

## 6

### Referências Bibliográficas

- ACKERMAN, B. **Social Justice and the Liberal State**. New Haven: Yale University Press, 1980.
- \_\_\_\_\_. **We the People: Foundations**. Cambridge: Harvard University Press, 1991.
- AFFICHARD, Joëlle & FOUCAULD, Jean-Baptiste. (dir.) **Justice Sociale et Inégalités**. Paris: Éditions Esprit, 1992.
- \_\_\_\_\_. (dir.) Pluralisme et Équité – **La Justice Sociale dans les Démocraties**. Paris: Éditions Esprit, 1995.
- ALEXANDER, L. (Ed.). **Constitutionalism – Philosophical Foundations**. Cambridge, UK: Cambridge University Press, 1999.
- ALEXY, Robert **Teoría de los derechos fundamentales**. Trad. Ernesto G. Valdés. Madrid: Centro de Estudios Constitucionales, 1993.
- \_\_\_\_\_. On Balancing and subsumption: a structural comparison. **Ratio Juris**, v. 16, n.4, 2003.
- APEL, K.-O. 'Normative Ethics and Strategic Rationality: the Philosophic Problem of a Political Ethic'. In: **The Graduate Faculty Philosophy Journal**, vol. 9, pp. 81-107, 1982.
- \_\_\_\_\_. **Discussion et Responsabilité**. Paris: Editions du Cerf, 1996.
- AUDARD, C. (ed.) **Individu et Justice Sociale. Autour de John Rawls**. Paris: Editions du Seuil, 1988.
- ÁVILA, Humberto. **Teoria dos Princípios da definição à aplicação dos princípios jurídicos**. São Paulo: Ed. Malheiros, 2004.
- BACHOF, Otto. **Jueces y constitución**. Trad. Rodrigo B. Rodríguez-Cano. Madrid: Ed. Civitas, 1987
- BAIER, K. 'Justice and the Aims of Political Philosophy'. In: **Ethics**, vol. 99, pp. 771- 90, 1989.
- BALKIN, J. Some Realism about Pluralism: Legal Realist Approaches to the First Amendment. **Duke Law Journal**, 375, 1990.

- BARROSO, Luís Roberto. Fundamentos teóricos e filosóficos do novo Direito Constitucional brasileiro (pós-modernidade, teoria crítica e pós-positivismo). IN: **A nova Interpretação Constitucional**. Rio de Janeiro: Renovar, 2003
- BARRY, Brian. **The Liberal Theory of Justice. A Critical Examination of the Principal Doctrines in A Theory of Justice by John Rawls**. Oxford: Clarendon Press, 1973.
- \_\_\_\_\_. **Theories of Justice. A Treatise on Social Justice**. London: Harvester-Wheatsheaf, 1989.
- \_\_\_\_\_. **Justice as Impartiality**. Oxford, UK: Clarendon Press, 1995.
- BAYNES, Kenneth. **The Normative Grounds of Social Criticism: Kant, Rawls, Habermas**. New York: State University of New York Press, 1992.
- BEINER, Ronald & BOOTH, William. (ed.) **Kant & Political Philosophy – The contemporary legacy**. New Haven: Yale University Press, 1993.
- BENHABIB, Seyla. 'The methodological illusions of modern political theory: The case of Rawls and Habermas'. In: **Neue Hefte für Philosophie**, vol. 21, pp. 47-74, 1982.
- BENHABIB, S. e DALLMAYR, F. (eds.) **The Communicative Ethics Controversy**. Cambridge, Mass.: MIT Press, 1990.
- BENHABIB, Seyla (ed.) **Democracy and Difference – Contesting the Boundaries of the Political**. Princeton: Princeton University Press, 1996.
- BERNSTEIN, Richard. **The New Constellation – The Ethical- Political Horizons of Modernity/Postmodernity**. Cambridge, MA: MIT Press, 1992.
- BERTEN, André, SILVEIRA, Pablo e POURTOIS, Hervé (eds.) **Libéraux et Communautariens**. Paris: Presses Universitaires de France, 1997.
- BIDET, Jacques. **John Rawls et la théorie de la justice**. Paris: Presses Universitaires de France, 1995.
- BINENBOJM, Gustavo. **A nova jurisdição constitucional brasileira: legitimidade democrática e instrumentos de realização**. Rio de Janeiro: Renovar, 2001.
- BLOCKER, H. G. e SMITH, E. (eds.) **John Rawls' Theory of Social Justice. An Introduction**. Athens: Ohio University Press, 1980.

