

Taking Rights Seriously Ronald Dworkin

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Taking Rights Seriously is a 1977 book about the philosophy of law by the philosopher Ronald Dworkin. In the book, Dworkin argues against the dominant philosophy of Anglo-American legal positivism as presented by H. L. A. Hart in *The Concept of Law* (1961) and utilitarianism by proposing that rights of the individual against the state exist outside of the written law and function as "trumps" against the interests or wishes of the majority.

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Mr. Dworkin criticizes in detail the legal positivists' theory of legal rights, particularly H. L. A. Hart's well-known version of it. He then develops a new theory of adjudication, and applies it to the central and politically important issue of cases in which the Supreme Court interprets and applies the

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Mr. Dworkin criticizes in detail the legal positivists' theory of legal rights, particularly H. L. A. Hart's well-known version of it. He then develops a new theory of adjudication, and applies it to the central and politically important issue of cases in which the Supreme Court interprets and applies the Constitution.

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Ronald Dworkin was an American Philosopher, a scholar of United States constitutional law, and the author of several books. He will be remembered for his contribution to rebuilding the legal system in the States and help those affected by its transgression. "Taking Rights Seriously PDF Summary"

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Taking Rights Seriously, which was published in 1977 and written by philosopher Ronald Dworkin, is an anthology of 19 essays, all related to the law. The topics differ, but include: affirmative...

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Finally, Professor Dworkin considers the right to liberty, often thought to rival and even pre-empt the fundamental right to equality. He argues that distinct individual liberties do exist, but that they derive, not from some abstract right to liberty as such, but from the right to equal concern and respect itself.

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Taking Rights Seriously is concerned above all with due process, both in law and politics. In this respect, his theory of law and critique of legal positivism frames his theory of politics. He conceives both law and politics in terms of a "right to equality," the aim being to show individuals equal concern and respect.

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As much as anyone, that idea owes its existence to a former graduate school professor of mine,

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Ronald Dworkin, who 40 years ago wrote the influential book “Taking Rights Seriously.” As a legal philosopher, Dworkin was the godfather of late-20th century legal liberalism and the ascendancy of the politics of rights.

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Dworkin argues vigorously, imaginatively and elegantly. ”—The Yale Law Review “ In a series of beautifully written, mutually supportive essays, Dworkin applies the theory of rights, or his own version of the theory, to the case of judicial decision-making.

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Book Review. Dworkin discusses principles for constitutional interpretation and principles. for statutory interpretation, his views are not expressed in detail and he. makes no attempt to tie together these principles of interpretation with his. over-arching theory of rights.

Catholic University Law Review

Clearly and forcefully, Ronald Dworkin argues against the "ruling" theory in Anglo-American law--legal positivism and economic utilitarianism--and asserts that individuals have legal rights beyond those explicitly laid down and that they have political and moral rights against the state that are prior to the welfare of the majority.

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