



CONTEXTS OF JUSTICE

Political Philosophy beyond Liberalism and Communitarianism

Rainer Forst

Translated by John M. M. Farrell

Contexts Of Justice Political Philosophy Beyond Liberalism And Communitarianism

Anuscheh Farahat,Xabier Arzoz

Contexts Of Justice Political Philosophy Beyond Liberalism And Communitarianism:

Contexts of Justice Rainer Forst, 2002-02-27 This text offers an intervention into the debate between communitarianism and liberalism. It argues for a theory of contexts of justice that leads beyond the confines of the debate as it has been understood and posits the possibility of a new conception of social and political justice. *Multilevel Constitutionalism for Multilevel Governance of Public Goods* Ernst Ulrich Petersmann, 2017-01-12 This is the first legal monograph analysing multilevel governance of global aggregate public goods (PGs) from the perspective of democratic republican and cosmopolitan constitutionalism by using historical legal political and economic methods. It explains the need for a new philosophy of international law in order to protect human rights and PGs more effectively and more legitimately. Constitutional approaches are justified by the universal recognition of human rights and by the need to protect human rights, rule of law, democracy and other principles of justice that are used in national, regional and UN legal systems as indeterminate legal concepts. The study describes and criticizes the legal methodology problems of disconnected governance in UN, GATT and WTO institutions as well as in certain areas of the external relations of the EU like transatlantic free trade agreements. Based on 40 years of practical experiences of the author in German, European, UN, GATT and WTO governance institutions and of simultaneous academic teaching, this study develops five propositions for constituting, limiting, regulating and justifying multilevel governance for the benefit of citizens and their constitutional rights as constituent powers, democratic principals and main republican actors who must hold multilevel governance institutions and their limited constituted powers legally, democratically and judicially more accountable. *Constitutive Justice* William A. Barbieri, 2015-09-15 Both classical and modern accounts of justice largely overlook the question of how the communities within which justice applies are constituted in the first place. This book addresses that problem, arguing that we need to accord a place to the theory of constitutive justice alongside traditional categories of distributive and commutative justice. *Freedom and Democracy in an Imperial Context* Robert Nichols, Jakeet Singh, 2014-03-26 *Freedom and Democracy in an Imperial Context* Dialogues with James Tully gathers leading thinkers from across the humanities and social sciences in a celebration of and critical engagement with the recent work of Canadian political philosopher James Tully. Over the past thirty years, James Tully has made key contributions to some of the most pressing questions of our time, including interventions in the history of moral and political thought, contemporary political philosophy, democracy, citizenship, imperialism, recognition and cultural diversity. In 2008 he published *Public Philosophy in a New Key*, a two-volume work that promises to be one of the most influential and important statements of legal and political thought in recent history. This work, along with numerous other books and articles, is foundational to a distinctive school of political thought, influencing thinkers in fields as diverse as Anthropology, History, Indigenous Studies, Law, Philosophy and Political Science. Critically engaging with James Tully's thought, the essays in this volume take up what is his central and ever more pressing question: how to enact

democratic practices of freedom within and against historically sedimented and actually existing relationships of imperialism

Toleration in Political Conflict Glen Newey, 2013-10-03 Glen Newey argues that toleration is not just desirable but given the nature of politics inescapable

At the Margins of the Modern State Seyla Benhabib, 2025-03-20 The international order of the post WW II period is in disarray The sounds of war can be heard all around us from Ukraine to Gaza from Darfur to the Congo and there is growing skepticism towards human rights and democracy the rule of law and peace among peoples Facile expressions such as Eurocentrism and demise of the West and the rise of the rest miss the real challenge in this situation how to extend moral legal and political universalism to address the experiences of the multitude of humanity for whom western modernity has brought not only equality but also subordination not only emancipation but also domination Benhabib argues that rethinking this universalist project and participating in world building together can be achieved by reconstructing and retrieving the best insights of critical social theory in the Frankfurt tradition and the liberal Kantianism of Rawls and Dworkin In that spirit this volume addresses state and popular sovereignty Third World approaches to International Law the 1951 Refugee Convention and climate change legislation while focusing on the changing fortunes of the European Union and cosmopolitanism Benhabib engages with postcolonial thinkers and argues that although validity claims and relations of domination and inequality are often intermixed it is possible to reconstruct the insights of international law to serve a more inclusive universalism and world building This vibrant defense of human rights and universal norms in an age of political skepticism and extremism will appeal to a wide readership and will be of particular interest to students and scholars in political theory critical theory and law

Justice, Democracy and the Right to Justification Rainer Forst, 2014-06-19 This book is available as open access through the Bloomsbury Open Access programme and is available on www.bloomsburycollections.com Over the past 15 years Rainer Forst has developed a fundamental research programme within the tradition of Frankfurt School Critical Theory The core of this programme is a moral account of the basic right of justification that humans owe to one another as rational beings This account is put to work by Forst in articulating both historically and philosophically the contexts and form of justice and of toleration The result is a powerful theoretical framework within which to address issues such as transnational justice and multicultural toleration In this volume Forst sets out his ideas in an extended essay which is responded to by influential interlocutors including Andrea Sangiovanni Amy Allen Kevin Olson Anthony Laden Eva Erman and Simon Caney The volume concludes with Forst's response to his interlocutors