- BOBBIO, Norberto. **Direito e Estado no Pensamento de Emanuel Kant**. Brasília : Ed. Universidade de Brasília, 1984.
- BOBBIT, Philip. **Constitutional Fate – Theory of the Constitution**. Oxford, UK: Oxford University Press, 1982.
- BONAVIDES, Paulo. **Curso de Direito Constitucional**. São Paulo : Ed. Malheiros, 2003.
- \_\_\_\_\_. **Jurisdição constitucional e legitimidade (algumas observações sobre o Brasil)**. São Paulo. *Estudos Avançados* 18 (51), 2004.
- BORGES, Maria de Lourdes, DALL'AGNOL, Darlei, DUTRA, Delamar Volpato. **Ética**. Rio de Janeiro: Dp&A editora, 2003.
- BOURETZ, P. (ed.) **La force du droit. Panorama des débats contemporains**. Paris: Editions Esprit, 1991.
- BRINK, D. O. **Moral Realism and the Foundations of Ethics**. Cambridge: Cambridge University Press, 1991.
- BROADIE, Sarah, **Ethics with Aristotle**. Oxford: Oxford Univ. Press, 1991.
- CAMARGO, Margarida Maria Lacombe. **Hermenêutica e Argumentação – Uma Contribuição ao Estudo do Direito**. Rio de Janeiro: Renovar, 2003
- CAMPBELL, T. **Justice**. Atlantic HigWands: Humanities Press International, 1990.
- CANOTILHO, J.J. **Direito Constitucional e teoria da constituição**. 2ed. Coimbra: Almedina, 1998.
- CARBONELL, Miguel (ed.) **Neoconstitucionalismo(s)** Madrid: Ed. Trotta, 2003.
- CARNOIS, Bernard. **La cohérence de la doctrine kantienne de la liberté**. Paris: Ed. Du Seuil, 1973.
- CASSIRER, Ernst. **Kant's life and Thought**, New Haven: Yale University, 1981.
- CATTONI, Marcelo. (coord.) **Jurisdição e Hermenêutica Constitucional**. *Belo Horizonte: Mandamentos*, 2004.
- CAVALIER, R., GOUINLOCK, L e STERBA, J. (eds.) **Ethics in the History of Western Philosophy**. New York: St Mart:in's Press, 1989.
- CHAUI, Marilena. **Introdução à Filosofia – Dos pré-socráticos a Aristóteles**. Vol I. São Paulo, Cia das Letras, 2000.
- CHOMSKY, Noam. 'A Review of B. F. Skinner's Verbal Behavior'. In: **Language**,

vol. 35, pp. 26-58, 1959.

CITTADINO, Gisele. **Pluralismo, Direito e Justiça Distributiva – Elementos da Filosofia Constitucional Contemporânea**. Rio de Janeiro: Editora Lumen Júris, 2000.

CLAYTON, Cornell. “Law, Politics, and the Rehnquist Court: Structural Influences on Supreme Court Decision Making”. In: GILLMAN, Howard & CLAYTON, Cornell (ed.) **The Supreme Court in American Politics – New Institutional Interpretations**. Lawrence, KA: University Press of Kansas, 1999

COLEMAN, J.L. AR. **Cambridge**, MA: Harvard Journal of Law & Public Policy 703, 1991.

CORLETT, J. A. (ed.) **Equality and Liberty: Analyzing Rawls and Nozick**. New York: St. Mart:in's Press, 1991.

COTTERRELL, R. **The Politics of Jurisprudence. A Critical Introduction to Legal Philosophy**. Philadelphia: University of Pennsylvania Press, 1989.

CRITIQUE - Numéro Spécial- n. 505-506. **John Rawls, Justice et Libertés**, 1989.

CULLITY, Garrett & GAUT, Berys. **Ethics and Practical Reason**. Oxford: Claredon Press, 1997.

DANIELS, Norman. 'Reflective Equilibrium and Archimedean Points'. In: **Canadian Journal of Philosophy**, vol. 19, pp. 83-103, 1980.

\_\_\_\_\_. (ed.) **Reading Rawls – Critical Studies on Rawls “A Theory of Justice”**. Stanford: Stanford University Press, 1989.

DUARTE, Fernanda & VIEIRA, José Ribas. **Teoria da mudança constitucional – sua trajetória nos Estados Unidos e na Europa**. Rio de Janeiro: Renovar, 2005.

DWORKIN, Ronald. **Sovereign Virtue – The Theory and Practice of Equality**. Cambridge, MA: Harvard University Press,

\_\_\_\_\_. 'Justice and Rights'. In: Dworkin, R. **Taking Rights Seriously**. Cambridge, Mass.: Harvard University Press, pp. 150-183, 1977.

