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as conflict resolution becomes increasingly important to urban and rural peoples around the globe the value of this classic anthology of studies of process structure comparison and perception of the law is acclaimed by policy makers as well as anthropologists throughout the world the case studies include evidence from africa europe the americas and oceania and they reflect the important shift from a concern with what law is to what law does as conflict resolution becomes increasingly important to urban and rural peoples around the globe the value of this classic anthology of studies of process structure comparison and perception of the law is acclaimed by policy makers as well as anthrop

this book presents a distinctive approach to the study of law in society focusing on the sociological interpretation of legal ideas it surveys the development of connections

between legal studies and social theory and locates its approach in relation to sociolegal studies on the one hand and legal philosophy on the other it is suggested that the concept of law must be re considered law has to be seen today not just as the law of the nation state or international law that links nation states but also as transnational law in many forms a legal pluralist approach is not just a matter of redefining law in legal theory it also recognizes that law s authority comes from a plurality of diverse sometimes conflicting social sources the book suggests that the social environment in which law operates must also be rethought with many implications for comparative legal studies the nature and boundaries of culture become important problems while the concept of multiculturalism points to the cultural diversity of populations and to problems of fragmentation or perhaps to new kinds of unity of the social theories of globalization raise a host of issues about the integrity of societies and about the need to understand social networks and forces that extend beyond the political societies of nation states through a range of specific studies closely interrelated and building on each other the book seeks to integrate the sociology of law with other kinds of legal analysis and engages directly with current juristic debates in legal theory and comparative law

the proposed volumes are aimed at a multidisciplinary audience and seek to fill the gap between law semiotics and visuality providing a comprehensive theoretical and analytical overview of legal visual semiotics they seek to promote an interdisciplinary debate from law semiotics and visuality bringing together the cumulative research traditions of these related areas as a prelude to identifying fertile avenues for research going forward advance praise for law culture and visual studies this diverse and exhilarating collection of essays explores the many facets both historical and contemporary of visual culture in the law it opens a window onto the substantive jurisdictional disciplinary and methodological diversity of current research it is a cornucopia of materials that will enliven legal studies for those new to the field as well as for established scholars it is a must read that will leave you wondering about the validity of the long held obsession that reduces the law and legal studies to little more than a preoccupation with the word leslie j moran professor of law birkbeck college university of london law culture visual studies is a treasure trove of insights on the entwined roles of legality and visuality from multiple interdisciplinary perspectives by scholars from around the world these pieces reflect the fullness and complexities of our visual encounters with law and culture from pictures to places to postage stamps from forensics to film to folklore this anthology is an exciting journey through the fertile field of law and visual culture as well as a testament that the field has come of age naomi mezey professor of law georgetown university law center washington d c usa this highly interdisciplinary reference work brings together diverse fields including cultural studies communication theory rhetoric law and film studies legal and social history visual and legal theory in order to document the various historical cultural representational and theoretical links that bind together law and the visual this book offers a breath taking range of resources from both well established and newer scholars who together cover the field of law s representation in interrogation of and dialogue with forms of visual rhetoric practice and discourse taken together this

scholarship presents state of the art research into an important and developing dimension of contemporary legal and cultural inquiry above all law culture and visual studies lays the groundwork for rethinking the nature of law in our densely visual culture how are legal meanings produced encoded distributed and decoded what critical and hermeneutic skills new or old familiar or unfamiliar will be needed topical diverse and enlivening law culture and visual studies is a vital research tool and an urgent invitation to further critical thinking in the areas so well laid out in this collection desmond manderson future fellow anu college of law research school of humanities the arts australian national university australia

combining insights from comparative legal theory jurisprudence and legal history this collection examines the legal and constitutional identity of central and eastern europe although the various countries of central and eastern europe have often compared themselves to the west the failure of these countries to engage with one another has resulted in a whole spectrum of legal identities remaining hidden this book takes up a comparison of such identities within the region of central and eastern europe and following from the prima facie similarity between the region s countries given the experience of communism and legal transfers the book thereby illuminates through comparisons the distinct legal identities of the 16 central and eastern european states whilst at the same time arguing for a shared central and eastern european legal identity this book will appeal to scholars and students in the area of comparative law as well as lawyers political scientists sociologists and historians with particular interests in central and eastern europe

