. The maxim of constitutional governance synthesizes the protection of individual and public rights. The ideal is neither solely theoretical nor customary but tied to a firm foundation that the people then build upon by lobbying elected officials and petitioning appointed judges. Representative government has an interlinked obligation to the individual and the general welfare. This paradigm for responsible governance sets the baseline against which citizens can hold policy makers accountable to the structural and normative commitments of the Constitution. A pluralistic system must respect human dignity and govern for the betterment of the body politic. Those mandates set the terms for exercising legitimate power at the federal, state, and local levels to protect individual rights to achieve the common good of civil society. Tsesis demonstrates that ethos is binding on the conduct of all three branches of government and their officeholders. His argument challenges the more common U.S. perspective among academics and judges, who typically discount the existence of any objective constitutional value, regarding the document as a construct of social norms. To the contrary, Tsesis shows that the people established the terms of the nation's founding documents to protect universal, unalienable rights. The structure of government provides the mechanisms of those in a pluralistic state to set reasonable limitations for the betterment of society as a whole. Understanding the Constitution's special place in American legal culture is essential for resolving a host of contemporary issues; including, those involving marital, gender, and voting equalities. The state is a means of optimizing the well-being of individuals. Human productivity can best flourish in a society of equals, where talents can be brought to bear in the betterment of self and other members of the community. The Constitution does not create rights but protects those universal ideals of representative democracy first set out in the Declaration of Independence. It further grants authority to political institutions for the enforcement of policies and concrete laws for the betterment of society or some relevant segment of it. Many scholars with leanings in legal realism and process theory believe the

authority of government is a social construct created by popular majorities; Tthesis convincingly demonstrates, to the contrary, that even those laws enacted by popular majorities are not authoritative unless they accord with a central maxim of constitutionalism, which is the protection of individual rights for the common good.

Makes both practical and theoretical contributions to the developing shape of religious life today.

International law has long been dominated by the State. But it has become apparent that this bias is unrealistic and untenable in the contemporary world as the rise of the notion of common goods challenges this dominance. These common goods – typically values (like human rights, rule of law, etc) or common domains (the environment, cultural heritage, space, etc) – speak to an emergent international community beyond the society of States and the attendant rights and obligations of non-State actors. This book details how three key areas of international law – human rights, culture and the environment – are pushing the boundaries in this field. Each category is of current and ongoing significance in legal and public discourse, as illustrated by the Syrian conflict (human rights and international humanitarian law), the destruction of mausoleums and manuscripts in Mali (cultural heritage), and the Deepwater Horizon oil spill (the environment). Each exemplifies the need to move beyond a State-focused idea of international law. This timely volume explores how the idea of common goods, in which rights and obligations extend to individuals, groups and the international community, offers one such avenue and reflects on its transformative impact on international law.

Human Rights and Common Good collects John Finnis's wide-ranging work on central issues in political philosophy. The subjects explored are the general theory of political community and justice; the nature and role of human rights; economic justice; the justification of punishment; and the public control of euthanasia, abortion, and marriage

""Robert B. Reich makes the case for a generous, inclusive understanding of the American project, centering on the moral obligations of citizenship. Rooting his argument in everyday reality and common sense, Reich demonstrates the existence of a common good, and argues that it is this that defines a society or a nation. Societies and nations undergo virtuous cycles that reinforce and build the common good, as well as vicious cycles that undermine it. Over the course of the past five decades, Reich contends, America has been in a slowly accelerating vicious cycle--one that can and must be reversed. But first we need to weigh what really matters, and how we as a country should relate to honor, shame, patriotism, truth, and the meaning of leadership."--Publisher's description.

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