\_\_\_\_\_. **Levando os Direitos a sério**. São Paulo: Ed. Martins Fontes, 2002.

\_\_\_\_\_. **O direito da liberdade. A leitura moral da Constituição norte-americana**. São Paulo: Martins Fontes, 2006

- \_\_\_\_\_. **Taking Rights Seriously**. Cambridge, MA: Harvard University Press, 1977.
- \_\_\_\_\_. (ed.) **The Philosophy of Law**. Oxford: Oxford University Press, 1991.
- \_\_\_\_\_. **The Court and the University**. The New York Review, Mai 15, 2003.
- ELKIN, S. L. & SOLTAN, K. E. (Ed.) **A New Constitutionalism – Designing Political Institutions for a Good Society**. Chicago: The University of Chicago Press, 1993.
- ELY, John Hart. **Democracia y Desconfianza Una teoría del control constitucional**. Santafé de Bogotá: Siglo del Hombre Ed., 1997.
- ETHICS - **Symposium on Rawlsian Theory of Justice: Recent Developments**, vol. 99, pp. 694-914, 1989.
- FISK, M. **The State and Justice**. Cambridge: Cambridge University Press, 1989.
- \_\_\_\_\_. (ed.) **Justice. Key Concepts in Critical Theory**. New Jersey: Humanities Press, 1993.
- FORST, Rainer. **Contexts of Justice – Political Philosophy beyond Liberalism and Communitarianism**. Berkeley, CA: University of California Press, 2002.
- FREEMAN, Samuel. (ed.) **John Rawls: Collected Papers**. Cambridge, MA: Harvard University Press, 1999.
- GARGARELLA, Roberto. **La Dificultad de Defender el Control Judicial de las Leyes**. In: Isonomia N. 6 – Abril, 1997
- GAUTHIER, D. **Moral Dealing: Contract, Ethics and Reason**. Ithaca: Cornell University Press, 1990.
- GILLMAN, Howard & CLAYTON, Cornell (ed.) **The Supreme Court in American Politics – New Institutional Interpretations**. Lawrence, KA: University Press of Kansas, 1999.
- GOYARD-FABRE, Simone. **Kant et le Problème du Droit**. Paris: Lib. Philosophique J. Vrin, 1975
- GRIFFIN, Stephen M. **American Constitutionalism – From Theory to Politics**. Princeton: Princeton University Press, 1996.

- \_\_\_\_\_. **Judicial Supremacy and Equal Protection in a Democracy of Rights.** In: University of Pennsylvania Journal of Constitutional Law, Vol. 4, N. 2, 2002.
- GUCHET, Y. **Histoire des Idées Politiques.** Tome I. Paris: Armand Colin, 1995.
- GUCHET, Y. & DEMALDENT, J.-M. **Histoire des Idées Politiques.** Tome II. Paris: Armand Colin, 1996.
- GUENTHER, K. **The Sense of Appropriateness.** Trad. J. Farrell. Albany: State University of New York Press, 1993.
- GUTMANN, A. & THOMPSON, D. **Moral Conflict and Political Consensus.** *101 Ethics* 64, 1990.
- \_\_\_\_\_. **Democracy and Disagreement.** Cambridge: Harvard University Press, 1996.
- HÄBERLE, Peter. **El estado constitucional.** México: Unam, 2003.
- HABERMAS, Jürgen. **On the Logic of the Social Sciences.** Trad. S. Nicholsen & J. Stark. Cambridge: MIT Press, 1988.
- \_\_\_\_\_. **Morale et Communication. Conscience Morale et Activité Communicationelle.** Trad. C. Bouchindhomme. Paris: Editions du Cerf, 1991.
- \_\_\_\_\_. **De l'Éthique de la Discussion.** Trad. M. Hunyadi. Paris: Editions du Cerf, 1992.
- \_\_\_\_\_. **Direito e Moral.** Lisboa: Instituto Piaget, 1992.
- \_\_\_\_\_. **Between facts and norms. Contributions to a Discourse Theory of Law and Democracy.** Trad. W. Rehg. Cambridge: MIT Press, 1996.
- \_\_\_\_\_. **La paix perpétuelle – Le bicentenaire d'une idée kantienne.** Paris: Ed. du CERF, 1996.
- \_\_\_\_\_. **Moral Consciousness and Communicative Action.** Cambridge, MA: Mit Press, 1996.
- HABERMAS, J. & RAWLS, J. **Debat sur la Justice Politique.** Trad. R. Roehlitz. Paris: Editions du Cerf, 1997.
- HALL, Kermit. (ed.) **The Oxford Companion to the Supreme Court of the United States.** Oxford, UK: Oxford University Press, 1998
- HART, H. L. A. **The Concept of Law.** Oxford: Oxford University Press, 1961.