divided into three parts this book examines the relationship between law and culture from various perspectives both theoretical and empirical part i outlines the framework for further considerations and includes new innovative conceptualizations of two ideas that are essential to the topic of law and culture legal culture and customary law both of these reappear later in the more empirically oriented chapters of parts ii and iii part ii includes chapters on the relationships between law customs and culture drawing heavily on the tradition and achievements of the anthropology of law and touching on important problems of multiculturalism legal pluralism and cultural defense it focuses on the more intangible meaning of culture while part iii addresses its more material tangible aspects and the issue of cultural production as well as its intersection with law

the following pages contain a theory of justice and a theory of law justice will be defined as the demand for a system of laws and law as an established regulation which applies equally throughout a society and is backed by force the demand for a system of laws is met by means of a legal system the theory will have to include what the system and the laws are in tended to regulate the reference is to all men and their possessions in a going concern in the past all such theories have been discussed only in terms of society justice as applicable to society and the laws promul gated within it however men and their societies are not the whole story in recent centuries artifacts have played an increasingly

important role to leave them out of all consideration in the theory would be to leave the theory itself incomplete and even distorted for the key conception ought to be one not of society but of culture society is an organization of men but culture is something more i define culture civilization has often been employed as a synonym as an organization of men together with their material possessions such possessions consist in artifacts material objects which have been altered through human agency in order to reduce human needs the makers of the artifacts are altered by them men have their possessions together and this objectifies and consolidates the culture

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what can law s popular cultures do for law as a constitutive and interrogative critical practice this collection explores such a question through the lens of the cultural legal studies movement which proffers a new encounter with the cultural turn in law and legal theory moving beyond the law ands literature humanities culture film visual and aesthetics on which it is based this book demonstrates how the techniques and practices of cultural legal studies can be used to metamorphose law and the legalities that underpin its popular imaginary by drawing on three different modes of cultural legal studies storytelling technology and jurisprudence the collection showcases the intersectional practices of cultural legal studies and law in its popular cultural mode the contributors to the collection deploy differentiated modes of cultural legal studies practice adopting diverse philosophical disciplinary methodological and theoretical approaches and subjects of examination the collection draws on this mix of diversity and homogeneity to thread together its overarching theme that we must take seriously an interrogation of law as culture and in its cultural form that is it does not ask how a text represents law but rather how the representational nature of both law and culture intersect so that the juridical become visible in various cultural manifestations in short it asks how law s popular cultures actively effect the metamorphosis of law

explores the relationship between culture and law

in comparative legal studies the concept of legal culture has come to play an increasingly significant role in contemporary theorising empirical analysis and methodological innovation using legal culture explores a number of the key issues regarding the use of this concept the essays contained in this book were originally presented in the journal of comparative law workshop held in venice university ca foscari may 20 21 2010 the papers show that legal culture is a very productive concept and also one which carries different meanings and resonances in different places and different languages and which sometimes means different things to different scholars this collection therefore offers an especially helpful set of reflections on the nature and analytical value of this concept the studies published here broadly speaking fall into three categories general reflections on the concept of legal culture the use of the concept in the micro dimensions of the engagement of law with everyday life and legal culture as a more holistic idea employed

to characterise aspects of professionally administered schemes of law and practice the chapters are written by prominent international scholars and given a general introduction by one the foremost researchers in the study of legal culture professor david nelken the book provides an important resource for all students and scholars with an interest in comparative legal studies as well as for anyone interested in the relationship between law and culture

