

Public Law And Political Theory

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Law's Political
Foundations
The Elements of Law, Natural and Politic
Judith Butler: Ethics, Law, Politics
Studies in
Law, Politics, and Society
The Politics of Law
Studies in Law, Politics and Society
Living
Law
Making Policy, Making Law
Freedom, Anarchy, and the Law
Legal and Political Hermeneutics,
Or, Principles of Interpretation and Construction in Law and Politics
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Annual
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Francis Lieber
Ira L. Strauber
University of California, Berkeley
G.A.
Natesan

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of the President of the University on Behalf of the Regents to His Excellency the Governor of the State of California The Indian Review Calendar *Suzanne Uttaro Samuels Martin Loughlin Gerhart Niemeyer Thomas Mathiesen Leslie Johns Brandon L. Bartels John O. Haley Thomas Hobbes Elena Loizidou Austin Sarat David Kairys Austin Sarat Sandro Chignola Mark Carlton Miller Richard Taylor Francis Lieber Ira L. Strauber University of California, Berkeley G.A. Natesan*

this text studies the inextricable links between law society and politics through an in depth examination of the institutions for law making in the united states focusing on the function structure and participants in the process the institutions oriented approach focuses on contemporary coverage of the interrelationship between law and society and includes discussion of controversial topics such as the influence of race class sex and corporate governance on the law law politics and society also looks at the theoretical and philosophical foundations of american law and provides comparative and international perspectives diversity is embedded into each chapter within the readings drawn from a broad range of interdisciplinary sources such as sociology history and medicine as well as in activities which encourage discussion about law and race national origin sex and class in addition excellent coverage of how the law has changed since september 11 2001 helps students understand these complex relationships in a tangible way popular culture features use a series of photographs to help students understand how law both informs and is informed by popular culture law in action features apply the concepts of each chapter to an actual law in order to illustrate the central point and to help students better understand theoretical concepts pedagogy throughout the text includes active learning exercises and marginal and bold definitions

this short and accessible book provides a provocative re assessment of the various tangled relationships between law and politics and in so doing examines legal and political thinking on such

critical areas as justice the state constitutionalism and rights it introduces lawyers especially to certain important themes in some of the key texts in political thought and introduces political scientists to the legal dimensions of a number of central themes of political studies written by one of the leading theorists in constitutional law the book should prove to be an indispensable companion for any student or teacher interested in law and politics contents i law and politics in the conversation of mankind ii justice iii the state iv constitutionalism v conclusions

law without force is a landmark in political and social philosophy it proposes nothing less than a completely new basis for international law as relevant today as when it was first published nearly sixty years ago it commands the attention of all concerned with what the future may bring to the law of nations the great scope of niemeyer s undertaking draws respect even from those who disagree with his challenging analysis of the historical past and his suggestions for the future of international law in his new introduction michael henry observes that law without force provides us with a foundation of niemeyer s thinking published in 1941 when hitler was swallowing up europe this volume shows how a first rate mind grappled with a legal historical social and ultimately metaphysical problem it provides in detail the reasoning behind niemeyer s rejection of a foreign policy based on morality and his distinction between authoritarian and totalitarian governments and it provides us with the first stage of his lengthy and prodigious effort to understand this terrible century it is a book that no serious student of niemeyer can afford to ignore at the very heart of the author s vigorous discussion may be found his rejection of a moral basis for international law and his suggestion that a functional basis should be substituted for it the book incisively reviews the relation between traditional international law and the changing structure of international politics concluding that the traditional system of law has operated as an agency of disharmony and conflict

after an investigation of the traditional legal system the author then asks what type of law fits the social structure of this modern world the answers are presented in the last part of the book as neimeyer offers his case for a functional system of law divorced from moral exhortations or appeals to shattered authority philosophy sociology and legal theory are brilliantly interwoven in this volume which will engage serious readers interested in political and social theory

