NORMATIVE JURISPRUDENCE

Normative Jurisprudence aims to reinvigorate normative legal scholarship that both criticizes positive law and suggests reforms on the basis of stated moral values and legalistic ideals. It looks sequentially and in detail at the three major traditions in jurisprudence – natural law, legal positivism, and critical legal studies – that have in the past provided philosophical foundations for such normative scholarship. Over the past fifty years or so, all of these traditions have taken a number of different turns, although for different reasons, toward empirical analysis, conceptual analysis, or Foucauldian critique and away from straightforward normative criticism. As a result, normative legal scholarship – scholarship that is aimed at criticism and reform – is now lacking a foundation in jurisprudential thought. This book criticizes these developments and suggests a return – albeit with different and, in many ways, larger challenges – to the traditional understanding of the purpose of legal scholarship.

Robin West is Associate Dean for Research and Frederick Haas Professor of Law and Philosophy at the Georgetown University Law Center. She is the author of several books and more than a hundred articles on feminist legal theory, law and literature, law and humanities, jurisprudence, Constitutional law and theory, and, most recently, of Marriage, Sexuality, and Gender (2007) and Re-Imagining Justice (2003). She is the recipient of a J. B. White Lifetime Achievement Award from the Association for the Study of Law, Culture and Humanities, and she has held the John Carroll Research Chair at Georgetown.
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AN INTRODUCTION

ROBIN WEST

Georgetown University Law Center
To my children, Nick, Ben, and Molly; my husband, Robert Green; and my friend and colleague, Deborah Epstein
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