

Radical Critiques of the Law

Edited by Stephen M. Griffin & Robert C. L. Moffat

Radical Critiques Of The Law

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Radical Critiques Of The Law:

Radical Critiques of the Law Stephen M. Griffin, Robert C. L. Moffat, 1997 The past two decades have seen an outpouring of work in legal theory that is self consciously critical of aspects of American law and the institutions of the liberal state In this lively volume eminent scholars in philosophy law and political science respond to this recent scholarship by exploring what constitutes a radical critique of the law examining such theories as critical legal studies feminist theory and theories of difference and critical race theory The authors consider whether the critiques advanced in recent legal theory can truly be called radical and what form a radical critique of American law should take Writing at the cutting edge of the critique of critical legal theory they offer insights first on critical legal scholarship then on feminist political and legal theory A third group of contributions questions the radicalness of these approaches in light of their failure to challenge fundamental aspects of liberalism while a final section focuses on current issues of legal reform through critical views on criminal punishment including observations on rape and hate speech Each major essay describes the underlying principles in the development of a radical legal theory and addresses unresolved questions relating to it while accompanying commentaries present conflicting views The resulting dialogue explores wide ranging issues like equity value relativism adversarial and empathic legal advocacy communitarianism and the social contract impartiality and contingency natural law and corrective justice A common thread for many of the articles is a focus on the social dimension of society and law which finds the individualism of prevailing liberal theories too limiting *Radical Critiques of the Law* is particularly unique in presenting critical and feminist approaches in one volume along with skeptical commentary about just how radical some critiques really are Proposing alternative critiques that embody considerably greater promise of being truly radical it offers provocative reading for both philosophers and legal scholars by showing that many claims to radicalism are highly problematic at best

A Companion to Philosophy of Law and Legal Theory Dennis Patterson, 2010-01-15 The articles in this new edition of *A Companion to Philosophy of Law and Legal Theory* have been updated throughout and the addition of ten new articles ensures that the volume continues to offer the most up to date coverage of current thinking in legal philosophy Represents the definitive handbook of philosophy of law and contemporary legal theory invaluable to anyone with an interest in legal philosophy Now features ten entirely new articles covering the areas of risk regulatory theory methodology overcriminalization intention coercion unjust enrichment the rule of law law and society and Kantian legal philosophy Essays are written by an international team of leading scholars *The Rule of Law History, Theory and Criticism* Pietro Costa, Danilo Zolo, 2007-05-06 Authors Costa and Zolo share the conviction that a proper understanding of the rule of law today requires reference to a global problematic horizon This book offers some relevant guides for orienting the reader through a political and legal debate where the rule of law and the doctrine of human rights is a concept both controversial and significant at the national and international levels **Introduction to Company Law** Paul Davies, 2020-01-31 Since the

financial crisis of 2007 to 2009 the role of the company in society especially the role of publicly traded companies has acquired a political salience that was largely absent in the decades before the crisis This concern has been reflected in both enhanced reporting requirements and in the latest version of the Corporate Governance and Stewardship Codes applicable to the largest companies This books analyses these developments in full as well as the more fundamental proposals for reform of corporate law that have been advanced outside official circles The book also examines the functions of the five core features of company law separate legal personality limited liability centralized management shareholder control and transferability of shares It finally analyses the legal strategies available for moderating the frictions that these core features nevertheless generate for those providing the necessary inputs for a company s business Written by one of the field s foremost experts Paul Davies *Introduction to Company Law* provides a comprehensive conceptual introduction to the subject giving readers a clear framework with which to navigate the intricacies of company law *Modern Imperialism, Monopoly Finance Capital, and Marx's Law of Value* Samir Amin, 2018-02-22 The law of worldwide value Further comments on Marx s Capital and historical capitalism Essays on Marx s value theory Index **The Theological Origins of Liberalism** Ismail Kurun, 2016-07-26 This eye opening book offers a critical survey of the true origins of liberalism It challenges the widely held belief among social scientists that liberalism was developed in opposition to Christianity Beginning with the Protestant Reformation it illustrates how Christian thinkers reinterpreted Christianity and used a set of indemonstrable biblical presuppositions from their reinterpretations to develop the first liberal ideas starting a process that culminates in the birth of the first liberal political theory in the writings of a devout Christian philosopher John Locke It explains how the Protestant Reformation covenant theology anti trinitarianism and medieval Christian natural law theories formed the foundations of liberalism Thus the central claim of this book is that liberalism is better understood as a radical reinterpretation of Christianity that emerged in the post Reformation and early modern period As a logical consequence of revealing the hitherto generally neglected roots of liberalism it eventually proposes that a legally pluralist liberal political theory is the best way to maintain human dignity and peace in multi religious societies of today s globalized world **The Laws of the Spirit** Shannon Hoff, 2014-03-27 Drawing from a variety of Hegel s writings Shannon Hoff articulates a theory of justice that requires answering simultaneously to three irreducibly different demands those of community universality and individuality The domains of ethicality legality and morality correspond to these essential dimensions of human experience and a political system that fails to give adequate recognition to any one of these will become oppressive The commitment to legality emphasized in modern and contemporary political life Hoff argues systematically precludes adequate recognition of the formative cultural contexts that Hegel identifies under the name of ethical life and of singular experiences of moral duty or conscience Countering the perception of Hegel as a conservative political thinker and engaging broadly with contemporary work in liberalism critical theory and feminism Hoff focuses on these themes of ethicality and conscience to consider how