breaking down into three distinct but related parts it enters first into a study of the sociology of law for its starting point this section contends that the law is shaped and reshaped by ever changing material structures in society simultaneously the law works back on these structures to reinforce and conserve them this materialist thesis is substantiated by an analysis of legal developments in a series of political fields the development of penal law financial law and labour protection law amongst others a close scrutiny of the social organization of the legal superstructure including an amusing and telling analysis of the modes of behaviour of those at the summit of the legal profession concludes the first section the dependence of law on the material structure of society cannot be satisfactorily accounted for however without also examining the relationship between the law and other systems of ideas and between those ideas and the social formation in which they appear accordingly the central part of this book considers also religion art and science the author distinguishes between superconstructing or conserving idea systems and those which enter into a truly dialectical relationship with the material structure to produce a new totality he argues that in the late capitalist social formation the law is superconstructing whereas science has a dialectical relationship with the world it remains however a political question whether or not dialectical ideas systems are desirable that is repression abolishing in the final section mathiesen identifies reform or revolution as a false dichotomy which must be transcended these chapters are aimed at revitalizing a

flagging radical political movement through coherent and cogent discussion of organization and political strategy in this part of the book the author develops further the notion of the unfinished political movement first conceived in his earlier work *The Politics of Abolition* Martin Robertson 1974 this volume has direct relevance to a broad field of social and political scientists and workers in particular it should be read by sociologists social workers criminologists lawyers and law students it will also be of value as text material for courses in the sociology of law and jurisprudence backcover

international law shapes nearly every aspect of our lives it affects the food we eat the products we buy the rights we hold and the wars we fight yet international law is often believed to be the exclusive domain of well heeled professionals with years of legal training this text uses clear accessible writing and contemporary political examples to explain where international law comes from how actors decide whether to follow international law and how international law is upheld using legal and political tools suitable for undergraduate and graduate students this book is accessible to a wide audience and is written for anyone who wants to understand how global rules shape and transform international politics each chapter is framed by a case study that examines a current political issue such as the bombing of yemen or the use of chemical weapons in syria encouraging students to draw connections between theoretical concepts and real world situations the chapters are modular and self contained and each is paired with multiple supplemental cases edited and annotated judicial opinions accompanied by ready to use powerpoint slides and a testbank for instructors

one of the more enduring topics of concern for empirically oriented scholars of law and courts and political scientists more generally is how research can be more directly relevant to broader audiences outside of academia a significant part of this issue goes back to a seeming disconnect between

empirical and normative scholars of law and courts that has increased in recent years. Brandon L. Bartels and Chris W. Bonneau argue that being attuned to the normative implications of one's work enhances the quality of empirical work. Not to mention, it makes it substantially more interesting to both academics and non-academic practitioners. Their book's mission is to examine how the normative implications of empirical work in law and courts can be more visible and relevant to audiences beyond academia. Written by scholars of political science, law, and sociology, the chapters in the volume offer ideas on a methodology for communicating normative implications in a balanced, nuanced, and modest manner. The contributors argue that if empirical work is strongly suggestive of certain policy or institutional changes, scholars should make those implications known so that information can be diffused. The volume consists of four sections that respectively address the general enterprise of developing normative implications of empirical research, law and decisionmaking, judicial selection and courts in the broader political and societal context. This volume represents the start of a conversation on the topic of how the normative implications of empirical research in law and courts can be made more visible. This book will primarily interest scholars of law and courts as well as students of judicial politics. Other subfields of political science engaging in empirical research will also find the suggestions made in the book relevant.

Law's Political Foundations explains the development of the two basic systems of public and private law and their historical transformations. Examining the historical development of law in China, Japan, Western Europe, and Hispanic America, Haley argues that law is a product rather than a constitutive element of political systems.

In *The Elements of Law*, Thomas Hobbes explores the foundation of political philosophy through a meticulous examination of human nature, morality, and the structure of society.

