

# 《Weber, Habermas and 》

## 图书基本信息

书名：《Weber, Habermas and Transformations of the European State 韦伯、哈贝马斯和欧洲国家的转变》

13位ISBN编号：9780521811408

10位ISBN编号：0521811406

出版时间：2007-4

出版社：Cambridge Univ Pr

作者：McCormick, John P.

页数：301

版权说明：本站所提供下载的PDF图书仅提供预览和简介以及在线试读，请支持正版图书。

更多资源请访问：[www.tushu000.com](http://www.tushu000.com)

## 内容概要

This book draws on the writings of Max Weber and Jürgen Habermas to trace the relationship of law and democracy in three configurations of the European state: the liberal state ( or Rechtsstaat ) , the welfare state ( Sozialstaat ) , and the emerging supranational polity represented by the European Union. John P. McCormick exposes the tendency of social and political theorists to reach back unreflectively to the past and outlines a new, more appropriate normative-empirical model, the supranational Sektoralstaat, for evaluating prospects for constitutional and social democracy in the EU.

## 书籍目录

Acknowledgments Abbreviations

1 Introduction: Theorizing Modern Transformations of Law and Democracy 1 . Critical Theory and Structural Transformations 2. Critical Theory and the Supranational Constellation 3. Chapter Outline 4. Law, Democracy, and State Transformation Today

2, The Historical Logic ( s ) of Habermas's Critique of Weber's "Sociology of Law" 1. The Fragility of Legal-Rational Legitimacy 2. Moral Underpinnings of Formal Law 3. The Possibility of Rationally Coherent Sozialstaat Law 4. Secularization, Commodification, and History Excursus: The Transformation of Habermas's Theory of History 5. Philosophy of History and the Sociology of Law Conclusion

3 The Puzzle of Law, Democracy, and Historical Change in Weber's "Sociology of Law" 1. The Public-Private Law Distinction and "Modern" Law 2. History as Confirmation/Contestation of Legal Categories 3. Legal History as Contrast/Continuity with the Present 4. Legal Limits on Power: Separation and Application 5. Organizations, Special Law, and the Law of the Land 6. Weber, Law, and Social Change 7. Formal and Substantive Rationalization of Law 8. Formal versus Substantive Law and the Sozialstaat Conclusion

4 Habermas's Deliberatively Legal Sozialstaat: Democracy , Adjudication, and Reflexive Law 1. Habermas on Language and Law, Lifeworld and System 2. Beyond Formalist and Vitalist Notions of Constitutional Democracy 3. Rational and Democratically Accessible Adjudication 4. Selecting Nineteenth- or Twentieth-Century Paradigms of Law 5. Conceptual Paradigms and Historical Configurations of Law Conclusion

5 Habermas on the EU: Normative Aspirations, Empirical Questions, and Historical Assumptions 1. Global Problems to Be Solved by EU Democracy 2. The History of the State as a Guide to the Present 3. The Form and Content of EU Democracy 4. Critical-Historical Limits of Habermas's Theory of E U Democracy Conclusion

6 The Structural Transformation to the Supranational Sektoralstaat and Prospects for Democracy in the EU 1. Legal Integration and the Supranationalist Model 2. State Centrism - E U Law Constrained 3. The European Sektoralstaat Model 4. Democracy, the EU Sektoralstaat, and Further Questions

7 Conclusion: Habermas's Philosophy of History and Europe's Future

Index

版权说明

本站所提供下载的PDF图书仅提供预览和简介，请支持正版图书。

更多资源请访问:[www.tushu000.com](http://www.tushu000.com)