In an age of constitutional revolutions and reforms, theory and practice are moving in opposite directions. As a matter of constitutional practice, human dignity has emerged in jurisdictions around the world as the organizing idea of a groundbreaking paradigm. By reconfiguring constitutional norms, institutional structures, and legal doctrines, this paradigm transforms human dignity from a mere moral claim into a legal norm that persons have standing to vindicate. As a matter of constitutional theory, however, human dignity remains an enigmatic idea. Some explicate its meaning in abstraction from constitutional practice, while others confine themselves to less exalted ideas. The result is a chasm that separates constitutional practice from a theory capable of justifying its innovations and guiding its operation. By expounding the connection between human dignity and the constitutional practices that justify themselves in its light, Jacob Weinrib brings the theory and practice of constitutional law back together.

Jacob Weinrib is an assistant professor at the Faculty of Law at Queen’s University, Kingston, Ontario. His research interests include legal theory and comparative public law.
The aim of this series is to produce leading monographs in constitutional law. All areas of constitutional law and public law fall within the ambit of the series, including human rights and civil liberties law, administrative law, as well as constitutional theory and the history of constitutional law. A wide variety of scholarly approaches is encouraged, with the governing criterion being simply that the work is of interest to an international audience. Thus, works concerned with only one jurisdiction will be included in the series as appropriate, while, at the same time, the series will include works which are explicitly comparative or theoretical or both. The series editors likewise welcome proposals that work at the intersection of constitutional and international law, or that seek to bridge the gaps between civil law systems, the US, and the common law jurisdictions of the Commonwealth.

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To my teachers
Peddlers of verbiage – and there are some – endlessly make vacuous pronouncements about what they call the importance of practice and the uselessness and danger of theory. There is only one thing to say on this. Imagine any sequence of the most useful, excellent, and considered facts that you possibly can. Can you imagine that the theoretical order does not contain a sequence of ideas and truths that corresponds exactly to your practical chain? Unless you have entirely lost your reason, you will see that the one follows from the other or, better, precedes it. What, pray, is theory unless it is that connected sequence of truths that you might not be able to see until it has been made real but which someone has to have seen, unless of course everyone proceeds on the basis of not knowing what they are doing?

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