- \_\_\_\_\_. 'Rawls on Liberty and its Priority'. In: Daniels, N. (ed.) **Reading Rawls. Critical Studies on Rawls' A Theory of Justice**. Stanford: Stanford University Press, 1989.
- \_\_\_\_\_. **The Concept of Law**. Oxford: Clarendon Press, 1992.
- HELLER, A. **Beyond Justice**. Oxford: Basil Blackwell, 1987.
- HESSE, Konrad. **A força normativa da Constituição**. Porto Alegre : Fabris Editor, 1991.
- HOFFE, O. 'Dans quelle mesure la théorie de John Rawls est-elle kantienne?' Trad. B. Schwegler. In: Audard, C. (ed.) **Individu et Justice Sociale. Autour de John Rawls**. Paris: Editions du Seuil, pp. 54-71, 1988.
- \_\_\_\_\_. **La Justice Politique**. Trad. J. C. Mede. Paris: PUF, 1991.
- \_\_\_\_\_. **Prindpes du Droit. Ethique, Théorie Juridique et Philosophie Sociale**. Trad. J. C. Merle. Paris: Les Editions du CERF, 1993.
- HONNETH, Axel. **The Fragmented World of the Social – Essays in Social and Political Philosophy**. New York: State University of New York Press, 1995.
- HUGUES, G. (ed.) **Law, Reason and Justice. Essays in Legal Philosophy**. New York: New York University Press, 1989.
- HUME, David. **An Enquiry concerning the Principles of Morals**. Oxford: Oxford Univ. Press, 1998.
- JONAS, Hans. **Le principe responsabilité – une éthique pour la civilisation technologique**. Paris: Ed. du Cerf, 1990.
- KAY, Richard S. *American Constitutionalism*. In: ALEXANDER, L. (Ed.). **Constitutionalism – Philosophical Foundations**. Cambridge, UK: Cambridge University Press, 1999, p. 17 a 63.
- KANT, Emmanuel. **Critique de la raison pratique**. In: Oeuvres Philosophiques Vol II Paris: Gallimard, bibliothèque de la pléiade, 1980.
- \_\_\_\_\_. **Critique de la raison pure** In: Oeuvres Philosophiques. Vol I Paris: Gallimard, bibliothèque de la pléiade, 1980.
- \_\_\_\_\_. **Fondements de la Métaphysique des Moeurs** In: Oeuvres Philosophiques. Vol II Paris: Gallimard, bibliothèque de la pléiade, 1980.
- \_\_\_\_\_. **Métaphysique des Moeurs** In: Oeuvres Philosophiques. Vol III Paris: Gallimard, bibliothèque de la pléiade, 1980.
- \_\_\_\_\_. **Oeuvres Philosophiques**, vols. I, II & III. Paris: Gallimard, bibliothèque de la pléiade, 1980.

- \_\_\_\_\_. **Réponse à la question: qu'est-ce que les Lumières?** In: Oeuvres Philosophiques. Vol II Paris: Gallimard, bibliothèque de la pléiade, 1980.
- \_\_\_\_\_. **Sur le Lieu Commun: il se peut que ce soit juste en théorie, mais, en pratique, cela ne vaut point** In: Oeuvres Philosophiques. Vol III Paris: Gallimard, bibliothèque de la pléiade, 1980.
- \_\_\_\_\_. **Fondements de la Métaphysique des moeurs.** Trad. V. Delbos. Paris: J. Vrin, 1988.
- KELL Y, M. (ed.) **Hermeneutics and Critical Theory in Ethics and Politics.** Cambridge, Mass.: MIT Press, 1991.
- KELSEN, Hans. **Jurisdição Constitucional.** Trad. Alexandre Krug. São Paulo: Martins Fontes, 2003
- KIRCHHEIMER, O. **Political Justice: the Use of Legal Procedure for Political Ends.** Princeton: Princeton University Press, 1961.
- KRIEGER, J. (ed.) **The Oxford Companion to Politics.** Oxford: Oxford University Press, 1993.
- KOHLBERG, L. 'Justice as Reversibility'. In Laslett, P. e Fishkin, J. (eds.) **Philosophy, Politics and Society.** New Haven: Yale University Press, 1979.
- KUKA THAS, C. e PETTIT, P. *Rawls: A Theory of Justice and its Critics.* Stanford: Stanford University Press, 1990.
- LARMORE, Charles. **The Morals of Modernity.** Cambridge, UK: Cambridge University Press, 1996
- LUCAS, J. **On Justice.** Oxford: Oxford University Press, 1980.
- LYONS, D. **Ethics and the Rule of Law.** Cambridge: Cambridge University Press, 1989.
- \_\_\_\_\_. 'Nature and Soundness of the Contract and Coherence Arguments'. In: Daniels, N. (ed.) **Reading Rawls. Critical Studies on Rawls' A Theory of Justice.** Stanford: Stanford University Press, pp. 141-167, 1989.
- \_\_\_\_\_. **Moral Aspects of Legal Theory - Essays on Law, Justice and Political Responsibility.** Cambridge: Cambridge University Press, 1993.
- LYRA FILHO, Roberto. **O que é direito.** São Paulo: Ed. Brasiliense, 1985.
- MAIA, Antonio C. A distinção entre fatos e valores e as pretensões neofrankfurtianas. In: id. *et al.* (orgs). **Perpectivas atuais da Filosofia do Direito.** Rio de Janeiro: Lúmen Júris, 2005