envisioning legality law culture and representation is a path breaking collection of some of the world s leading cultural legal scholars addressing issues of law representation and the image law is constituted in and through the representations that hold us in their thrall and this book focuses on the ways in which cultural legal representations not only reflect or contribute to an understanding of law but constitute the very fabric of legality itself as such each of these readings of cultural texts takes seriously the cultural as a mode of envisioning constituting and critiquing the law and the theoretically sophisticated approaches utilised here encompass more than simply an engagement with harmless entertainment rather they enact and undertake specific political and critical engagements with timely issues such as the redressing of past wrongs recognising and combatting structural injustices and orienting our political communities in relation to uncertain futures envisioning legality thereby presents a cultural legal studies that provides the means for engaging in robust sustained and in depth encounters with the nature and role of law in a global mediated world

for law students and lawyers to successfully understand and practice law in the u s recognition of the wider context and culture which informs the law is essential simply learning the legal rules and procedures in isolation is not enough without an appreciation of the culture that produced them this book provides the reader with an understandable introduction to the ways in which u s law reflects its culture and each chapter begins with questions to guide the reader and concludes with questions for review challenge and further understanding kirk w junker explores cultural differences employing history social theory philosophy and language as reference frames which are then applied to the rules and procedures of the u s legal system in the book s final chapter through these cultural reference frames readers are provided with a set of interpretive tools to inform their understanding of the substance and institutions of the law with a deeper understanding of this cultural context international students will be empowered to more quickly adapt to their studies more comprehensively understand the role of the attorney in the u s system draw comparisons with their own domestic legal systems and ultimately become more successful in their legal careers both in the u s and abroad

what does it mean for courts and other legal institutions to be culturally sensitive what are the institutional implications and consequences of such an aspiration to what extent is legal discourse capable of accommodating multiple cultural narratives without losing its claim to normative specificity and how are we to understand meetings of law and culture in the context of formal and informal legal processes when demands are made to

accommodate cultural difference the encounter of law and culture is a polycentric relation but these questions draw our attention to law and legal institutions as one site of encounter warranting further investigation to map out the place of culture in the domains of law by relying on the insights of law anthropology politics and philosophy culture in the domains of law seeks to examine and answer these questions resulting in a richer outlook on both law and culture

without understanding the legal culture of the judges a full understanding of strasbourg s rulings seems hardly possible through interviews field observations and case law analysis this book fills this need and offers a fresh approach towards convergence in europe

what happens to legal thought when key terms society culture power justice identity become unsettled with the boundaries defining sociolegal scholarship undergoing a profound shift this book explores the intersections of law culture and identity sexuality race sports and the politics of policing are among the topics the authors take up as they examine how law both reproduces and challenges fundamental notions of order discipline and identity contributors rosemary j coombe u of toronto david m engel suny buffalo marjorie garber harvard u herman gray uc santa cruz rona tamiko halualani san josé state u david harvey cuny deb henderson yuen j huo ucla s lily mendoza u of denver trish oberweis american justice institute paul a passavant hobart and william smith colleges lisa e sanchez u of illinois carl f stychin u of reading tom r tyler new york u christine a yalda

in the present era of internationalisation of law being able to analyse legal culture enables legal cooperation however legal culture is still more a theoretical concept than an analytical tool applied when approaching law there are many kinds of legal cultures concerning different groups of legal actors or covering different geographical areas and they are at times overlapping however the national legal culture is still the one that has the largest influence on the everyday life of citizens and the day to day work of lawyers in this book the editors first theorize on and give practical guidance on how to identify deconstruct and examine legal culture based on a common analytical framework the editors and a large number of expert contributors explore central institutional and intellectual features of legal culture in 12 european countries next to usa china and australia allowing the reader to systematically compare legal cultures this is the second and extended version of comparing legal cultures which is the first thorough and extensive book that analyses national legal cultures as an approach to comparative law

a common complaint of the anti lawyer movement is that under the influence of lawyers we have become a litigious society in the process undermining traditional american values such as self reliance and responsibility in this volume a group of distinguished scholars in law and the social sciences explores these questions

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