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Levelling the Playing Field

Andrew Mason

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'Equality of opportunity for all' is a fine piece of political rhetoric but the ideal that lies behind it is slippery. Some see it as an alternative to a more robust form of egalitarianism, whilst others think that when it is properly understood it provides us with a real radical vision of what it is to level the playing field. This book combines a meritocratic conception of equality of opportunity that governs access to advantaged social positions, with redistributive principles that seek to mitigate the effects of differences in people's circumstances. Taken together, these spell out what it is to level the playing field in the way that justice requires.

Melancholic Freedom

David Kyuman Kim

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Why does agency — the capacity to make choices and to act in the world — matter to us? Why is it meaningful that our intentions have effects in the world, that they reflect our sense of identity, that they embody what we value? What kinds of motivations are available for political agency and judgment in an age that lacks the enthusiasm associated with the great emancipatory movements for civil rights and gender equality? What are the conditions for the possibility of being an effective agent when the meaning of democracy has become less transparent? This book addresses these crucial questions by uncovering the political, moral, philosophical, and religious dimensions of human agency. The book treats agency as a form of religious experience that reflects implicit and explicit notions of the good. Of particular concern are the moral, political, and religious motivations that underpin an understanding of

agency as meaningful action. Through a critical engagement with the work of theorists such as Judith Butler, Charles Taylor, and Stanley Cavell, this book argues that late modern and postmodern agency is found most effectively at work in “projects of regenerating agency” or critical and strategic responses to loss. Agency as melancholic freedom begins and endures, this text maintains, through the moral and psychic losses associated with a broad range of experiences, including the moral identities shaped by secularized modernity and the multi-fold forms of alienation experienced by those who suffer the indignities of racial, gender, class, and sexuality discrimination and oppression. This book calls for renewing the sense of urgency in our political and moral engagements by seeing agency as a vocation, where the aspiration for self-transformation and the human need for hope are fundamental concerns.

Liberalism, Justice, and Markets

Colin M. Macleod

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This book presents a systemic and definitive critique of Ronald Dworkin's highly influential theory of liberal equality. Focusing on the connection Dworkin attempts to establish between economic markets and liberal equality, the book examines Dworkin's contention that markets have an indispensable role to play in the articulation of liberal ideals of distributive justice, individual liberty, and state neutrality. The book also examines the issues concerning individual responsibility and entitlement as well as the nature of justice with respect to persons with disabilities. The author argues that Dworkin's attempt to establish deep affinities between the market and equality is unsuccessful and his proposed solutions to some central controversies in political theory are seriously flawed. This powerful examination of the work of America's leading public philosopher reveals some timely lessons about the hazards and limitations of the market as a device for the articulation and realization of egalitarian justice.

The Constitution of Equality

Thomas Christiano

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What is the ethical basis of democracy? And what reasons do we have to go along with democratic decisions even when we disagree with them? And when do we have reason to say that we may justly ignore democratic decisions? These questions must be answered if we are to have answers to some of the most important questions facing our global community, which include whether there is a human right to democracy and whether we must attempt to spread democracy throughout the globe. This book provides a philosophical account of the moral foundations of democracy and of liberalism. It shows how democracy and basic liberal rights are grounded in the principle of public equality, which tells us that in the establishment of law and policy we must treat persons as equals in ways that they can see as being treated as equals. The principle of public equality is shown to be the fundamental principle of social justice. This account enables us to understand the nature and roles of adversarial politics and public deliberation in political life. It gives an account of the grounds of the authority of democracy. It also shows when the authority of democracy runs out. It shows how the violations of democratic and liberal rights are beyond the legitimate authority of democracy and how the creation of persistent minorities in a democratic society, and the failure to ensure a basic minimum for all persons, weaken the legitimate authority of democracy.

Our Secret Constitution

George P. Fletcher

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This book asserts that the Civil War marks the end of one era of American legal history, and the beginning of another. Abraham Lincoln's famous Gettysberg Address is viewed as the beginning of a new kind of "covert" constitutional law - one with a stronger emphasis on equality in the wake of the abolition of slavery - which was legally established in the Amendments made to the U.S. Constitution between 1865 and 1870. The author asserts that the influence of this "secret constitution", which has varied in degree from Reconstruction to the present day, is visible in the rulings of the Supreme Court on issues hinging on personal freedom, equality, and discrimination.

