

Practicing Ethnography in Law

*New Dialogues,
Enduring Methods*

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Practicing Ethnography In Law New Dialogues Enduring Methods

Nick Gill,Anthony Good



Practicing Ethnography In Law New Dialogues Enduring Methods:

Practicing Ethnography in Law J. Starr, M. Goodale, 2016-04-30 *Practicing Ethnography in Law* brings together a selection of top scholars in legal anthropology social sciences and law to delineate the state of the art in ethnographic research strategies Each of these original essays addresses a particular set of analytical problems and uses these problems to explore issues of ethnographic technique research methodology and the theoretical underpinnings of ethnographic legal studies Subjects explored include the relationship between legal and feminist scholarship between law and the media law and globalization and the usefulness of a wide variety of research techniques comparative linguistic life history interview and archival This volume will serve as a guide for students who are designing their own research projects for scholars who are newly exploring the possibilities of ethnographic research and for experienced ethnographers who are engaged with methodological issues in light of current theoretical developments The book will be essential reading for courses in anthropological methods legal anthropology and sociology and law

Legal Pluralism in the Holy City Ido Shahar, 2016-03-09 This book provides an unprecedented portrayal of a lively shari'a court in contemporary West Jerusalem which belongs to the Israeli legal system but serves Palestinian residents of the eastern part of the city It draws a rich picture of an intriguing institution operating in an environment marked by legal pluralism and by exceptional political and cultural tensions The book suggests an organizational institutional approach to legal pluralism which examines not only the relations between bodies of law but also the relations between courts of law serving the same population Based on participant observations in the studied court as well as on textual and legal analyses of court cases and rulings the study combines history and ethnography diachronic and synchronic perspectives and examines broad macro political processes as well as micro level interactions The book offers fresh perspectives on the phenomenon of legal pluralism on shari'a law in practice and on Palestinian Israeli relations in the divided city of Jerusalem The work is a valuable resource for academics and researchers working in the areas of Legal Pluralism Islamic Law and socio legal history of the Middle East

The Canon of American Legal Thought David Kennedy, William W. Fisher III, 2018-06-05 This anthology presents for the first time full texts of the twenty most important works of American legal thought since 1890 Drawing on a course the editors teach at Harvard Law School the book traces the rise and evolution of a distinctly American form of legal reasoning These are the articles that have made these authors from Oliver Wendell Holmes Jr to Ronald Coase from Ronald Dworkin to Catherine MacKinnon among the most recognized names in American legal history These authors proposed answers to the classic question What does it mean to think like a lawyer an American lawyer Their answers differed but taken together they form a powerful brief for the existence of a distinct and powerful style of reasoning and of rulership The legal mind is as often critical as constructive however and these texts form a canon of critical thinking a toolbox for resisting and unravelling the arguments of the best legal minds Each article is preceded by a short introduction highlighting the article's main ideas

and situating it in the context of its author's broader intellectual projects the scholarly debates of his or her time and the reception the article received Law students and their teachers will benefit from seeing these classic writings in full in the context of their original development For lawyers the collection will take them back to their best days in law school All readers will be struck by the richness the subtlety and the sophistication with which so many of what have become the clichés of everyday legal argument were originally formulated

The New Legal Realism: Volume 1 Elizabeth Mertz, Stewart Macaulay, Thomas W. Mitchell, 2016-05-03 This is the first of two volumes announcing the emergence of the new legal realism as a field of study At a time when the legal academy is turning to social science for new approaches these volumes chart a new course for interdisciplinary research by synthesizing law on the ground empirical research and theory Volume 1 lays the groundwork for this novel and comprehensive approach with an innovative mix of theoretical historical pedagogical and empirical perspectives Their empirical work covers such wide ranging topics as the financial crisis intellectual property battles the legal disenfranchisement of African American landowners and gender and racial prejudice on law school faculties The methodological blueprint offered here will be essential for anyone interested in the future of law and society

