



RIGHTS AT WORK

■ PAY EQUITY

REFORM

AND THE

POLITICS OF

LEGAL

MOBILIZATION

■

MICHAEL
W. McCANN

Rights At Work Pay Equity Reform And The Politics Of Legal Mobilization

Lisa J. Conant



Rights At Work Pay Equity Reform And The Politics Of Legal Mobilization:

Rights at Work Michael W. McCann, 1994-06-25 McCann explains how wage discrimination battles have raised public legal consciousness and helped reform activists mobilize working women in the pay equity movement over the past two decades. *Rights at Work* explores the political strategies in more than a dozen pay equity struggles since the late 1970s, including battles of state employees in Washington and Connecticut as well as city employees in San Jose and Los Angeles. Relying on interviews with over 140 union and feminist activists, McCann shows that even when the courts failed to correct wage discrimination, litigation and other forms of legal advocacy provided reformers with the legal discourse, the understanding of legal rights and their constraints for defining and advancing their cause. *Legal Mobilization for Human Rights* Gráinne de Búrca, 2022-03-21 The traditionally top-down focus in human rights scholarship on laws, institutions, and courts has begun to turn towards a bottom-up focus on activists, advocacy groups, affected communities, and social movements. The essays collected in *Legal Mobilization for Human Rights* examine a range of issues, including which groups claim rights, what they are mobilizing to protect, the goals they pursue, the forums they use, the obstacles they encounter, and the extent of their success or failure. Case studies reveal key themes such as the importance of human rights to marginalized communities, how political and societal authoritarianism shapes opportunities for effective mobilization, the importance of the choice of forum for instigating change, the role of intermediary actors such as NGOs, play in innovating strategies to address challenges, the possibilities for subaltern mobilization to reshape human rights law, and the importance of supporting genuinely community-led legal mobilization. *Alt-Labor and the New Politics of Workers' Rights* Daniel J. Galvin, 2024-02-02 Over the last half century, two major developments have transformed the nature of workers' rights and altered the pathways available to low-wage workers to combat their exploitation. First, while national labor law, which regulates unionization and collective bargaining, has grown increasingly ineffective, employment laws establishing minimal workplace standards have proliferated at the state and local levels. Second, as labor unions have declined, a diversity of small, under-resourced, nonprofit alt-labor groups have emerged in locations across the United States to organize and support marginalized workers. In *Alt-Labor and the New Politics of Workers' Rights*, political scientist Daniel J. Galvin draws on rich data and extensive interviews to examine the links between these developments. With nuance and insight, Galvin explains how alt-labor groups are finding creative ways to help their members while navigating the many organizational challenges and structural constraints they face in this new context. Alt-labor groups have long offered their members services and organizing opportunities to contest their unfair treatment on the job. But many groups have grown frustrated by the limited impact of these traditional strategies and have turned to public policy to scale up their work. They have successfully led campaigns to combat wage theft, raise the minimum wage, improve working conditions, strengthen immigrants' rights, and more. These successes present something of a puzzle relative to their larger, wealthier, and better-connected opponents: alt-labor groups are small, poor, and weak. Their members

are primarily low wage immigrant workers and workers of color who are often socially economically and politically marginalized With few exceptions the groups lack large dues paying memberships and are dependent on philanthropic foundations and other unpredictable sources of funding How given their myriad challenges have alt labor groups managed to make gains for their members Galvin reveals that alt labor groups are leveraging their deep roots in local communities their unique position in the labor movement and the flexibility of their organizational forms to build their collective power and extend their reach A growing number of groups have also become more politically engaged and have set out to alter their political environments by cultivating more engaged citizens influencing candidate selection processes and expanding government capacities These efforts seek to enhance alt labor groups probabilities of success in the near term while incrementally shifting the balance of power over the long term Alt Labor and the New Politics of Workers Rights

comprehensively details alt labor s turn to policy and politics provides compelling insights into the dilemmas the groups now face and illuminates how their efforts have both invigorated and complicated the American labor movement **The Politics**

of Right Sex Courtenay W. Daum,2020-08-01 Examines the limitations of rights based mobilization and litigation for advancing the interests of trans individuals in the contemporary United States While the growing attention to trans rights and the development of trans specific interest groups suggest that the time is right for a trans rights movement akin to prior civil rights movements The Politics of Right Sex explores the limitations of rights based mobilization and litigation for advancing the interests of trans communities Synthesizing critical theory transgender studies and extant law and society research Courtenay W Daum argues that trans individuals particularly those situated at the intersection of gender race class and immigration status are regulated by myriad forces of governmentality that work to maintain the sex and gender binaries and associated power hierarchies Because many informal practices and norms are located beyond the reach of civil rights laws a trans politics of rights may produce some modest legal and legislative reforms but will not eliminate the disciplinary forces that work to subject trans individuals It will also privilege those who are able to conform with dominant gender norms at the expense of the interests of those individuals who are gender nonconforming gender queer trans people of color and others unable or unwilling to embrace a transnormative presentation of self and or lifestyle In order to disrupt the dominant discourse and hierarchical power arrangements in pursuit of collective liberation for all as opposed to rights for some The Politics of Right Sex advocates for a more confrontational approach that directly engages and challenges the hegemonic power structures that govern and discipline trans individuals Shari'a, Inshallah Mark Fathi Massoud,2021-05-27 Shari a

