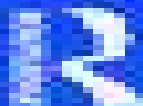


Selected Writings on Soviet Law and Marxism

P.I. Stuchka, Robert Sharlet,
Peter B. Maggs and
Piers Beirne



Selected Writings On Soviet Law And Marxism

Leon Shaskolsky Sheleff



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Selected Writings on Soviet Law and Marxism P.I. Stuchka, Robert Sharlet, Peter B. Maggs, Piers Beirne, 2019-07-23 The Latvian born legal theorist P I Stuchka 1865 1932 generally recognized as one of the principal architects of modern Soviet legal theory and the Soviet legal system itself was a prodigious author and editor Twenty essays by Stuchka written between 1917 and 1931 were selected for translation

Pashukanis, Selected Writings on Marxism and Law Evgenii Bronislavovich Pashukanis, 1980 Research Handbook on Law and Marxism O'Connell, Paul, Özsu, Umut, 2021-12-14 This Research Handbook offers unparalleled insights into the large scale resurgence of interest in Marx and Marxism in recent years with contributions devoted specifically to Marxist critiques of law rights and the state Revolution in Law Piers Beirne, 1990 The essays in this volume reassess pre revolutionary Russian legal culture the debates of the 1920s over the role of law under socialism and the abrupt and bloody termination of the debate which took place in the 1930s

The General Theory of Law & Marxism Evgeniĭ Bronislavovich Paĭiukanis, 2001-01-01 E B Pashukanis was the most significant contemporary to develop a fresh new Marxist perspective in post revolutionary Russia In 1924 he wrote what is probably his most influential work The General Theory of Law and Marxism In the second edition 1926 he stated that this work was not to be seen as a final product but more for self clarification in hopes of adding stimulus and material for further discussion A third edition was printed in 1927 Pashukanis s commodity exchange theory of law spearheaded a perspective that traced the form of law not to class interests but to capital logic itself Until his death he continued to argue for the ideal of the withering away of the state law and the juridic subject He eventually arrived at a position contrary to Stalin s who at that time was attempting to consolidate and strengthen the state apparatus under the name of the dictatorship of the proletariat Inevitably Pashukanis was branded an enemy of the revolution in January 1937 His works were subsequently removed from soviet libraries In 1954 Pashukanis was rehabilitated by the Soviets and restored to an acceptable position in the historical development of marxist law In Europe and North America a number of legal theorists only rediscovered Pashukanis s work in the late 1970s They subjected it to careful critical analysis and realized that he offered an alternative to the traditional Marxist interpretations which saw law simply and purely as tied to class interests of domination By the mid 1980s the instrumental Marxist perspective in vogue in Marxist sociology criminology politics and economics gave way to a significant extent due to Pashukanis s insights to a more structural Marxist accounting of the relationship of law to economics and other social spheres In his new introduction Dragan Milovanovic discusses the life of Pashukanis Marx and the commodity exchange theory of law and the historical lessons of Pashukanis s work This book will be of interest to sociologists criminologists and political scientists interested in issues of law and Marxism

Pashukanis (russian) Bjarne Melkevik, Research Handbook on Critical Legal Theory Emilios Christodoulidis, Ruth Dukes, Marco Goldoni, 2019 Critical theory characteristically linked with the politics of theoretical engagement covers the manifold of the connections between theory

and praxis This thought provoking Research Handbook captures the broad range of those connections as far as legal thought is concerned and retains an emphasis both on the politics of theory and on the notion of theoretical engagement The first part examines the question of definition and tracks the origins and development of critical legal theory along its European and North American trajectories The second part looks at the thematic connections between the development of legal theory and other currents of critical thought such as Feminism Marxism Critical Race Theory varieties of post modernism as well as the various turns ethical aesthetic political of critical legal theory The third and final part explores particular fields of law addressing the question how the field has been shaped by critical legal theory or what critical approaches reveal about the field with the clear focus on opportunities for social transformation

Evgeny Pashukanis Michael Head,2007-09-12 A thorough examination of Pashukanis writings this book is a significant contribution to a proper assessment of Pashukanis work the value of his theoretical legacy and the contemporary relevance of Marxist legal theory Interest in the best known Soviet legal scholar Evgeny Pashukanis remains widespread and his work retains considerable relevance His writings provide a rich source of material on the Marxist theory of law and the state as well as the attempts to apply that doctrine in Soviet Russia In this book Michael Head considers Pashukanis work both within its historical context and in relation to contemporary legal theory answering a range of questions including How and why did Pashukanis emerge as the pre eminent Soviet jurist from 1924 to 1930 Why did he come under only minor criticism from 1930 to 1936 and then be denounced and executed in 1937 as a Trotskyite saboteur Why have many Western scholars generally praised the quality and originality of Pashukanis work yet also drawn the conclusion that his fate illustrates the intrinsic impossibility of the entire communist project Serving as an introduction to Pashukanis and Marxist legal theory and a timely contribution in light of the universal assault on civil liberties in the indefinite War on Terror and the constant escalation of law and order measures in Western societies this volume is an invaluable resource for those interested in jurisprudence and critical thought

