

Marxist Theory of Law and State

The initial proponents of Marxist theory were Karl Marx (1818-83), Friedrich Engels (1820-95) and Vladimir Lenin (1870-1924).

The Marxist school of thought is a comprehensive system of thought covering areas of sociology, history, politics, and economics. Embraces all these topics.

Marxist writings on law are sparse, because of the perceived secondary role of law in the Marxist analysis of history and society. There is no comprehensive theory.

Marxist theory is materialist which means that the material conditions of life, i.e economic, physical, environmental are the most important factors in society.

Marx and Engels use the base-superstructure metaphor in this regard when viewing society.

The base consists of the relations of production – work conditions, the division of labour and the ownership of the means of production, which people are involved in to produce life's commodities. Example likes factories and businesses.

Marxism And Law

Ying Liu



Marxism And Law:

Marxism and Law Hugh Collins, 1984 In this introduction to Marxism and the law Hugh Collins presents a unified and coherent view of Marxism which he uses to examine the specific characteristics of legal institutions rules and ideals He pays particular attention to the place of ideology in law the distinction between base and superstructure and the destiny of law in a Communist society His principal theme is the Marxist critique of the ideal of the Rule of Law He argues that the main purpose of a Marxist theory of law is to expose the belief in the Rule of Law as being a subtle and pervasive ideology which serves to obscure the structures of class domination within the State The author frequently subjects the Marxist approach to criticism and he shows that many of the Marxist claims about law are unproven or misconceived The book is written in straightforward non technical language which requires no knowledge of either Marxism or law *Marxism and Law* Piers Beirne, Richard Quinney, 1982 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 *Law and Marxism* Evgeny Pashukanis, 1987-01-01 This is a classic Marxist study first published in 1924 one of the principal Soviet contributions to jurisprudence theory It is an authoritative non revisionist text offering both a commentary and a critique of prevailing Marxist and non Marxist legal theory Pashukanis states that juridical and state forms are linked to a specific type of class society capitalist society However law comes not from the rule of the capitalist class but from the relations of production that created that class Rights and laws are exchanged like commodities The author applies Marx's writings on contract and property law giving sensitive attention to the interrelation of commodity values and individual rights He considers the ritual pomp and mystique of legal systems and looks at law in relation to power structures the state exploitation and morality

The General Theory of Law & Marxism EvgeniĀ Bronislavovich PaĀiukanis, 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.

Marx and Engels on Law Karl Marx, Maureen Elizabeth Cain, Alan Hunt, 1979

Legal Naturalism Olufemi Taiwo, 2015-11-12. Legal Naturalism advances a clear and convincing case that Marx's theory of law is a form of natural law jurisprudence. It explicates both Marx's writings and the idea of natural law and makes a forceful contribution to current debates on the foundations of law. Olufemi Taiwo argues that embedded in the corpus of Marxist writing is a plausible, adequate and coherent legal theory. He describes Marx's general concept of law which he calls legal naturalism. For Marxism, natural law isn't a permanent verity; it refers to the basic law of a given epoch or social formation which is an essential aspect of its mode of production. Capitalist law is thus natural law in a capitalist society and is politically and morally progressive relative to the laws of preceding social formations. Taiwo emphasizes that these formations are dialectical or dynamic, not merely static, so that the law which is naturally appropriate to a capitalist economy will embody tensions and contradictions that replicate the underlying conflicts of that economy. In addition, he discusses the enactment and reform of positive law established by government institutions in a Marxian framework.

Research Handbook on Law and Marxism Paul O'Connell, Umut Özsü, 2023-05-28. 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. The Research Handbook brings together thirty-three scholars of Marx, Marxism and law from around the world to offer theoretically informed introductions to the Marxist tradition of social critique, contemporary Marxist analyses of law and rights and future orientations of Marxist legal analysis. Chapters testify to the strength of Marxist critical tools for understanding the role of law, rights and the state in capitalist societies. Exploring Marxist critique across an extraordinarily wide range of scholarly disciplines, this Research Handbook is a must-read for scholars of law, politics, sociology, philosophy and political economy who are interested in Marxism. Graduate and advanced undergraduate students in these and related disciplines will also benefit from the Research Handbook.