modern liberal politics must be transformed if it is to accommodate these essential dimensions of human life *Narrative, Authority, and Law* Robin West,1993 Challenges the moral basis for the authority of law *The Marrano Phenomenon* Agata Bielik-Robson,2019-05-09 What we call here the Marrano phenomenon is still a relatively unexplored fact of modern Western culture the presence of the borderline Jewish identity which avoids clear cut cultural and religious attribution but nevertheless exerts significant influence on modern humanities Our aim however is not a historical study of the Marranos or conversos i e the mostly Spanish and Portuguese Jews of the 15th and 16th centuries who were forced to convert to Christianity but were suspected of retaining their Judaism undercover such an approach already exists and has been developed within the field of historical research We rather want to apply the Marrano metaphor to explore the fruitful area of mixture and crossover which allowed modern thinkers writers and artists of the Jewish origin to enter the realm of universal communication without at the same time making them relinquish their Jewishness which they subsequently developed as a hidden tradition What is of special interest to us is the modern development of the non normative forms of religious thinking located on the borderline between Christianity and Judaism from Spinoza to Derrida An Index to Legal Periodical Literature Leonard Augustus Jones,1888 A Critique of Sovereignty Daniel Loick,2018-11-06 In this important new book Daniel Loick argues that in order to become sensible to the violence imbedded in our political routines philosophy must question the current forms of political community the ways in which it organizes and executes its decisions in which it creates and interprets its laws much more radically than before It must become a critical theory of sovereignty and in doing so eliminate coercion from the law The book opens with a historical reconstruction of the concept of sovereignty in Bodin Hobbes Rousseau and Kant Loick applies Adorno and Horkheimer s notion of a dialectic of Enlightenment to the political sphere demonstrating that whenever humanity deemed itself progressing from chaos and despotism it at the same time prolonged exactly the violent forms of interaction it wanted to rid itself from He goes on to assemble critical theories of sovereignty using Walter Benjamin s distinction between law positing and law preserving violence as a terminological source engaging with Marx Arendt Foucault Agamben and Derrida and adding several other dimensions of violence in order to draw a more complete picture Finally Loick proposes the idea of non coercive law as a consequence of a critical theory of sovereignty The translation of this work was funded by Geisteswissenschaften International Translation Funding for Humanities and Social Sciences from Germany a joint initiative of the Fritz Thyssen Foundation the German Federal Foreign Office the collecting society VG WORT and the B rsenverein des Deutschen Buchhandels German Publisher Booksellers Association **Welfare: Needs, Rights and Risks** Mary Langan,2005-10-27 Welfare Needs Rights and Risks addresses the question of how people get access to social welfare in the UK today It explores the public political and professional definitions constructions and conflicts about who should receive social welfare and under what conditions In a period during which the rationing targeting and selective provision of welfare have become more significant more visible and more

disputed this book examines how individuals and groups come to be defined as in need at risk or deserving of welfare