Mirrors of Justice Kamari Maxine Clarke, Mark Goodale, 2010 Mirrors of Justice is a groundbreaking study of the meanings of and possibilities for justice in the contemporary world The book brings together a group of both prominent and emerging scholars to reconsider the relationships between justice international law culture power and history through case studies of a wide range of justice processes The book's eighteen authors examine the ambiguities of justice in Europe Africa Latin America Asia the Middle East and Melanesia through critical empirical and historical chapters The introduction makes an important contribution to our understanding of the multiplicity of justice in the twenty first century by providing an interdisciplinary theoretical framework that synthesizes the book's chapters with leading edge literature on human rights legal pluralism and international law

The Journal of Legal Pluralism and Unofficial Law 61/2010 Gordon R. Woodman, Fauzia Shariff, 2011 This volume examines dynamics of legal pluralism and explores the varied ways in which constellations of legal pluralism play out in social life It aims to bridge the social and theoretical space between small scale case studies and abstract generalisation The introduction provides an overview of developments in the field of legal pluralism and offers an analytical perspective on the dynamics of the maintenance of and change in constellations of legal pluralism Contributions examine situations in which the state is seen as remote from local settings and others in which local populations are actively engaged in widening the scope and validity of state law By focusing on historical developments and the fault lines of rapid political change in both post socialist and post authoritarian states the volume shows that legal legacies of the past continue to have an impact Authors look at the social significance of the various and sometimes competing types of law which religious and secular transnational actors introduce into local settings

Rules of the House Sungyun Lim, 2018-12-18 At publication date a free ebook version of this title will be available through Luminos University of

California Press's Open Access publishing program Visit www.luminosoa.org to learn more Rules of the House offers a dynamic revisionist account of the Japanese colonial rule of Korea 1910-1945 by examining the roles of women in the civil courts Challenging the dominant view that women were victimized by the Japanese family laws and its patriarchal biases Sungyun Lim argues that Korean women had to struggle equally against Korean patriarchal interests Moreover women were not passive victims instead they proactively struggled to expand their rights by participating in the Japanese colonial legal system In turn the Japanese doctrine of promoting progressive legal rights would prove advantageous to them Following female plaintiffs and their civil disputes from the precolonial Choson dynasty through colonial times and into postcolonial reforms this book presents a new and groundbreaking story about Korean women's legal struggles revealing their surprising collaborative relationship with the colonial state

Law In and As Culture Caroline Joan "Kay" S. Picart, 2016-03-04 There are two oppositional narratives in relation to telling the story of indigenous peoples and minorities in relation to globalization and intellectual property rights The first the narrative of Optimism is a story of the triumphant opening of brave new worlds of commercial integration and cultural inclusion The second the narrative of Fear is a story of the endangerment mourning and loss of a traditional culture While the story of Optimism deploys a rhetoric of commercial mobilization and innovation the story of Fear emphasizes the rhetoric of preserving something pure and traditional that is dying Both narratives have compelling rhetorical force and actually need each other in order to move their opposing audiences into action However as Picart shows the realities behind these rhetorically framed political parables are more complex than a simple binary Hence the book steers a careful path between hope rather than unbounded Optimism and caution rather than Fear in exploring how law functions in and as culture as it contours the landscape of intellectual property rights as experienced by indigenous peoples and minorities Picart uses among a variety of tools derived from law critical and cultural studies anthropology and communication case studies to illustrate this approach She tracks the fascinating stories of the controversies surrounding the ownership of a Taiwanese folk song the struggle over control of the Mapuche's traditional land in Chile against the backdrop of Chile's drive towards modernization the collaboration between the Kani tribe in India and a multinational corporation to patent an anti fatigue chemical agent the drive for respect and recognition by Australian Aboriginal artists for their visual expressions of folklore and the challenges American women of color such as Josephine Baker and Katherine Dunham faced in relation to the evolving issues of choreography improvisation and copyright The book also analyzes the cultural conflicts that result from these encounters between indigenous populations or minorities and majority groups reflects upon the ways in which these conflicts were negotiated or resolved both nationally and internationally and carefully explores proposals to mediate such conflicts