Inshallah shows how people have used shari a to struggle for peace justice and human rights in Somalia and Somaliland

The Oxford Handbook of Law and Politics Keith E. Whittington,R. Daniel Kelemen,Gregory A. Caldeira,2010-06-10 The Oxford Handbooks of Political Science are the essential guide to the state of political science today With engaging contributions from major international scholars The Oxford Handbook of Law and Politics provides the key point of reference

for anyone working on the intersection between law and political science *Politics of Democratic Inclusion* Christina Wolbrecht, Rodney E. Hero, 2005-04-08 The issue of political participation has been central to American politics since the founding of the United States The Politics of Democratic Inclusion addresses the ways traditionally underrepresented groups have and have not achieved political incorporation representation and influence or democratic inclusion in American politics Each chapter provides a state of the discipline essay that addresses the politics of diversity from a range of perspectives and in a variety of institutional arenas Taken together the essays in The Politics of Democratic Inclusion evaluate and advance our understanding of the ways in which the structure processes rules and context of the American political order encourage mediate and hamper the representation and incorporation of traditionally disadvantaged groups *Studies in Law, Politics, and Society* Austin Sarat, 2013-05-09 Studies in Law Politics and Society is essential reading for legal scholars with a unique focus on the disciplines of sociology politics and the humanities Volume 61 brings together a diverse range of chapters discussing topics such as child abduction legal framing law and film and the Supreme Court **Gender, Constitutions, and Equality** Priscilla A. Lambert, Druscilla L. Scribner, 2023-06-15 This book addresses whether the gendering of constitutions promotes women's equality The authors use a mixed methods approach to explore how constitutional gender rights affect political processes and strategies legislative and judicial outcomes and ultimately women's equality They employ a cross national study by constructing a unique database of gender provisions in over 100 countries at three points in time 1995 2005 and 2015 Four in depth comparative case studies on Argentina Chile South Africa and Botswana trace the complex relationship between constitutional law strategies and policy change in four policy areas family law gender based violence reproductive rights and employment rights They argue that where egalitarian constitutional provisions are present women's rights advocates can use them as a tool to fight gender discrimination and pursue policy changes that address gender based power disparities At a time when gender equality provisions are increasingly common in constitutional design this book clarifies the mechanisms that link constitutional provisions to changes in process and outcomes while also systematically describing and analyzing the effect of gender provisions across countries and over time Gender Constitutions and Equality will inform theoretical debates on gender and politics law and social change feminist institutionalism and constitutional design and its effect on legislation and political strategies **The Politics of Islamic Law** Iza R. Hussin, 2016-03-31 In The Politics of Islamic Law Iza Hussin compares India Malaya and Egypt during the British colonial period in order to trace the making and transformation of the contemporary category of Islamic law She demonstrates that not only is Islamic law not the shari'ah its present institutional forms substantive content symbolic vocabulary and relationship to state and society in short its politics are built upon foundations laid during the colonial encounter Drawing on extensive archival work in English Arabic and Malay from court records to colonial and local papers to private letters and visual material Hussin offers a view of politics in the colonial period as an iterative series of negotiations between local and

