

Judicial Minimalism For And Against

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In his Kobe Lecture, Cass Sunstein reflects upon his judicial minimalism, a doctrine asserting that the proper role of the judiciary is to go "narrow and shallow," collectively making minimal changes to its jurisprudence. He goes "beyond judicial minimalism" by reflecting on the goal and conditions that make the minimalist strategy reasonable, culminating in the conclusion that there are situations when a different strategy is more efficient. Ten commentators carefully examine Sunstein's legal theory, especially his arguments for and against judicial minimalism. Sunstein himself replies to the comments by appealing to the notion of fallibility. This e-book attempts to evaluate the pros and cons of judicial minimalism as an important strategy for legal interpretation. EAN/ISBN : 9783515102933 Publisher(s): Steiner (Franz)
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