Liberal Democracy and the Limits of Tolerance Raphael Cohen-Almagor, 2009-12-22 How to prevent the enemies of democracy from using its freedoms to attack its existence *The Radical Review*, 1883 *Encyclopedia of Criminology* J. Mitchell Miller, Richard A. Wright, 2013-12-17 This three volume work offers a comprehensive review of the pivotal concepts measures theories and practices that comprise criminology and criminal justice No longer just a subtopic of sociology criminology has become an independent academic field of study that incorporates scholarship from numerous disciplines including psychology political science behavioral science law economics public health family studies social work and many others The three volume Encyclopedia of Criminology presents the latest research as well as the traditional topics which reflect the field's multidisciplinary nature in a single authoritative reference work More than 525 alphabetically arranged entries by the leading authorities in the discipline comprise this definitive international resource The pivotal concepts measures theories and practices of the field are addressed with an emphasis on comparative criminology and criminal justice While the primary focus of the work is on American criminology and contemporary criminal justice in the United States extensive global coverage of other nations justice systems is included and the increasing international nature of crime is explored thoroughly Providing the most up to date scholarship in addition to the traditional theories on criminology the Encyclopedia of Criminology is the essential one stop reference for students and scholars alike to explore the broad expanse of this multidisciplinary field *Critical Race Theory* Richard Delgado, Jean Stefancic, 2000 This tightly edited volume contains the finest highly accessible articles in the fast growing legal genre of critical race theory a field which is changing the way this nation looks at race challenging orthodoxy questioning the premises of liberalism and debating sacred wisdoms Including treatments of two new exciting topics Critical Race Feminism and Critical White Studies this volume is truly on the cutting edge Questions for discussion and reading suggestions after each part make this volume essential for those interested in law the multiculturalism movement political science and critical thought In this wide ranging second edition Richard Delgado and Jean Stefancic bring together the finest most illustrative and highly accessible articles in the fast growing legal genre of Critical Race Theory In challenging orthodoxy questioning the premises of liberalism and debating sacred wisdoms Critical Race Theory scholars writing over the past few years have indelibly changed the way America looks at race This edition contains treatment of all the topics covered in the first edition along with provocative and probing questions for discussion and detailed suggestions for additional reading all of which set this fine volume apart from the field In addition this edition contains five new substantive units crime critical race practice intergroup tensions and alliances gay lesbian issues and transcending the black white binary paradigm of race In each of these areas groundbreaking scholarship by the movement's founding figures as well as the brightest new stars provides immediate entry to current trends and developments in critical civil rights thought Author note Richard Delgado Jean Lindsley Professor of Law at the University of

Colorado at Boulder is one of the founding members of the Conference on Critical Race Theory Winner of the Association of American Law Schools 1995 Clyde Ferguson Award for outstanding law professor of color he is the author of over 100 articles in the law review literature on civil rights and of several books including *Failed Revolutions Words that Wound* and *The Rodrigo Chronicles* Jean Stefancic Research Associate in Law at the University of Colorado is the author of leading articles and books on Critical Race Theory Latino a scholarship and social change including *No Mercy How Conservative Think Tanks and Foundations Changed America's Social Agenda* Temple

How Interpretation Makes International Law Ingo Venzke, 2012-09-06 Challenging the classic narrative that sovereign states make the law that constrains them this book argues that treaties and other sources of international law form only the starting point of legal authority Interpretation can shift the meaning of texts and in its own way make law In the practice of interpretation actors debate the meaning of the written and customary laws and so contribute to the making of new law In such cases it is the actor's semantic authority that is key the capacity for their interpretation to be accepted and become established as new reference points for legal discourse The book identifies the practice of interpretation as a significant space for international lawmaking using the key examples of the UN High Commissioner for Refugees and the Appellate Body of the WTO to show how international institutions are able to shape and develop their constituent instruments by adding layers of interpretation and moving the terms of discourse The book applies developments in linguistics to the practice of international legal interpretation building on semantic pragmatism to overcome traditional explanations of lawmaking and to offer a fresh account of how the practice of interpretation makes international law It discusses the normative implications that arise from viewing interpretation in this light and the implications that the importance of semantic changes has for understanding the development of international law The book tests the potential of international law and its doctrine to respond to semantic change and ultimately ponders how semantic authority can be justified democratically in a normative pluriverse