- \_\_\_\_\_. et al. (orgs) **Perpectivas atuais da Filosofia do Direito**.  
Rio de Janeiro: Lúmen Júris, 2005
- MINDA, G. **Postmodern Legal Movements – Law and Jurisprudence at Century’s End**. New York: New York University Press, 1995
- MacINTYRE, A. **After Virtue**. Notre Dame: University of Notre Dame Press, 1981.
- \_\_\_\_\_. **Whose Justice? Which Rationality?** Notre Dame: University of Notre Dame Press, 1988.
- McMURRIN, Sterling (ed.) **Liberty, Equality and Law**. Salt Lake City: University of Utah Press, 1987.
- MERLE, Jean-Christophe. **Justice et Progrès**. Paris: Presses Universitaires de France, 1997.
- MILL, John Stuart. **On Liberty**. New York: Penguin Books, 1984.
- MORRIS, C. (ed.) **The Great Legal Philosopher. Selected readings in jurisprudence**. Philadelphia: University of Pennsylvania Press, 1991.
- MOUFFE, C. 'Rawls: Political Philosophy Without Politics'. In: **Philosophy and Social Criticism**, vol. 13, pp. 105-124, 1987.
- \_\_\_\_\_. 'American Liberalism and its Critics. Rawls, Taylor, Sandel and Walzer'. In: **Praxis International**, vol. 8, pp. 193-206, 1988.
- MULHALL, Stephen e SWIFT, Adam (eds.) **Liberal & Communitarians**. Oxford, Uk: Blackwell Publishers, 1992.
- MURPHY JR., C. **Descent into Subjectivity: Studies of Rawls, Dworkin and Unger in the Context of Modern Thought**. Wolfeboro: Longwood, 1990.
- MURPHY, J. e COLEMAN, J. **Philosophy of Law. An Introduction to Jurisprudence**. Boulder: Westview Press, 1990.
- NAGEL, Thomas. 'Rawls on Justice'. In: **The Philosophical Review**, vol 82, pp. 220-234, 1973.
- \_\_\_\_\_. **Equality and Partiality**. New York: Oxford University Press, 1991.
- NARVESON, J. **The Libertarian Idea**. Philadelphia: Temple University Press, 1988.
- NEAL, P. 'In the Shadow of the General Will: Rawls, Kant and Rousseau on the Problem of Political Righe. In: **The Review of Politics**, vol. 49, pp. 389-409, 1987.

