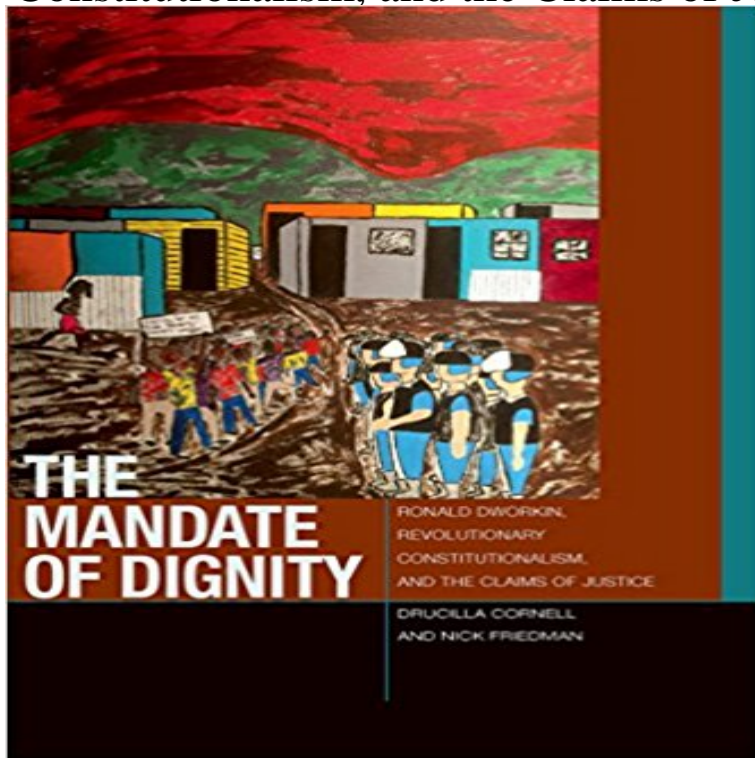


The Mandate of Dignity: Ronald Dworkin, Revolutionary Constitutionalism, and the Claims of Justice (Just Ideas (FUP))



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 worlds most progressive constitutions. Despite Dworkins discomfort with that documents 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 Dworkins 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, Dworkins 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.

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