

## CONTENTS

<i>List of Contributors</i>	<i>page</i> vii
<i>Preface</i>	xi
<i>Acknowledgments</i>	xxvii
<b>1 Taking Public Reason to Court: Understanding References to Public Reason in Discussions about Courts and Adjudication</b>	<b>1</b>
SILJE A. LANGVATN	
<b>PART I PUBLIC REASON IN CONSTITUTIONAL COURTS</b>	<b>43</b>
<b>2 Must Laws Be Motivated by Public Reason?</b>	<b>45</b>
MICAH SCHWARTZMAN	
<b>3 The Importance of Constitutional Public Reason</b>	<b>66</b>
RONALD C. DEN OTTER	
<b>4 The Question of Constitutional Fidelity: Rawls on the Reason of Constitutional Courts</b>	<b>90</b>
FRANK I. MICHELMAN	
<b>5 The Challenges of Islamic Law Adjudication in Public Reason</b>	<b>115</b>
MOHAMMAD H. FADEL	
<b>6 “We Hold These Truths to Be Self-Evident”: Constitutionalism, Public Reason, and Legitimate Authority</b>	<b>143</b>
MATTIAS KUMM	

<b>7</b>	<b>A Kantian System of Constitutional Justice: Rights, Trusteeship, Balancing</b>	<b>164</b>
	ALEC STONE SWEET AND ERIC PALMER	
<b>8</b>	<b>Laws, Norms, and Public Justification: The Limits of Law as an Instrument of Reform</b>	<b>201</b>
	JACOB BARRETT AND GERALD F. GAUS	
	PART II PUBLIC REASON IN INTERNATIONAL COURTS AND TRIBUNALS	229
<b>9</b>	<b>European Court of Human Rights in Pursuit of Public Reason? A Study of Lost Opportunities</b>	<b>231</b>
	WOJCIECH SADURSKI	
<b>10</b>	<b>The Right to Justification in the Context of Proportionality: A Plea for Determinacy and Stability</b>	<b>256</b>
	ALAIN ZYSSET	
<b>11</b>	<b>“Going Public”: Reasoning and Justification at the World Trade Court</b>	<b>281</b>
	SIVAN SHLOMO AGON	
	PART III CRITICAL PERSPECTIVE ON PUBLIC REASON IN COURTS	321
<b>12</b>	<b>Constitutional Interpretation and Public Reason: Seductive Disanalogies</b>	<b>323</b>
	CHRISTOPHER F. ZURN	
	<i>Index</i>	350