

RICHARD A. EPSTEIN

SKEPTICISM
and
FREEDOM

A Modern Case for
CLASSICAL
LIBERALISM

Skepticism And Freedom A Modern Case For Classical Liberalism

Lee Anne Fennell, Benjamin J. Keys



Skepticism And Freedom A Modern Case For Classical Liberalism:

Skepticism and Freedom Richard A. Epstein, 2003 With this book Richard A Epstein provides a spirited and systematic defense of classical liberalism against the critiques mounted against it over the past thirty years One of the most distinguished and provocative legal scholars writing today Epstein here explains his controversial ideas in what will quickly come to be considered one of his cornerstone works He begins by laying out his own vision of the key principles of classical liberalism respect for the autonomy of the individual a strong system of private property rights the voluntary exchange of labor and possessions and prohibitions against force or fraud Nonetheless he not only recognizes but insists that state coercion is crucial to safeguarding these principles of private ordering and supplying the social infrastructure on which they depend Within this framework Epstein then shows why limited government is much to be preferred over the modern interventionist welfare state Many of the modern attacks on the classical liberal system seek to undermine the moral conceptual cognitive and psychological foundations on which it rests Epstein rises to this challenge by carefully rebutting each of these objections in turn For instance Epstein demonstrates how our inability to judge the preferences of others means we should respect their liberty of choice regarding their own lives And he points out the flaws in behavioral economic arguments which overlooking strong evolutionary pressures claim that individual preferences are unstable and that people are unable to adopt rational means to achieve their own ends Freedom Epstein ultimately shows depends upon a skepticism that rightly shuns making judgments about what is best for individuals but that also avoids the relativistic trap that all judgments about our political institutions have equal worth A brilliant defense of classical liberalism **Skepticism and Freedom** will rightly be seen as an intellectual landmark

Public Governance and the Classical-Liberal Perspective Paul Dragos Aligica, Peter J. Boettke, Vlad Tarko, 2019-05-01 Drawing on classical liberalism develops a systematic framework of principles regarding public governance *Skepticism in the Modern Age* José Raimundo Maia Neto, Gianni Paganini, John Christian Laursen, 2009 Since the publication of the first edition of Richard Popkin's classic *The History of Scepticism* in 1960 skepticism has been increasingly recognized as a major force in the development of early modern philosophy This book provides a review of current scholarship and significant updated research on some of the main thinkers and issues related to the reappraisal of ancient skepticism in the modern age Special attention is given to the nature importance and relation to religion of Montaigne's and Hume's skepticisms to the various skeptical and non skeptical sources of Cartesian doubt to the skeptical and anti skeptical impact of Cartesianism in the seventeenth and eighteenth centuries and to philosophers who dealt with skeptical issues in the development of their own various intellectual interests **Darwinian Evolution and**

Classical Liberalism Stephen C. Dille, 2013-05-02 Darwinian Evolution and Classical Liberalism canvasses an array of thinkers from the past to the present as it examines fundamental political philosophical ethical economic anthropological and scientific aspects of the ferment between Darwinian biology and classical liberalism Early chapters focus on classical

thinkers like John Locke and Adam Smith while later chapters provide analyses of present day classical liberals focusing especially on F A Hayek Thomas Sowell and Larry Arnhart the most prominent advocates of contemporary classical liberalism Thematically the volume falls into three parts Part I examines foundational matters arguing that Darwinism and classical liberalism hold incompatible visions of morality human nature and individual autonomy This section also contends that the free market s spontaneous order is fully compatible with a teleological or non Darwinian view of the universe Part II turns to contemporary applications contending that Darwinism and classical liberalism are at odds in their views of or implications about limited government vital religion economic freedom and the traditional family This section also argues that since its inception Darwinism has attenuated core tenets and values of classical liberalism and Western civilization Part III of the volume contains alternative views to those in the first two parts adding critical diversity to the book Respectively these chapters hold that Darwinian evolution simply has little to say about classical liberalism an evolutionary account of human volition is fully compatible with the individual choice presupposed in classical liberalism and evolutionary naturalism unlike religious alternatives provides a strong foundation for freedom morality and the traditional family

