This page was exported from - The Rutgers Law Record
Export date: Tue Nov 3 10:56:15 2026 / +0000 GMT

Articulating Justice: The Continental Tradition and the Rule and Language of Law

47 Rutgers L. Rec. 1 (2019) | WestLaw | LexisNexis | PDF

The contemporary era is frequently characterized as one in which the law's legitimacy is under assault. In the popular imagination, this assault inexorably follows from the embrace of a Continental philosophical tradition that claims that ?all truths are partial.? Yet a more careful examination of several seminal Continental thinkers suggests that the Continental tradition provides the theoretical foundation for the rule of law that our pluralistic age increasingly lacks. I argue that Continental thought both legitimates American legal traditions and institutions while providing the justification for their dynamism and growth in the face of evolving notions of justice.

View the entire article -->