Record Nr. UNINA9910798419803321 Autore Cornell Drucilla Titolo The Mandate of Dignity: Ronald Dworkin, Revolutionary Constitutionalism, and the Claims of Justice / / Nick Friedman, Drucilla Pubbl/distr/stampa New York, NY:,: Fordham University Press,, [2016] ©2016 ISBN 0-8232-6813-6 Descrizione fisica 1 online resource (149 p.) Collana Just Ideas Disciplina 342.001 Soggetti Constitutional law - South Africa Dignity Social justice - South Africa Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di contenuto Front matter -- Contents -- Preface -- Introduction -- 1. Integrity to the Past -- 2. The Hegelian Conception of a Properly Constituted Community -- 3. Law's Empire in South Africa -- 4. The Quest for Unity of Value -- 5. Integrity to Dignity -- 6. Dignity and Responsibility in South African Law -- Conclusion -- Notes -- Index Sommario/riassunto 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.