Real World Justice A. Follesdal, T. Pogge, 2005-06-08 The concept of global justice makes visible how we citizens of affluent countries are potentially implicated in the horrors so many must endure in the so called less developed countries Distinct conceptions of global justice differ in their specific criteria of global justice However they agree that the touchstone is how well our global institutional order is doing compared to its feasible alternatives in regard to the fundamental human interests that matter from a moral point of view We are responsible for global regimes such as the global

trading system and the rules governing military interventions These institutional arrangements affect human beings worldwide for instance by shaping the options and incentives of governments and corporations Alternative paths of globalization would have differed in how much violence oppression and extreme poverty they engender And global institutional reforms could greatly enhance human rights fulfillment in the future The importance of this global justice approach reaches well beyond philosophy It enables ordinary citizens to understand their options and responsibility for global institutional factors and it challenges social scientists to address the causes of poverty and hunger that act across borders The present volume addresses four main topics regarding global justice The normative grounds for claims regarding the global institutional order the substantive normative principles for a legitimate global order the roles of legal human rights standards and some institutional arrangements that may make the present world order less unjust All royalties from this book have been assigned to Oxfam

A Critical Theory of Global Justice Malte Frøslee Ibsen, 2022-11-24 The idea of a critical theory is famous across the world yet it is today rarely practised as originally conceived by the Frankfurt School The waning influence of critical theory in the contemporary academy may be due to its lack of engagement with global problems and the postcolonial condition This book offers the first systematic treatment of the idea of a critical theory of world society advancing the conversation between critical theory and postcolonial and ecological thought Malte Frøslee Ibsen develops a reconstruction of the Frankfurt School tradition as four paradigms of critical theory in original interpretations of the work of Max Horkheimer Theodor W Adorno Jürgen Habermas and Axel Honneth and considers how the global context has featured in their work and what might be salvaged for a critical theory of contemporary world society Along the way Ibsen advances new interpretations of the relationship between critical theory and justice the idea of communicative freedom and three conceptions of power in the Frankfurt School tradition He further offers extended discussions of two emerging paradigms in the work of Amy Allen and Rainer Forst and argues that a critical theory of world society must combine and integrate a Kantian constructivist approach in a critique of global injustice as Forst defends with the reflexive check of a self-problematizing critique of its blind spots and taken-for-granted assumptions regarding the postcolonial condition as defended by Allen Finally Ibsen rethinks the relationship between society and nature in critical theory with far-reaching normative and methodological implications

Axel Honneth: Critical Essays Danielle Petherbridge, 2011-08-11 Axel Honneth Critical Essays brings together a collection of critical interpretations on the work of Axel Honneth from his earliest writings on philosophical anthropology his reappraisal of critical theory and critique of post-structuralism to the development and extension of the theory of recognition his debate with Nancy Fraser and his most recent work on reification The book also includes a comprehensive reply by Axel Honneth that not only addresses issues and concerns raised by his critics but also provides significant insights and clarifications into his project overall The book will be essential reading for all those interested in Honneth's work and in critical theory philosophy and social theory more generally

The Oxford Handbook

of Comparative Political Theory Leigh K. Jenco, Murad Idris, Megan Christine Thomas, 2020 Chapters emphasize exploration of substantive questions about political life in a range of global contexts with attention to whether and how those questions may be shared contested or reformulated across differences of time space and experience An interdisciplinary volume that bridges the gaps between various traditions regions and concerns regarding political theory Provides tags and keywords to aid navigation of the handbook and help readers trace disruptions thematic connections and conceptual contrasts across entries

Justification and Emancipation Amy Allen, Eduardo Mendieta, 2019-09-19 This work is both an introduction to and a critical appraisal of the work of Rainer Forst one of the most important political theorists in Germany today Structured for classroom use this collection of original essays engages with Forst's extant corpus in ways that are both appreciative and critical Forst is an original prolific and widely known member of the fourth generation of Frankfurt School theorists His significant contributions include a Rawlsian Habermasian conception of justice that takes seriously the dissent of citizens and moral agents an original interpretation and analysis of the concept of toleration and most recently a generative idea of noumenal power to which every human being has a claim by virtue of their equal standing within the moral community of all rational beings Opening with an essay by Forst on the normative conception of progress and closing with a reply to his critics this volume is both a primer on and a window into the latest contributions to the tradition of critical theory In addition to the editors the contributors include John Christman Matthias Iser Catherine Lu John P McCormick Sarah Clark Miller and Melissa Yates

A New Politics of Identity Bhikhu Parekh, 2008-03-26 The New Politics of Identity pursues many of the central issues raised in the author's Rethinking Multiculturalism focusing in particular on their consequences for global politics Parekh develops a theory of identity that combines respect for diversity and applies this theory to a range of key current debates on national identity