Toward the Rule of Law in Russia Donald D. Barry,2019-07-26 The contributors to this volume all specialists on Soviet law and politics offer a comprehensive examination of the effort to create a law based state in the Gorbachev era U S S R thus effecting a fundamental change in the relationship between the state and private groups and individuals Gianmaria Ajani Donald Barry Harold Berman Frances Foster Simons George Ginsburgs John Hazard Kathryn Hendley Eugene Huskey Dietrich Loeber Peter Maggs Hiroshi Oda Nicolai Petro Robert Sharlet Louise Shelley Will Simons and Peter Solomon with commentary by Soviet scholars discuss conceptual historical social cultural and institutional aspects of Soviet legal development and supply detailed analysis of recent developments in the areas of civil criminal and labour law and the rights of individuals economic organizations and political and social groups

Interdisciplinary Research Methods in EU Law Rossana Deplano,Giulia Gentile,Luigi Lonardo,Tobias Nowak,2024-06-05 This comprehensive Handbook provides a critical and analytical guide to the application of interdisciplinary research methods in EU law and explores the advancement of the EU legal landscape from an

interdisciplinary research perspective Venturing beyond doctrinal legal scholarship it reflects on the cognitive synergies between EU law and other disciplines and advances the debate on contemporary trends in EU law research This title contains one or more Open Access chapters The Oxford Handbook of Legal History Markus D. Dubber, Christopher Tomlins, 2018-07-26 Some of the most exciting and innovative legal scholarship has been driven by historical curiosity Legal history today comes in a fascinating array of shapes and sizes from microhistory to global intellectual history Legal history has expanded beyond traditional parochial boundaries to become increasingly international and comparative in scope and orientation Drawing on scholarship from around the world and representing a variety of methodological approaches areas of expertise and research agendas this timely compendium takes stock of legal history and methodology and reflects on the various modes of the historical analysis of law past present and future Part I explores the relationship between legal history and other disciplinary perspectives including economic philosophical comparative literary and rhetorical analysis of law Part II considers various approaches to legal history including legal history as doctrinal intellectual or social history Part III focuses on the interrelation between legal history and jurisprudence by investigating the role and conception of historical inquiry in various models schools and movements of legal thought Part IV traces the place and pursuit of historical analysis in various legal systems and traditions across time cultures and space Finally Part V narrows the Handbooks focus to explore several examples of legal history in action including its use in various legal doctrinal contexts *Social Cohesion and Legal Coercion* Leon Shaskolsky Sheleff, 1997 The book is a critical analysis of the work of Max Weber Emile Durkheim and Karl Marx It focuses on their separate analyses of the role of law in society pointing out their faults and errors and the resultant impact on modern social science The author takes issue with Weber s work on rationality with Durkheim s work on repressive and restitutive law and with Marx s work on social justice and law as part of the super structure In each section of the book he shows the implications that flow from a re assessment and re interpretation of their work for an understanding of society The book is multi disciplinary making ample reference to law sociology anthropology history religion ecology criminology philosophy and economics Its various chapters discuss a wide range of themes including rationality tradition science political authority conflict resolution community justice and altruism *Finnish Yearbook of International Law, Volume 22, 2011* Jan Klabbers, 2013-07-11 The Finnish Yearbook of International Law aspires to honour and strengthen the Finnish tradition in international legal scholarship Open to contributions from all over the world and from all persuasions the Finnish Yearbook stands out as a forum for theoretically informed high quality publications on all aspects of public international law including the international relations law of the European Union The Finnish Yearbook publishes in depth articles and shorter notes commentaries on current developments book reviews and relevant overviews of Finland s state practice While firmly grounded in traditional legal scholarship it is open for new approaches to international law and for work of an interdisciplinary nature The Finnish Yearbook is published for the Ius Gentium Association the Finnish Society of

International Law by Hart Publishing Earlier volumes may be obtained from Martinus Nijhoff an imprint of Brill Publishers Further information may be found at www.fybil.org INDIVIDUAL CHAPTERS Please click on the link below to purchase individual chapters from Volume 22 through Ingenta Connect www.ingentaconnect.com SUBSCRIPTION TO SERIES To place an annual online subscription or a print standing order through Hart Publishing please click on the link below Please note that any customers who have a standing order for the printed volumes will now be entitled to free online access www.hartjournals.co.uk/fybil/subs

The Concept of Unity in Public International Law Mario Prost, 2012-03-15 Fragmentation has become a defining albeit controversial metaphor of international law scholarship in the era of globalisation Some scholars see it as a new development others as history repeating itself some approach it as a technical issue and some as the reflection of deeper political struggles But there is near consensus about the fact that the established vision of international law as a unitary whole is under threat At the core of the fragmentation debate lies the concept of unity but this is hardly ever rationalised and is more assumed than explained Its meaning remains vague and intuitive The Concept of Unity in Public International Law attempts to dispel that vagueness by exploring the various possible meanings of the concept of unity in international law However eschewing one grand theory of unity it identifies and compares five candidates Intentionally pluralistic in its outlook the book does not engage in normative arguments about whether international law is or should be unitary but seeks to show instead that the concept of unity is contested and that discourses on fragmentation are necessarily contingent The thesis on which the book is based won the 2009 Prize for best doctoral thesis from the Association des professeurs de droit du Québec

