



# Judging in Good Faith (Cambridge Studies in Philosophy and Law)

*Steven J. Burton*

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## **Judging in Good Faith (Cambridge Studies in Philosophy and Law)** Steven J. Burton

This book offers an original theory of adjudication focused on the ethics of judging in courts of law. It offers two main theses. The good faith thesis defends the possibility of lawful judicial decisions even when judges have discretion. The permissible discretion thesis defends the compatibility of judicial discretion and legal indeterminacy with the legitimacy of adjudication in a constitutional democracy. Together, these two theses oppose both conservative theories that would restrict the scope of adjudication unduly and leftist critical theories that would liberate judges from the rule of law.

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