- NIELSEN, K. e SHINER, R.A. (eds.) **New Essays on Contract Theory**. Canadian Journal of Philosophy, Supplementary Volume III, Guelph: Canadian Association for Publishing in Philosophy, 1977.
- NOZICK, R. **Anarchy, State and Utopia**. New York: Basic Books, Inc. Publishers, 1974.
- O'NEILL, Onora. **Towards Justice and Virtue – A Constructive Account of Practical Reasoning**. Cambridge, UK: Cambridge University Press, 1996.
- PATEMAN, Carole. **The Problem of Political Obligation – A Critique of Liberal Theory**. Berkeley, CA: University of California Press, 1979.
- PEIXINHO, Manoel Messias, GUERRA, Isabella Franco, NASCIMENTO FILHO, Firly (orgs) **Os princípios da Constituição de 1988**. Rio de Janeiro: Lúmen Júris, 2001.
- PETTIT, P. **Judging Justice: An Introduction to Contemporary Political Philosophy**. London: Routledge & Kegan Paul, 1980.
- POGGE, Thomas. Kant's Theory of Justice. **Kant-Studien**, 79,4: 407-433.  
 \_\_\_\_\_ . *Realizing Rawls*. Ithaca: Cornell University Press, 1989.
- POST, Robert C. **Constitutional Domains – Democracy, Community, Management**. Cambridge, MA: Harvard University Press,
- POZZOLO, Susanna. Un Constitucionalismo ambiguo. In: CARBONELL, Miguel. **Neoconstitucionalismo(s)** Madrid: Ed. Trotta, 2003.
- RAKOWSKI, E. **Equal Justice**. New York: Oxford University Press, 1991.
- RASMUSSEN, David.(ed.) **Universalism vs. Communitarianism – Contemporary Debates in Ethics**. Cambridge, MA: MIT Press, 1990.
- RAWLS, John. 'Outline of a Decision Procedure for Ethics'. In: **The Philosophical Review**, vol. 60, pp. 177-197, 1951.  
 \_\_\_\_\_ . 'Justice as Fairness'. In: **The Philosophical Review**, vol. 67, pp. 164-194, 1958.  
 \_\_\_\_\_ . **A Theory of Justice**. Cambridge, MA: The Belknap Press of Harvard University Press, 1971.  
 \_\_\_\_\_ . **Théorie de la Justice**. Trad. C. Audard. Paris: Editions du Seuil, 1987. (Texto revisto e modificado pelo autor, em 1975, para as traduções em línguas estrangeiras).  
 \_\_\_\_\_ . 'Kantian Constructivism in Moral Theory'. In: The 1980 John Dewey Lectures at Columbia University. **The Journal of Philosophy**, vol. 77,

pp. 515-572, 1980.

\_\_\_\_\_. 'The Basic Liberties and Their Priority'. In: McMurrin, Sterling M. (ed.) **Liberty, Equality, and Law**. Cambridge: Cambridge University Press, pp. 1-87, 1982.

\_\_\_\_\_. Justice as fairness: political not metaphysical. In: **Philosophy and Public Affairs**, vol. 14, 3, 1985.

\_\_\_\_\_. 'The Priority of Right and Ideas of the Good'. In: **Philosophy and Public Affairs**, vol. 17, pp. 251-276, 1988.

\_\_\_\_\_. **Justiça como equidade: uma concepção política, não metafísica**. In: Lua Nova, n° 25, 1992.

\_\_\_\_\_. **Justice et Démocratie**. Trad. C. Audard, P. de Lara, F. Piron et A. Tchoudnowsky. Paris: Editions du Seuil, 1993.

\_\_\_\_\_. **Political Liberalism**. New York: Columbia University Press, 1993.

\_\_\_\_\_. **O Liberalismo Político**. São Paulo: Editora Ática, 2000.

RAZ, Joseph. **The Morality of Freedom**. Oxford: Oxford University Press, 1986.

\_\_\_\_\_. 'The Claims of Reflective Equilibrium'. In: Codett, J. A. (ed.) **Equality and Liberty: Analyzing Rawls and Nozick**. New York: St. Martin's Press, pp. 110-135, 1991.

\_\_\_\_\_. **On the Authority and Interpretation of Constitutions: Some Preliminaries**. In: ALEXANDER, L. (Ed.). **Constitutionalism – Philosophical Foundations**, Cambridge, UK: Cambridge University Press, 1999. p.153 a 193

RECANATI, François (dir.) **L'Âge de la Science – Lectures Philosophiques 1 Éthique et Philosophie Politique**. Paris: Editions Jacob, 1988.

REIMAN, J. **Justice and Modern Moral Philosophy**. New Haven: Yale University Press, 1990.

RENAUT, Alain. **Philosophie du Droit**. Paris: Presses Universitaires de France, 1991.

\_\_\_\_\_. **Qu'est-ce que le Droit?**. Paris: J. Vrin, 1992.

\_\_\_\_\_. **L'Individu**. Paris: Hatier, 1995.

\_\_\_\_\_. **Kant aujourd'hui**. Paris: Aubier, 1997.

REVORIO, Francisco Javier Diaz. **La constitución como orden abierto**. Madrid: Estúdios, 1997.