If You're a Classical Liberal, How Come You're Also an Egalitarian? Åsbjørn Melkevik, 2020-03-28 Classical liberalism has wrongly been regarded as an ideology that rejects the welfare state In this book sbj rn Melkevik corrects this common reading of the classical liberal tradition by introducing a theory of rule egalitarianism Not only is classical liberalism compatible with social justice but it can also help us understand why some egalitarian endeavours are an essential feature of a market society If a necessary link exists between the classical liberal tradition and the moral and institutional dimensions of the rule of law then this tradition is bound to uphold a substantial form of social justice Coherence requires that classical liberals like Friedrich Hayek and Milton Friedman adopt an authentic egalitarian program They should ameliorate poverty and limit inequality not merely out of prudence or collective self interest but for the natural justice of ongoing social cooperation as well as for the impartiality of market institutions

Cicero and Modern Law Richard O. Brooks, 2017-07-05 Cicero and Modern Law contains the best modern writings on Cicero s major law related works such as the Republic On Law On Oratory along with a comprehensive bibliography of writings on Cicero s legal works These works are organized to reveal the influence of Cicero s writings upon the history of legal thought including St Thomas the Renaissance Montesquieu and the U S Founding Fathers Finally the articles include discussions of Cicero s influence upon central themes in modern legal thought including legal skepticism republicanism mixed government private property natural law conservatism and rhetoric The editor offers an extensive introduction placing these articles in the context of an overall view of Cicero s contribution to modern legal thinking

Cato Supreme Court Review 2004-2005 Mark K. Moller, 2005 Annotation A timely review of the Court s recent decisions

Evidence and Innovation in Housing Law and Policy Lee Anne Fennell, Benjamin J. Keys, 2017-08-29 No area of law and policy is more central to our well being than housing yet research on the topic is too often produced in

disciplinary or methodological silos that fail to connect to policy on the ground This pathbreaking book which features leading scholars from a range of academic fields cuts across disciplines to forge new connections in the discourse In accessible prose filled with cutting edge ideas these scholars address topics ranging from the recent financial crisis to discrimination and gentrification and show how housing law and policy impacts household wealth financial markets urban landscapes and local communities Together they harness evidence and theory to capture the state of play in housing generating insights that will be relevant to academics and policymakers alike This title is also available as Open Access

Property-Owning Democracy Martin O'Neill, Thad Williamson, 2014-03-03 Property Owning Democracy Rawls and Beyond features a collection of original essays that represent the first extended treatment of political philosopher John Rawls idea of a property owning democracy Offers new and essential insights into Rawls s idea of property owning democracy Addresses the proposed political and economic institutions and policies which Rawls s theory would require Considers radical alternatives to existing forms of capitalism Provides a major contribution to debates among progressive policymakers and activists about the programmatic direction progressive politics should take in the near future The Library as Forum in the Social Media Age John M. Budd, 2022-03-25 How do individuals in our country converse about thorny political matters We know that these kinds of discussions can be fraught but there are ways that the conversations can be thoughtful and civil In this book ways to ensure civil conversations are explored deeply A major thrust of the book is that the library writ large can be the locus for informed conversations typified by evidence and truth We begin with a description of the library what it is what purposes it can serve what contributions it can make to civil discourse As we will see the theme of liberty runs throughout the commentary Another chapter explores what discourse is how discourse theory can inform civil conversations and what kinds of discursive practices achieve the goal of civility This is admittedly a tall order but it is absolutely necessary to fulfill the promise of the book The chapter further presents examples of topics that are components of political conversations today as well as substantive sources that can inform those conversations The final chapter returns to the library The spirit and substance of providing a venue for civil conversation are discussed at some length The conclusion presents how the library can be the exemplar for civil conversation The audience for the book is not limited to librarians but extends to all who are interested in and committed to reasoned discussion of the political issues that divide us today Examples of topics of conversation conclude the last chapter The purpose is to illustrate just how the fraught topics can be discussed in a civil and considered manner The ultimate purpose of the book is to present a realistic manner by which political conversations can take place fostered by libraries *Rich Democracies, Poor People* David Brady, 2009-08-13 Poverty is not simply the result of an individual s characteristics behaviors or abilities Rather as David Brady demonstrates poverty is the result of politics In *Rich Democracies Poor People* Brady investigates why poverty is so entrenched in some affluent democracies whereas it is a solvable problem in others Drawing on over thirty years of data from eighteen countries