written in a clear yet intricate style this treatise unpacks the social contract theory laying the groundwork for modern political thought hobbes employs a rationalist approach interweaving his insights into natural law with an analysis of governance ultimately arguing for the necessity of a powerful sovereign to maintain order and prevent conflict among self interested individuals this work is situated within the broader context of 17th century enlightenment thinking reflecting the tumultuous political landscape of his time particularly the english civil war thomas hobbes an influential philosopher was deeply affected by the chaos of his era which instilled in him a profound distrust of human nature and a recognition of the inherent violence in humanity s quest for survival his early experiences particularly witnessing the breakdown of social order galvanized his thoughts on the need for strong political authority as a student of aristotle s works hobbes melded classical philosophy with emerging enlightenment ideals which undoubtedly informed his vision in the elements of law this seminal work is a must read for scholars of political theory and philosophy hobbes s incisive insights into the human condition and the nature of power provide a thought provoking framework for understanding contemporary political discourse readers will find themselves challenged to reflect on the balance between individual liberty and social stability making this book a timeless addition to any intellectual library

the first to use judith butler s work as a reading of how the legal subject is formed this book traces how butler comes to the themes of ethics law and politics analyzing their interrelation and explaining how they relate to butler s question of how people can have more liveable and viable lives acknowledging the potency and influence of butler s concept of gender as process which occupies a well developed and well discussed position in current literature elena loizidou argues that the possibility of people having more liveable and viable lives is articulated by butler within the

parameters of a sustained agonistic relationship between the three spheres of ethics law and politics suggesting that butler's rounded understanding of the interrelationship of these three spheres will enable critical legal scholarship as well as critical theory more generally to consider how the question of life's unsustainable conditions can be rethought and redressed this book is a key read for all students of legal ethics political philosophy and social theory

this volume of studies in law politics and society brings together an international and interdisciplinary array of scholars to explore issues on the cutting edge of socio legal research

this volume presents articles by an interdisciplinary and international group of scholars spanning the social sciences humanities and law it examines new perspectives on political relationships politics and legal reform and law and the family

this book offers a radical new understanding of law beyond the confines of its formalization by the state the book takes off from the late work of gilles deleuze and michel foucault for whom law and its institutions came to be liberated from an ideological perspective that had treated them as sterile instruments for the reproduction of domination engaging its continental history it addresses the concept of law not merely as a command but as the result of a much more complex legal operation aimed at dynamically stabilizing the social relations of a community the book thus sidesteps the usual legal political focus on those from hobbes to schmitt who have contributed to the categorical scheme of the modern state and with it questions of political representation sovereignty the rigid distinction between public law and private law and so on as it pursues an alternative theoretical trajectory through ravaissou tarde and hauriou politics the book maintains can be no longer be treated simply through the state form and relatedly the law must be seen as a living law a law that

cannot be treated exclusively in formal terms but must be taken as a grammar capable of articulating a politics of process relationality and innovation reconceived as such law can then circumvent the aporias that arise when society is viewed as a private company and the state seen as the bearer of the only possible means of formalizing its relationships at the intersection of law and political theory this book will speak to scholars and others with interests in both these areas and especially those concerned with the limits of both conventional and critical approaches to law

the functioning of the u s government is a bit messier than americans would like to think the general understanding of policymaking has congress making the laws executive agencies implementing them and the courts applying the laws as written as long as those laws are constitutional making policy making law fundamentally challenges this conventional wisdom arguing that no dominant institution or even a roughly consistent pattern of relationships exists among the various players in the federal policymaking process instead at different times and under various conditions all branches play roles not only in making public policy but in enforcing and legitimizing it as well this is the first text that looks in depth at this complex interplay of all three branches the common thread among these diverse patterns is an ongoing dialogue among roughly coequal actors in various branches and levels of government those interactions are driven by processes of conflict and persuasion distinctive to specific policy arenas as well as by the ideas institutional realities and interests of specific policy communities although complex this fresh examination does not render the policymaking process incomprehensible rather it encourages scholars to look beyond the narrow study of individual institutions and reach across disciplinary boundaries to discover recurring patterns of interbranch dialogue that define and refine contemporary american policy making policy making law provides a combination of contemporary policy analysis an interbranch perspective and diverse methodological

approaches that speak to a surprisingly overlooked gap in the literature dealing with the role of the courts in the american policymaking process it will undoubtedly have significant impact on scholarship about national lawmaking national politics and constitutional law for scholars and students in government and law as well as for concerned citizenry this book unravels the complicated interplay of governmental agencies and provides a heretofore in depth look at how the u s government functions in reality

reprint of the original first published in 1839

offers a critique of the political goals of legal scholars seeking to expose the extent to which both jurisprudence and political theory are subject to an ideology of involvement that falsely assumes a direct relation between scholarly opin

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