- REVUE DE MET APHYSIQUE ET DE MORALE - Numéro Spécial. **John Rawls, Le Politique**. n. 1, 1988.
- RIALS, S. 'Sur Rawls: les lumieres tardives'. In: **Oroits**, vol. 6, pp. 143-152, 1987.
- RICOEUR, P. 'John Rawls: de l'autonomie morale à la fiction du contrat social'. In: Ricoeur, P. **Lectures 1. Autour du Politique**. Paris: Editions du Seuil, pp. 196-215, 1991.
- \_\_\_\_\_. 'Le cercle de la démonstration'. In: Ricoeur, P. **Lectures 1. Autour du Politique**. Paris: Editions du Seuil, pp. 216-230, 1991.
- \_\_\_\_\_. **Lectures 1. Autour du Politique**. Paris: Editions du Seuil, 1991.
- RILEY, P. **Will and Political Legitimacy. A Critical Exposition of Social Contract Theory in Hobbes, Locke, Rousseau, Kant, and Hegel**. Cambridge, Mass.: Harvard University Press, 1982.
- ROSEN, A. D. **Kant's Theory of Justice**. Ithaca: Cornell University Press, 1993.
- ROUSSEAU, J. J. **Du Contrat social ou Principes du droit politique**. In: Rousseau, J.J. Oeuvres Completes, L'Intégrale, vol II, Paris: Editions du Seuil, pp. 518-584, 1971.
- \_\_\_\_\_. **Do Contrato Social**. Trad. Lourdes S. Machado. São Paulo : Ed. Nova Cultural, 1991
- ROSENBLUM, Nancy & POST, Robert. (eds.) **Civil Society and Government**. Princeton: Princeton University Press, 2002.
- SANDEL, Michael (ed.) **Liberalism and its Critics**. New York: New York University Press, 1984.
- \_\_\_\_\_. **Liberalism and the Limits of Justice**. Cambridge, UK: Cambridge University Press, 1982.
- SAMPAIO, José A. Leite. **A Constituição Reinventada pela jurisdição constitucional**. Belo Horizonte: DelRey, 2002.
- SAGER, Lawrence G. **Juez y democracia. Una teoría de la práctica constitucional norteamericana**. Madrid: Marcial Pons, Ediciones jurídicas y sociales, 2007
- SARAT, Austin & VILLA, Dana. **Liberal Modernism and Democratic Individualit George Kateb and Practices of Politics**. Princeton: Princeton University Press, 1996
- SARLET, Ingo Wolfgang (org.) **Direitos fundamentais sociais : estudos de direito constitucional, internacional e comparado**. Rio de Janeiro :

- Renovar, 2003.
- SARMENTO, Daniel & GALDINO, Flavio. (ed.) **Direitos Fundamentais – Estudos em Homenagem ao Professor Ricardo Lobo Torres**. Rio de Janeiro : Renovar, 2006.
- SARMENTO, Daniel. **Direitos Fundamentais e Relações Privadas**. Rio de Janeiro: Lúmen Júris, 2004
- \_\_\_\_\_. Os princípios constitucionais e o pós-positivismo. In: SARMENTO, Daniel. **Direitos Fundamentais e Relações Privadas**. Rio de Janeiro: Lúmen Júris, 2004
- SCHAEFER, D. L. 'A Critique of Rawls' Contract Doctrine'. In: **The Review of Metaphysics**, vol. 28, pp. 89-115, 1974.
- SCHAUER, Frederick. **Playing by the Rules – A Philosophical examination of rule-based decision-making in Law and in Life**. Oxford, UK: Clarendon Press, 1991.
- SCHMIDT, James. (ed.) **What is Enlightenment?** Berkeley, CA: University of California Press, 1996.
- SEBOK, A. **Legal Positivism in American Jurisprudence**. Cambridge, UK: Cambridge University Press, 1998.
- SEVE, R. 'John Rawls et la philosophie politique'. In: Audard, C. (ed.) **Individu et Justice Sociale. Autour de John Rawls**. Paris: Editions du Seuil, 1988.
- SHKLAR, J. **The Faces of Justice**. New Haven: Yale University Press, 1990.
- SILVA, José Afonso da. **Curso de Direito Constitucional Positivo**. 23ed. São Paulo: Ed Malheiros, 2004.
- SMITH, T. **The Role of Ethics in Social Theory. Essays from a Habermasian Perspective**. New York: State University of New York Press, 1991.
- SOUZA NETO, Cláudio Pereira & SARMENTO, Daniel. **A constitucionalização do Direito – Fundamentos Teóricos e Aplicações Específicas**. Rio de Janeiro: Lúmen Júris, 2007.
- SOUZA NETO, Cláudio Pereira. **Jurisdição Constitucional, Democracia e Racionalidade Prática**. Rio de Janeiro: Renovar, 2002.
- \_\_\_\_\_. **Teoria Constitucional e Democracia Deliberativa – Um estudo sobre o papel do direito na garantia das condições para a cooperação na deliberação democrática**. Rio de Janeiro: Renovar, 2006.