Brady argues that cross national and historical variations in poverty are principally driven by differences in the generosity of the welfare state An explicit challenge to mainstream views of poverty as an inescapable outcome of individual failings or a society s labor markets and demography this book offers institutionalized power relations theory as an alternative explanation

A Moderate Compromise S. Suranovic,2010-11-22 Looking at all sides of the globalization debate this book analyzes how international economic policy is made and how it has become so controversial The author offers a solution to the debate between free trade unregulated markets and the push for greater government involvement that is consistent with both economic efficiency and social justice

Inheritance Law and Political Theology in Shakespeare and Milton Joseph S. Jenkins,2016-05-23 Reading God s will and a man s Last Will as ideas that reinforce one another this study shows the relevance of England s early modern crisis regarding faith in the will of God to current debates by legal academics on the theory of property and its succession The increasing power of the dead under law in the US the UK and beyond a concern of recent volumes in law and social sciences is here addressed through a distinctive approach based on law and humanities Vividly treating literary and biblical battles of will the book suggests approaches to legal constitution informed by these dramas and by English legal history This study investigates correlations between the will of God in Judeo Christian traditions and the Last Wills of humans especially dominant males in cultures where these traditions have developed It is interdisciplinary in the sense that it engages with the limits of several fields it is informed by humanities critical theory especially Benjaminian historical materialism and Lacanian psychoanalysis but refrains from detailed theoretical considerations Dramatic narratives from the Bible Shakespeare and Milton are read as suggesting real possibilities for alternative inheritance i e constitutional regimes As Jenkins shows these texts propose ways to alleviate violence violence both personal and political through attention to inheritance law

How Progressives Rewrote the Constitution Richard A. Epstein,2007-09-25 How Progressives Rewrote the Constitution explores the fundamental shift in political and economic thought of the Progressive Era and how the Supreme Court was used to transform the Constitution into one that reflected the ideas of their own time while undermining America s founding principles Epstein examines key decisions to demonstrate how Progressives attacked much of the legal precedent and eventually weakened the Court s thinking concerning limited federal powers and the protection of individual rights Progressives on the Court undermined basic economic principles of freedom and competition paving the way for the modern redistributive and regulatory state This book shows that our modern constitutional law fashioned largely by the New Deal Court in the late 1930s has its roots in Progressivism not in our country s founding principles and how so many of those ideas however discredited by more recent economic thought still shape the Court s decisions

Property Rights from Below Olivier De Schutter,Balakrishnan Rajagopal,2019-12-06 Recent years have seen a globalization of property rights as the Western conception of property over land has extended across the world As formerly community owned land and natural resources are privatized and titling schemes proliferate Property Rights from

Below questions the trend toward treating land as a commodity and explores alternatives to the Western model As we enter an era of resource scarcity and as competition for land and associated natural resources increases purchasing power cannot become the sole criterion for land allocation and the law of supply and demand in increasingly financialized markets cannot become the sole metric through which the value of land is determined Using a range of examples from around the world Property Rights from Below demonstrates that alternatives to this model often emerge from social innovations supported by local communities and that there is an urgent need for a broader political imagination when it comes to land governance This innovative cross disciplinary perspective on the pressing problems surrounding global property rights will be of interest to academics students and professionals with an interest in property law development economics and land governance