Asylum Determination in Europe Nick Gill, Anthony Good, 2018-12-05 Drawing on new research material from ten European countries Asylum Determination in Europe Ethnographic Perspectives brings together a range of detailed accounts of the legal and bureaucratic processes by which asylum claims are decided The book includes a legal

overview of European asylum determination procedures followed by sections on the diverse actors involved the means by which they communicate and the ways in which they make life and death decisions on a daily basis It offers a contextually rich account that moves beyond doctrinal law to uncover the gaps and variances between formal policy and legislation and law as actually practiced The contributors employ a variety of disciplinary perspectives sociological anthropological geographical and linguistic but are united in their use of an ethnographic methodological approach Through this lens the book captures the confusion improvisation inconsistency complexity and emotional turmoil inherent to the process of claiming asylum in Europe Cultures of Conflict Resolution in Early Modern Europe Stephen Cummins, Laura

Kounine, 2017-05-15 Disputes discord and reconciliation were fundamental parts of the fabric of communal living in early modern Europe This edited volume presents essays on the cultural codes of conflict and its resolution in this period under three broad themes peacemaking as practice the nature of mediation and arbitration and the role of criminal law in conflicts Through an exploration of conflict and peacemaking this volume provides innovative accounts of state formation community and religion in the early modern period **Indigeneity and Legal Pluralism in India** Pooja Parmar, 2015-07-20 This

interdisciplinary study juxtaposes the popular legal and indigenous accounts of a dispute over a Coca Cola facility in Kerala India It includes interviews with members of indigenous communities activists politicians lawyers and judges as well as an analysis of litigation currently pending before the Supreme Court of India **Human Rights & Gender Violence** Sally Engle Merry, 2009-07-27 Human rights law and the legal protection of women from violence are still fairly new concepts As a result substantial discrepancies exist between what is decided in the halls of the United Nations and what women experience on a daily basis in their communities Human Rights and Gender Violence is an ambitious study that investigates the tensions between global law and local justice As an observer of UN diplomatic negotiations as well as the workings of grassroots feminist organizations in several countries Sally Engle Merry offers an insider's perspective on how human rights law holds authorities accountable for the protection of citizens even while reinforcing and expanding state power Providing legal and anthropological perspectives Merry contends that human rights law must be framed in local terms to be accepted and effective in altering existing social hierarchies Gender violence in particular she argues is rooted in deep cultural and religious beliefs so change is often vehemently resisted by the communities perpetrating the acts of aggression A much needed exploration of how local cultures appropriate and enact international human rights law this book will be of enormous value to students of gender studies and anthropology alike **The Remnants of the Rechtsstaat** Jens Meierhenrich, 2018

This book offers an intellectual history of Ernst Fraenkel's classic *The Dual State* 1941 recently republished by OUP and one of the most erudite books on the theory of dictatorship ever written It was the first comprehensive analysis of the nature and rise of Nazism and the only such analysis written from within Hitler's Germany *Communities of Practice and Ethnographic Fieldwork* Lee Cabatingan, Susan Bibler Coutin, Deyanira Nevárez Martínez, 2024-11-20 Communities of

Practice and Ethnographic Fieldwork offers a new perspective on how ethnography might be learned in real time through participation in a supportive community of practice. It draws on the experiences, knowledge, and training of an interdisciplinary group of scholars who have studied legal topics ethnographically alongside and with the support of fellow ethnographers at varying stages of their careers. Contributors address topics that are of interest to those who teach ethnography as well as to those who are learning this approach. Such topics include ethics, positionality in the field, the combination of personal and professional circumstances, and the process and pain of changing research topics. Each chapter emphasizes the role of mentoring and collective problem solving through a lab model of fieldwork practice, particularly when carrying out research with subjects and interlocutors who may have undergone trauma. Written by a diverse group of scholars, this volume will appeal especially to Black Indigenous and People of Color and female identifying ethnographers in a range of fields. It provides a framework for how fieldwork can continue moving forward even in the most challenging of times and will be of particular interest to scholars in anthropology, sociology, law, urban planning, studies, geography, political science, ethnic studies, public policy, sociolegal studies, and education. Encyclopedia of Law and Society David S. Clark, 2007-07-10