Welfare in the Kantian State

Alexander Kaufman

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Kant's theory of justice continues to exert a powerful influence on contemporary discussions of justice and equality. Modern theorists disagree, however, regarding the implications of Kant's theory for the state's responsibility for public welfare. A traditional interpretation holds that Kant's political theory simply involves an investigation of the constraints that reason places on the state's authority to regulate external action. This 'standard interpretation' of Kant's thought has remained influential, and has grounded a reinterpretation of the classic liberal state by theorists such as Humboldt and Hayek. Kaufman argues that the standard interpretation neither succeeds as a faithful reading of Kant's texts nor as a plausible, philosophically sound reconstruction of a 'Kantian' political theory. Rather, Kaufman argues, Kant's political theory articulates a positive conception of the state's role. In particular, Kantian justice requires that each member of society must be guaranteed the opportunity to realize his or her purposive capacities. In order to secure this guarantee, Kantian justice requires interventions to secure equality of capabilities.

National Responsibility and Global Justice

David Miller

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This book presents a non-cosmopolitan theory of global justice. In contrast to theories that seek to extend principles of social justice, such as equality of opportunity or resources, to the world as a whole, it argues that in a world made up of self-determining national communities, a different conception is needed. The book presents and defends an account of national responsibility which entails that nations may justifiably claim the benefits that their decisions and policies produce, while also being held liable for harms that they inflict on other peoples. Such collective responsibility extends to responsibility for the national past, so the present generation may owe redress to those who have been harmed by the actions of their predecessors. Global justice, therefore, must be understood not in terms of equality, but in terms of a minimum set of basic rights that belong to human beings everywhere. Where these rights are being violated or threatened, remedial responsibility may fall on outsiders. The book considers how this responsibility should be allocated, and how far citizens of democratic societies must limit their pursuit of domestic objectives in order to discharge their global obligations.

School Choice and Social Justice

Harry Brighouse

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Defends a theory of social justice for education from within an egalitarian version of liberalism. The theory involves a strong commitment to educational equality, and to the idea that children's rights include a right to personal autonomy. The book argues that school reform must always be evaluated from the perspective of social justice and applies the theory, in particular, to school choice proposals. It looks at the parental choice schemes in Milwaukee, Wisconsin, and in England and Wales, and argues that they fall short of the requirements of justice, but that not all such schemes must do so. It elaborates an abstract voucher scheme that would combine choice with justice, and offers ways by which actual choice-based reform can be modified to meet the requirements of justice.

Boundaries and Allegiances

Samuel Scheffler

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This book is a collection of 11 essays written from a perspective that is at once sympathetic towards, and critical of, liberalism and liberal political philosophy. The essays explore the capacity of liberal thought, and of the moral traditions on which it draws, to accommodate a variety of challenges posed by the changing circumstances of the modern world. Scheffler considers how, in an era of rapid globalization, we can best conceive of the responsibilities of individual agents and the normative significance of people's diverse commitments and allegiances. Some of the essays are primarily concerned with the role of individual desert in liberal theory. Others focus on the nature of people's special responsibilities to their families, communities, and societies, and assess the compatibility of such responsibilities with liberal ideas of justice and equality. Still others deal with the possibility of developing a liberal conception of justice that acknowledges the normative significance of social and global interdependencies, while reaffirming the values of personal life and the continuing importance of ideas of individual responsibility.

Equality and Responsibility

Christopher Lake

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These days, arguments about distributive justice—i.e. arguments about who should get what—often centre around two ideas. One is that goods should be distributed equally. The other is that how people fare in life should depend on what they are responsible for. In a wide-ranging discussion, the author asks what it is that draws us to these two ideas and whether they lend themselves to being combined, in the way contemporary egalitarian thinkers seek to combine them, or whether they necessarily pull in different directions. Along the way, he examines how arguments about responsibility and natural talents bear upon the standing of market rewards and he looks at recent theoretical attempts to show that the recipients of social benefits should be willing to engage in contributive activity in return. The conclusion is clear—there is no natural tendency for a commitment to equality to support an attachment to responsibility nor for an attachment to responsibility to support a commitment to equality.