The Moral Rights of Animals Mylan Engel Jr., Gary Lynn Comstock, 2016-03-16 Edited by Mylan Engel Jr and Gary Lynn Comstock this book employs different ethical lenses including classical deontology libertarianism commonsense morality virtue ethics utilitarianism and the capabilities approach to explore the philosophical basis for the strong animal rights view which holds that animals have moral rights equal in strength to the rights of humans while also addressing what are undoubtedly the most serious challenges to the strong animal rights stance including the challenges posed by rights nihilism the kind argument against animal rights the problem of predation and the comparative value of lives In addition contributors explore the practical import of animal rights both from a social policy standpoint and from the standpoint of personal ethical decisions concerning what to eat and whether to hunt animals Unlike other volumes on animal rights which focus primarily on the legal rights of animals and unlike other anthologies on animal ethics which tend to cover a wide variety of topics but only devote a few articles to each topic this volume focuses exclusively on the question of whether animals have moral rights and the practical import of such rights The Moral Rights of Animals will be an indispensable resource for scholars teachers and students in the fields of animal ethics applied ethics ethical theory and human animal studies as well as animal rights advocates and policy makers interested in improving the treatment of animals

Design for Liberty Richard A. Epstein, 2011-11-15 The noted legal scholar Richard Epstein advocates a much smaller federal government arguing that our over regulated state gives too much discretion to regulators which results in arbitrary unfair decisions and other abuses Epstein bases his classical liberalism on the twin pillars of the rule of law and of private contracts and property rights

Just Exchange Francis H. Buckley, 2004-11-30 Now for the first time there is a comprehensive eminently readable book designed to focus thinking in the area of contract law This book bridges the gap between law and economics by confronting normative values that economists too often deem the preserve of moral philosophers Contract theorists on the other hand are seldom in sympathy with economic efficiency norms While free bargaining continues to be regarded with suspicion by legal scholars who are hostile to private ordering the proper scope of free bargaining remains in dispute Combined with a recent renewed interest in this field these academic tensions mean that the time is right for a reconsideration of contract law

Drawing on scholarship from diverse fields and using illuminating and erudite examples *Just Exchange* is entertaining as well as informative Of interest to economists lawyers public policy makers and those interested in contract theory this volume is a valuable overview of a vital intersection between legal studies and economics

A Practical Guide to Ethics Rita Manning, Scott R. Stroud, 2018-05-04 This essential new text is designed for courses in contemporary moral issues applied ethics and leadership Emphasizing personal choice in the study of ethics the authors take the reader on a journey of self discovery rather than a mere academic survey of the field of ethics *A Practical Guide to Ethics Living and Leading with Integrity* helps students develop their skills in ethical decision making and put those decisions into effective practice Its unique focus on leadership especially the moral dimensions of understanding one's own values teaches students to understand and through dialog and negotiation communicate their own beliefs as a step to building coalitions with those who may hold different views It is also distinctive in combining ethical theory with both multicultural ethics Confucianism Hinduism Islam feminism and a practical orientation to moral decision making and leadership

What Should Constitutions Do? Ellen Frankel Paul, Fred D. Miller, Jr., Jeffrey Paul, 2011-01-31 The essays in this volume written by prominent philosophers political scientists and legal scholars address the basic purposes of constitutions and their status as fundamental law Some deal with specific constitutional provisions they ask for example which branches of government should have the authority to conduct foreign policy or how the judiciary should be organized or what role a preamble should play in a nation's founding document Other essays explore questions of constitutional design they consider the advantages of a federal system of government or the challenges of designing a constitution for a pluralistic society or they ask what form of constitution best promotes personal liberty and economic prosperity

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