Introduction to and survey of the field of law and society. Includes interdisciplinary perspectives on law from sociology, criminology, cultural anthropology, political science, social psychology, and economics. **On the Record** Susan Bibler Coutin, 2025-08-05. A free ebook version of this title is available through Luminos University of California Press's Open Access publishing program. Visit www.luminosoa.org to learn more. Immigrant residents seeking legal status in the United States face a catch-22: the documents that they must present to immigration officials—bank records, paycheck stubs, and contracts in their own names—are often challenging for undocumented people to obtain. In this book, Susan Bibler Coutin analyzes how undocumented immigrants and the attorneys and paralegals who represent them attempt to surmount this and other documentary challenges. Based on four years of fieldwork and volunteer work in the legal services department of an immigrant-serving nonprofit and in-depth interviews with those seeking status, *On the Record* explores these complex dynamics by taking seriously both documents themselves and the legal craft that has developed around their use.

Research Handbook on Modern Legal Realism Shaubin Talesh, Elizabeth Mertz, Heinz Klug, 2021-03-26. This insightful Research Handbook provides a definitive overview of the New Legal Realism (NLR) movement, reaching beyond historical and national boundaries to form new conversations. Drawing on deep roots within the law and society tradition, it demonstrates the powerful virtues of new legal realist research and its attention to the challenges of translation between social science and law. It explores an impressive range of contemporary issues, including immigration, policing, globalization, legal education, and access to justice, concluding with an examination of how different social science disciplines intersect with NLR. **The Oxford Handbook of Transnational Law** Peer Zumbansen, 2021-04-30. The Oxford Handbook of Transnational Law offers a unique and unparalleled treatment and presentation in the field of Transnational Law that has become one of the most

intriguing and innovative developments in legal doctrine scholarship theory and practice today This in itself constitutes an ambitious editorial project not only within law and legal doctrine but also with regard to an increasing interest in an interdisciplinary engagement of law with social sciences including sociology anthropology political science geography and political theory Closely tied into the substantive transformation that many legal fields are undergoing is the observation that many of these developments are driven by changes in an increasingly global legal practice today The concept then of transnational law aims at capturing the distinctly border crossing nature even of those legal fields which had for the longest been time been seen as having merely domestic relevance This shift also requires a conscious effort among law school classroom instructors casebook authors and curriculum reformers to adapt their teaching content to these circumstances As the authors of this Handbook make clear this adaptation requires a close dialogue between a scholarly investigation into the transnational concept of law and the challenges faced by practicing lawyers be that as solicitor in house counsel as judges or as bureaucrats in a globalized regulatory and socio economic environment While the main thrust is on the transnationalization of legal doctrine and legal theory with a considerable contribution from and engagement with social sciences the Handbook features numerous reflections on the relationship between transnational law and legal practice

Rights, Cultures, Subjects and Citizens Susanne Brandtstädter, Peter Wade, Kath Woodward, 2013-09-13 This book questions the political logic of foregrounding cultural collectives in a world shaped by globalization and neoliberalization Throughout the world it is no longer only individuals but increasingly collective cultures who are made responsible for their own regulation welfare and enterprise This appears as a surprising shift from the tenets of classical liberalism which defined the ideal subject of politics as the unencumbered self the free equal and self governing individual The increasing promotion and recognition of cultural rights in international legislation multiculturalism and public debates on culture as a political problem more generally indicate that culture has become a more central terrain for governance and struggles around rights and citizenship On the basis of case studies from China Latin America and North America the contributors of this book explore the links between culture civility and the politics of citizenship They argue that official reifications of culture in relation to citizenship and even the recognition of cultural rights may obey strategies of governance and control but that citizens may still use new cultural rights and networks and the legal mechanisms that have been created to protect them in order to pursue their own agendas of empowerment This book was originally published as a special issue of Economy and Society

Transnational Legal Ordering of Criminal Justice Gregory Shaffer, Ely Aaronson, 2020-07-02 A new approach for studying the interaction between international and domestic processes of criminal law making in today's globalized world

Uncover the mysteries within is enigmatic creation, Discover the Intrigue in **Practicing Ethnography In Law New Dialogues Enduring Methods** . This downloadable ebook, shrouded in suspense, is available in a PDF format (PDF Size: *). Dive into a world of uncertainty and anticipation. Download now to unravel the secrets hidden within the pages.

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