Revisiting Marx's Critique of Liberalism Igor Shoikhedbrod, 2019-12-26 Revisiting Marx's Critique of Liberalism offers a theoretical reconstruction of Karl Marx's new materialist understanding of justice legality and rights through the vantage point of his widely invoked but generally misunderstood critique of liberalism The book begins by reconstructing Marx's conception of justice and rights through close textual interpretation and extrapolation The central thesis of the book is firstly that Marx regards justice as an essential feature of any society including the emancipated society of the future and secondly that standards of justice and right undergo transformation throughout history The book then tracks the enduring legacy of Marx's critique of liberal justice by examining how leading contemporary political theorists such as John Rawls Jürgen Habermas Axel Honneth and Nancy Fraser have responded to Marx's critique of liberalism in the face of global financial capitalism and the hollowing out of democratically enacted law The Marx that emerges from this book is therefore a thoroughly modern thinker whose insights shed valuable light on some of the most pressing challenges confronting liberal democracies today

Reinterrogating the Classical Marxist Discourses of Revolutionary Democracy Soma Marik, 2008

Soviet Law William Elliott Butler, 1983

Insurgent Universality Massimiliano Tomba, 2019-05-16

Scholars commonly take the Declaration of the Rights of Man and Citizen of 1789 written during the French Revolution as the starting point for the modern conception of human rights According to the Declaration the rights of man are held to be

universal at all times and all places But as recent crises around migrants and refugees have made obvious this idea sacred as it might be among human rights advocates is exhausted It s long past time to reconsider the principles on which Western economic and political norms rest This book advocates for a tradition of political universality as an alternative to the juridical universalism of the Declaration Insurgent universality isn t based on the idea that we all share some common humanity but rather on the democratic excess by which people disrupt and reject an existing political and economic order Going beyond the constitutional armor of the representative state it brings into play a plurality of powers to which citizens have access not through the funnel of national citizenship but in daily political practice We can look to recent history to see various experiments in cooperative and insurgent democracy the Indignados in Spain the Arab Spring Occupy the Zapatistas in Mexico and going further back the Paris Commune the 1917 peasant revolts during the Russian Revolution and the Haitian Revolution This book argues that these movements belong to the common legacy of insurgent universality which is characterized by alternative trajectories of modernity that have been repressed hindered and forgotten Massimiliano Tomba examines these events to show what they could have been and what they can still be As such he explores how their common legacy can be reactivated Insurgent Universality analyzes the manifestos and declarations that came out of these

experiments considering them as collective works of an alternative canon of political theory that challenges the great names of the Western pantheon of political thought and builds bridges between European and non European political and social experiments **Marxism, Psychology and Social Science Analysis** Julian Roche,2018-06-14 Marxism Psychology and Social Science Analysis applies Marxist theory psychology and the work of Lucien S ve to specific research in the social sciences It shows in practical terms what guidance can be offered for social scientific researchers wanting to incorporate S ve s view of personality into their work Providing case studies drawn from different social sciences that give the book significant breadth of scope Roche reviews the impact of Taking S ve Seriously across the study of international relations theory economics law and moral philosophy The book begins by placing the work of Lucien S ve in context and considers the development of psychology in relation to Marxism before going on to summarise the work of S ve in relation to the psychology of personality It considers the opportunities for refreshed research in social relations based on developments by S ve before examining Marxist biography and the implications of S ve s views The book also includes chapters on the social discount rate on constructivism in international relations on the concept of promising in moral philosophy and the Marxist conception of individual responsibility It addresses not only how research should be carried out differently but whether utilising the theoretical framework of other writers even non Marxists can deliver a similar outcome With its use of five distinct case studies to analyse the work of Lucien S ve this unique book will be of great interest to academics researchers and postgraduate students in the fields of psychology philosophy and social sciences **Legal Form and the End of Law**

Cosmin Cercel,Gian-Giacomo Fusco,Przemyslaw Tacik,2024-10-14 Following the 100th anniversary of Pashukanis General

Theory of Law and Marxism 1924 this volume aims to breathe new life into the main category of Pashukanian legacy the concept of legal form This book offers new deeper and more general ways in which the concept of legal form can be used to push forward Marxist post Marxist or hauntingly Marxist legal theory Accordingly this book does not pledge allegiance to reconstructing and reconsidering the official interpretative legacy of the legal form Instead it mobilises the revolutionary conceptual potentialities that this term contains When investigated thoroughly and in many dimensions the legal form becomes a privileged vantage point not only into the greatest law related riddles of Marxism such as the relation between economy and the state or withering away of statal apparatuses but the whole of modernity as the epoch determined by if not overlapping with capitalism This book aims to think with the legal form rather than explain this concept In so doing it offers a panoply of theoretical perspectives that address legal subjectivity abstraction autonomy of the law and last but not least withering away of the law This contemporary interrogation of the relevance of the concept of legal form will be of considerable interest to scholars and students of legal and political theory

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