- STEINBERGER, P. 'A fallacy in Rawls's Theory of Justice'. In: **The Review of Politics** vol. 51, pp. 55-90, 1989.
- STRAUSS, L. e CROUSEY, J. (eds.) **History of Political Philosophy**. Chicago: Chicago University Press, 1987.
- STRECK, Lênio Luiz. **Jurisdição constitucional e hermenêutica: uma nova crítica do direito**. Rio de Janeiro: Forense, 2004.
- SULLIVAN, Roger J. **Immanuel Kant's Moral Theory**. Cambridge, UK: Cambridge University Press, 1989.
- SUMNER, L. W. 'Rawls and the Contract Theory of Civil Disobedience'. In: Nielsen, K. e Shiner, R. A. (eds.) **New Essays on Contract Theory**, Canadian Journal of Philosophy, Supplementary Volume III, Guelph: Canadian Association for Publishing in Philosophy, pp. 1-48, 1977.
- SUSTEIN, Cass R. **Designing Democracy. What Constitutions Do?** New York, NY: Oxford University Press, 2001
- \_\_\_\_\_. **One Case at a Time: Judicial Minimalism on the Supreme Court**.
- TAYLOR, Charles. **Philosophical Papers, vol II - Philosophy and the Human Sciences**. New York: Cambridge University Press, 1985.
- \_\_\_\_\_. 'The Nature and Scope of Distributive Justice'. In: Taylor, C. **Philosophical Papers. vol. II - Philosophy and the Human Sciences**. New York: Cambridge University Press, pp 289-317, 1985.
- \_\_\_\_\_. **La Liberté des Modernes**. Paris: Presses Universitaires de France, 1997.
- TERRÉ, F. Prefácio de **Individu et Justice Sociale. Autour de John Rawls**. Audaudard, C. (ed.) Paris: Editions du Seuil, pp. 9-20, 1988.
- THE LAW SCHOOL. **The Supreme Court Review**. Chicago: The University of Chicago Press, 2002.
- TRIBE, Laurence & DORF, Michael. **On Reading the Constitution**. Cambridge MA: Harvard University Press, 1991.
- TUGENDHAT, E. **Problemas de la Ética**. Trad. J. Vigil. Barcelona: Editorial Crítica, 1988.
- TUSHNET, Mark. **Taking the Constitution Away from the Courts**. Princeton: Princeton University Press, 1999.
- VAN PARIJS, P. **Qu'est-ce qu'une Société juste? Introduction à la Pratique de la**

- Philosophie Politique.** Paris: Editions du Seuil, 1991.
- VIEIRA, José Ribas. (org.) **Temas de constitucionalismo e democracia.** Rio de Janeiro: Renovar, 2003.
- VILLEY, M. **Philosophie du Droit.** vol. I: *Oéfinitions et Fins du Droit.* Paris: Dalloz, 1986.
- VITA, A. de. 'A Tarefa Prática da Filosofia Política em John Rawls.' In: **Lua Nova - Revista de Cultura e Política**, n. 25. São Paulo: Cedec, pp. 5-24, 1992.
- WALZER, Michael. **Spheres of Justice – A Defense of Pluralism and Equality.** Basic Books, 1983.
- \_\_\_\_\_. **On Toleration.** New Haven: Yale University Press, 1997.
- WARNKE, Georgia. **Justice and Interpretation.** Cambridge, MA: MIT Press, 1993.
- WHITTINGTON, K. **Constitutional Construction. Divided Powers and Constitutional Meaning.** Cambridge: Harvard University Press, 1999.
- WILSON, J. **American Constitutional Conventions: The Judicially Unenforceable Rules that Combine with Judicial Doctrine and Public Opinion to Regulate Political Behavior.** *40 Buff. L. Rev.* 645, 1992.
- WOLFF, R. P. **Understanding Rawls. A Reconstruction and Critique of A Theory of Justice.** Princeton: Princeton University Press, 1977.
- WOLGAST, E. **The Demands of Public Reason.** *94 Colum. L. Rev.* 1936, 1994.
- WRIGHT, C. (Ed). **The Fragmented World. Essays in Social and Political Philosophy.** Axel Honneth. Trad. C. Wright. New York: State University of New York, 1995.
- YOLTON, J. W. (Ed). **The Blackwell Companion to the Enlightenment.** Cambridge: Blackwell Publishing Inc., 1991.
- ZAGREBELSKY, G. **El derecho dúctil. Ley, derechos, justicia.** Madrid: Ed. Trotta, 1995.