Fortunes of Feminism Nancy Fraser, 2013-10-01 Nancy Fraser's major new book traces the feminist movement's evolution since the 1970s and anticipates a new radical and egalitarian phase of feminist thought and action During the ferment of the New Left Second Wave feminism emerged as a struggle for women's liberation and took its place alongside other radical movements that were questioning core features of capitalist society But feminism's subsequent immersion in identity politics coincided with a decline in its utopian energies and the rise of neoliberalism Now foreseeing a revival in the movement Fraser argues for a reinvigorated feminist radicalism able to address the global economic crisis Feminism can be a force working in concert with other egalitarian movements in the struggle to bring the economy under democratic control while building on the visionary potential of the earlier waves of women's liberation This powerful new account is set to become a landmark of feminist thought

Contesting Austerity Anuscheh Farahat, Xabier Arzoz, 2021-07-01 This book addresses the different forms of austerity contestation and resistance in order to understand how they relate to one another and the impact they have on the democratic quality of public debates the trust in public institutions and the legitimacy of law Contestation of austerity includes not only traditional activism strategies such as

human rights litigation and direct democracy instruments but also new forms of collective action and collaborative resistance. Most importantly many of the new anti austerity initiatives also aim to renovate existing modes of democratic decision making on the European national regional and local levels. The book focuses on different types of contesting austerity measures and the interaction between institutional and civil society actors. It will enhance understanding of how the various actors frame not only their goal but also the underlying social conflict to contest austerity and through which means they try to achieve political and legal changes. With 16 chapters written by contributors from Spain Germany Greece Portugal and the UK the book approaches 3 crucial areas of austerity policies cuts in payment and pensions labour law reform and old and new poverty. In each field the contributors analyse the processes of decision making and contestation from 3 perspectives institutions democratic theory and societal responses.

The Habermas Handbook Hauke Brunkhorst, Regina Kreide, Cristina Lafont, 2017-10-24 Jürgen Habermas is one of the most influential philosophers of our time. His diagnoses of contemporary society and concepts such as the public sphere communicative rationality and cosmopolitanism have influenced virtually all academic disciplines spurred political debates and shaped intellectual life in Germany and beyond for more than fifty years. In *The Habermas Handbook* leading Habermas scholars elucidate his thought providing essential insight into his key concepts the breadth of his work and his influence across politics law the social sciences and public life. This volume offers a comprehensive overview and an in depth analysis of Habermas's work in its entirety. After examining his intellectual biography it goes on to illuminate the social and intellectual context of Habermasian thought such as the Frankfurt School speech act theory and contending theories of democracy. The Handbook provides an extensive account of Habermas's texts ranging from his dissertation on Schelling to his most recent writing about Europe. It illustrates the development of his thought and its frequently controversial reception while elaborating the central ideas of his work. The book also provides a glossary of key terms and concepts making the complexity of Habermas's thought accessible to a broad readership.

International Law for Common Goods Federico Lenzerini, Ana Filipa Vrdoljak, 2014-12-01 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

Immanent Critique Titus Stahl, 2021-11-11 When we criticize social institutions and practices what kinds of reasons can we offer for such criticism Political philosophers often assume that we must rely on universal moral principles that are not necessarily connected to the particular social practices of our communities Traditionally continental critical theory has rejected this claim through its endorsement of the method of immanent critique Immanent critique is a critique of social practices that draws on norms already present within these practices to demand social change rather than merely conservatively reproducing them Titus Stahl defends the claim that such a critique is not only possible but also has politically powerful potential Taking up recent developments in analytic enquiry into collective intentionality theory and in the philosophy of language he argues that all social practices rest on structures of mutual recognition between persons that allow social theorists to reconstruct hidden norms present within these practices Starting from a comprehensive critique of contemporary critical theory Immanent Critique also spells out the consequences of this line of thought for the practice of social critique for the social sciences and for political philosophy The translation of this work was funded by Geisteswissenschaften International Translation Funding for Humanities and Social Sciences from Germany a joint initiative of the Fritz Thyssen Foundation the German Federal Foreign Office the collecting society VG WORT and the B rsenverein des Deutschen Buchhandels German Publisher Booksellers Association *Constitutionalism Justified* Ester

Herlin-Karnell, Matthias Klatt, Héctor A. Morales Zúñiga, 2020 This volume analyzes Rainer Forst's theory of the right to justification from legal philosophical and constitutional theoretical perspectives The contributions address issues such as the philosophical foundations of justification and constitutionalism the justification of human rights the requirements of social justice and important elements of constitutional law Forst responds to the contributions in a concluding chapter

Normativity and Power Rainer Forst, 2017-10-20 Humans are justificatory beings they offer demand and require justifications The rules and institutions they follow rest on justification narratives that have evolved over time and taken together constitute a dynamic and tension laden normative order In this collection of essays the first translation into English of the ground breaking *Normativity and Power* Suhrkamp 2015 Rainer Forst presents a new approach to critical theory Each essay reflects on the basic principles that guide our normative thinking Forst's argument goes beyond ideal and realist theories and shows how closely the concepts of normativity and power are interrelated and how power rests on the capacity to influence determine and possibly restrict the space of justifications for others By combining insights from the disciplines of philosophy history and the social sciences Forst re-evaluates theories of justice as well as of power and provides the tools for a critical theory of relations of justification

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