colonial powers in multiple locations She shows how this resulted in a paradox centralizing Islamic law at the same time that it limited its reach to family and ritual matters and produced a transformation in the Muslim state providing the frame within which Islam is articulated today setting the agenda for ongoing legislation and policy and defining the limits of change Combining a genealogy of law with a political analysis of its institutional dynamics this book offers an up close look at the ways in which global transformations are realized at the local level Dilemmas of Scale in America's Federal Democracy Martha Derthick, 1999-06-13 Nationalist and local traditions vie within the American federal system and the American experiment with self government Bringing together contributions from history political science and sociology this book focuses primarily on the local seeking to recapture its origins explain its current impact and assess its worth **Judicial Review and Contemporary Democratic Theory** Scott E. Lemieux, David J. Watkins, 2017-11-03 For decades the question of judicial review's status in a democratic political system has been adjudicated through the framework of what Alexander Bickel labeled the counter majoritarian difficulty That is the idea that judicial review is particularly problematic for democracy because it opposes the will of the majority Judicial Review and Contemporary Democratic Theory begins with an assessment of the empirical and theoretical flaws of this framework and an account of the ways in which this framework has hindered meaningful investigation into judicial review's value within a democratic political system To replace the counter majoritarian difficulty framework Scott E Lemieux and David J Watkins draw on recent work in democratic theory emphasizing democracy's opposition to domination and analyses of constitutional court cases in the United States Canada and elsewhere to examine judicial review in its institutional and political context Developing democratic criteria for veto points in a democratic system and comparing them to each other against these criteria Lemieux and Watkins yield fresh insights into judicial review's democratic value This book is essential reading for students of law and courts judicial politics legal theory and constitutional law **Cause Lawyers and Social Movements** Austin Sarat, Stuart A. Scheingold, 2006 Cause Lawyers and Social Movements seeks to reorient scholarship on cause lawyers inviting scholars to think about cause lawyering from the perspective of those political activists with whom cause lawyers work and whom they seek to serve It demonstrates that while all cause lawyering cuts against the grain of conventional understandings of legal practice and professionalism social movement lawyering poses distinctively thorny problems The editors and authors of this volume explore the following questions What do cause lawyers do for and to social movements How when and why do social movements turn to and use lawyers and legal strategies Does their use of lawyers and legal strategies advance or constrain the achievement of their goals And how do movements shape the lawyers who serve them and how do lawyers shape the movements Mobilizing for Human Rights Beth A. Simmons, 2009-10-29 Beth Simmons demonstrates through a combination of statistical analysis and case studies that the ratification of treaties generally leads to better human rights practices She argues that international human rights law should get more practical and rhetorical support from the

international community as a supplement to broader efforts to address conflict development and democratization

Law and Social Movements Michael McCann, 2017-07-05 The work of both socio legal scholars and specialists working in social movements research continues to contribute to our understanding of how law relates to and informs the politics of social movements In the 1990s an important line of new research most of it initiated by those working in the law and society tradition began to bridge the gaps between these two areas of scholarship This work includes new approaches to group legal mobilization politics analysis of the judicial impact on social reform struggles studies of individual legal mobilization in civil disputing and an almost entirely new area of research in cause lawyering It brings together the best of this research introduced by a detailed essay by the editor

Special Issue Austin Sarat, 2012-10-02 This special issue is dedicated to the life and work of beloved legal scholar Stuart Scheingold The articles brought together in this volume articulate the inspiring contribution Scheingold has made to the field of political science The final chapter on Rights Community and Democracy is a work authored by Stuart Scheingold which has been comple

Law's Fragile State Mark Fathi Massoud, 2013-05-27 This book uncovers how colonial administrators postcolonial governments and international aid agencies have promoted stability and their own visions of the rule of law in Sudan

Justice Contained Lisa J. Conant, 2018-10-18 In this probing analysis of the European Union s transnational legal system Lisa Conant explores the interaction between law and politics In particular she challenges the widely held view that the European Court of Justice ECJ has through bold judicial activism brought about profound policy and institutional changes within the EU s member states She argues convincingly that this court like its domestic counterparts depends on the support of powerful organized interests to gain compliance with its rulings What Conant asks are the policy implications of the ECJ s decisions How are its rulings applied in practice Drawing on the rich scholarship on the U S Supreme Court Conant depicts the limits that the ECJ and other tribunals have to face To illuminate these constraints she traces the impact of ECJ decisions in four instances concerning market competition and national discrimination She also proposes ways of anticipating which of this court s legal interpretations are likely to inspire major reforms Justice Contained closes with a comparative analysis of judicial power identifying the ECJ as an institution with greater similarities to domestic courts than to international organizations The book advances a deeper understanding both of the court s contributions to European integration and of the political economy of litigation and reform

Property Rights and Neoliberalism Laura J. Hatcher, 2016-04-15 Property rights and efforts to curb state appropriation of private properties for public purposes have always held high status on the political agenda of the US and many other nations that feature a corporate capitalist economic system In addition to this over the last several decades conservative libertarian and neo liberal groups have put constitutional demands for greater property protection on the agendas of courts in several countries Studying property rights mobilization in both domestic and comparative contexts the contributors to this volume bring a range of social science perspectives to address three primary issues the contours and characteristics of property rights

mobilizations the degree to which property rights movements have influenced development of law in demonstrable ways and the broader cultural social and economic implications of modern era property rights litigation and legal mobilizations This will be a key text for anyone working within or interested in property rights

Research Handbook on Law, Movements and Social Change Steven A. Boutcher, Corey S. Shdaimah, Michael W. Yarbrough, 2023-07-01 The study of law and social movements provides an ideal lens for rethinking fundamental questions about the relationship between law and power This Research Handbook takes up that challenge framing a new more global dynamic reflexive and contextualised phase of social movement studies

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