Marxism, Law, Legal Theory and Jurisprudence Alan Hunt, Peter Fitzpatrick, 1991

Between Equal Rights China Miéville, 2006. China Miéville's brilliantly original book is an indispensable guide for anyone concerned with international law. It is the most comprehensive scholarly account available of the central theoretical debates about the foundations of international law. It offers a guide for the lay reader into the central texts in the field.

Peter Gowan, Professor

International Relations London Metropolitan University Mievile critically examines existing theories of international law and offers a compelling alternative Marxist view China Mievile PhD International Relations London School of Economics is an independent researcher and an award winning novelist His novel Perdido Street Station won the Arthur C Clarke Award

Modern Imperialism, Monopoly Finance Capital, and Marx's Law of Value Samir Amin, 2018-02-22 The complete collection of Samir Amin's work on Marxism value theory Unlike such obvious forms of oppression as feudalism or slavery capitalism has been able to survive through its genius for disguising corporate profit imperatives as opportunities for individual human equality and advancement But it was the genius of Karl Marx in his masterwork Capital to discover the converse law of surplus value behind the illusion of the democratic supply and demand marketplace lies the workplace where people trying to earn a living are required to work way beyond the time it takes to pay their wages Leave it to the genius of Samir Amin to advance Marx's theories adding to them the work of radical economists such as Michal Kalecki Josef Steindl Paul Baran and Paul Sweezy to show how Marxian theory can be adapted to modern economic conditions Amin extends Marx's analysis to describe a concept of imperialist rent derived from the radically unequal wages paid for the same labor done by people in both the Global North and the Global South the rich nations and the poor ones This is global oligopolistic capitalism in which finance capital has come to dominate worldwide production and distribution Amin also advances Baran and Sweezy's notion of economic surplus to explain a globally monopolized system in which Marx's law of value takes the form of a law of globalized value generating a super exploitation of workers in the Global South Modern Imperialism Monopoly Finance Capital and Marx's Law of Value offers readers in one volume the complete collection of Samir Amin's work on Marxian value theory The book includes texts from two of Amin's recent works Three Essays on Marx's Value Theory and The Law of Worldwide Value which have provoked considerable controversy and correspondence Here Amin answers his critics with a series of letters clarifying and developing his ideas This work will occupy an important place among the theoretical resources for anyone involved in the study of contemporary Marxian economic and political theory *Law and Marxism* Evgenii Bronislavovich Pashukanis, 1978 *Marxism Versus Socialism* Vladimir Gregorievitch Simkhovitch, 1913 [Dominion and Wealth](#) D.C. Kline, 2012-12-06 Donna Kline's contribution to the Sovietica series falls outside the strict confines of the study of Soviet Marxism Leninism It centers its attention on the seemingly minor question of Marx knowledge of and attitude toward the legal theory and practice in vogue at the time he was writing studies that directly addressed issues of law and economics and that indirectly helped to fashion the legal and economic behavior of Soviet style regimes That this question is not as minor or as irrelevant to Marxism Leninism as it might seem at first glance flows from Marx obvious intent to do a thorough critique of all the vectors of bourgeois capitalist civilization and culture clearly expressed in the many key texts where legal relations form at least part of the central focus Marx thought was forming when the bourgeois law that had become self conscious at the end of the 18th century was following the French Revolution trying to take possession of the

social political consciousness of European American culture and finding itself coming up against the vagaries of economic quasi anarchy There is a sense in which the bourgeois capitalist efforts at developing a legal code for existing economic practice represent a sort of ideology in practice to be applied to the same phenomena that Marx wanted to account for in his peculiarly Hegelian ideological critique **Law & Liberty** R. J. Rushdoony, 2009-11-16 In this concise volume R J Rushdoony expounds on the central themes of the application of Biblical law to every area of life This book is a great starting point to understanding Rushdoony s larger expositions on Biblical law **The Yale Law Journal** , 1920 **Canadian Journal of Law and Society** , 1989 **The Left Academy** Bertell Ollman, Edward Vernoff, 1982 The Left Academy a useful reference to the current state of Marxist thought This book explores Marxism in the social sciences and applied sociology fields such as social work and health The Left Academy features essays that analyze the state of Marxism in various academic disciplines by a well known scholar in that discipline In addition to the essays this third volume includes a summary of Marxism where it stands today and where it may go in the future Students academics and general readers will find the book thought provoking *Law and Marxism* Evgenij Bronislavovič Pašukanis, 1978 **The General Theory of Law and Marxism** Evgeny Bronislavovich PASHUKANIS, 1951

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