The Ethics of Consent Franklin Miller, Alan Wertheimer, 2010 Consent is a basic component of the ethics of human relations making permissible a wide range of conduct that would otherwise be wrongful Consent marks the difference between slavery and employment permissible sexual relations and rape borrowing or selling and theft medical treatment and battery participation in research and being a human guinea pig This book assembles the contributions of a distinguished group of scholars concerning the ethics of consent in theory and practice Part One addresses theoretical perspectives on the nature and moral force of consent and its relationship to key ethical concepts such as autonomy and paternalism Part Two examines consent in a broad range of contexts including sexual relations contracts selling organs political legitimacy medicine and research

Normal Life Dean Spade, 2015-07-23 Revised and Expanded Edition Wait what's wrong with rights It is usually assumed that trans and gender nonconforming people should follow the civil rights and equality strategies of lesbian and gay rights organizations by agitating for legal reforms that would ostensibly guarantee nondiscrimination and equal protection under the law This approach assumes that

the best way to address the poverty and criminalization that plague trans populations is to gain legal recognition and inclusion in the state's institutions. But is this strategy effective? In *Normal Life*, Dean Spade presents revelatory critiques of the legal equality framework for social change and points to examples of transformative grassroots trans activism that is raising demands that go beyond traditional civil rights reforms. Spade explodes assumptions about what legal rights can do for marginalized populations and describes transformative resistance processes and formations that address the root causes of harm and violence. In the new afterword to this revised and expanded edition, Spade notes the rapid mainstreaming of trans politics and finds that his predictions that gaining legal recognition will fail to benefit trans populations are coming to fruition. Spade examines recent efforts by the Obama administration and trans equality advocates to pinkwash state violence by articulating the US military and prison systems as sites for trans inclusion reforms. In the context of recent increased mainstream visibility of trans people and trans politics, Spade continues to advocate for the dismantling of systems of state violence that shorten the lives of trans people. Now more than ever, *Normal Life* is an urgent call for justice and trans liberation and the radical transformations it will require.

Legal Positivism, Politics, and Critical Ethics Elena Namli, 2025-07-10. This book challenges the view that legal positivism should be reduced to a conceptual analysis of legal validity. Instead, Elena Namli reclaims legal positivism as a theory of the relationship between law, morality, and politics. Presenting novel interpretations of the classical works of Herbert L. A. Hart, Joseph Raz, and Jürgen Habermas, Namli frames legal positivism as a theory that makes possible a moral and political critique of valid law. Moreover, this book defends the dialectical relationship between law, politics, and morality by combining a positivist approach to legal validity with a constructivist ethical theory which strengthens the critical potential of legal positivism. Legally valid norms may not always be morally justified, but understanding the moral quality of legal regulations is essential for comprehending modern law.

The book delves into Radical Critiques Of The Law. Radical Critiques Of The Law is a crucial topic that needs to be grasped by everyone, ranging from students and scholars to the general public. The book will furnish comprehensive and in-depth insights into Radical Critiques Of The Law, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:
 - Chapter 1: Introduction to Radical Critiques Of The Law
 - Chapter 2: Essential Elements of Radical Critiques Of The Law
 - Chapter 3: Radical Critiques Of The Law in Everyday Life
 - Chapter 4: Radical Critiques Of The Law in Specific Contexts
 - Chapter 5: Conclusion
2. In chapter 1, this book will provide an overview of Radical Critiques Of The Law. The first chapter will explore what Radical Critiques Of The Law is, why Radical Critiques Of The Law is vital, and how to effectively learn about Radical Critiques Of The Law.
3. In chapter 2, this book will delve into the foundational concepts of Radical Critiques Of The Law. The second chapter will elucidate the essential principles that need to be understood to grasp Radical Critiques Of The Law in its entirety.
4. In chapter 3, the author will examine the practical applications of Radical Critiques Of The Law in daily life. This chapter will showcase real-world examples of how Radical Critiques Of The Law can be effectively utilized in everyday scenarios.
5. In chapter 4, this book will scrutinize the relevance of Radical Critiques Of The Law in specific contexts. This chapter will explore how Radical Critiques Of The Law is applied in specialized fields, such as education, business, and technology.
6. In chapter 5, the author will draw a conclusion about Radical Critiques Of The Law. The final chapter will summarize the key points that have been discussed throughout the book.

The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. It is highly recommended for anyone seeking to gain a comprehensive understanding of Radical Critiques Of The Law.

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Radical Critiques Of The Law Introduction

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