

Radical Critiques of the Law

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

Radical Critiques Of The Law

Peter Goodrich



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

Critiquing Sovereign Violence Gavin Rae, 2019-04-10 Gavin Rae offers an original approach to sovereign violence by looking at a wide range of thinkers which he organises into three models Benjamin Schmitt Arendt Deleuze and Guattari form the radical juridical perspective Foucault and Agamben the biopolitical Derrida the bio juridical which Rae argues produces the most nuanced account Rae engages with new translations of The Beast and the Sovereign and The Death Penalty to show that Derrida offers a radical and alternative angle in which violence is placed between law and life simultaneously creating and regulating each through the other

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 Radical Review, 1883. *Matthew, Paul, and the Anthropology of Law* David A. Kaden, 2016-09-30. Drawing from Michel Foucault's understanding of power, David A. Kaden explores how relations of power are instrumental in forming law as an object of discourse in the Gospel of Matthew and in the Letters of Paul. This is a comparative project in that the author examines the role that power relations play in generating discussions of law in the first century context and in several ethnographies from the field of the anthropology of law from Indonesia, Mexico, the Philippines, and colonial era Hawaii. Discussions of law proliferate in situations where the relations of power within social groups come into contact with social forces outside the group. David A. Kaden's interdisciplinary approach reframes how law is studied in Christian Origins scholarship, especially Pauline and Matthean scholarship, by focusing on what makes discourses on law possible. For this, he relies heavily on cross-cultural ethnographic materials from legal anthropology. Critique and Praxis Bernard E. Harcourt, 2020-08-11. Critical philosophy has always challenged the division between theory and practice. At its best, it aims to turn contemplation into emancipation, seeking to transform society in pursuit of equality, autonomy, and human flourishing. Yet today's critical theory often seems to engage only in critique. These times of crisis demand more. Bernard E. Harcourt challenges us to move beyond decades of philosophical detours and to harness critical thought to the need for action. In a time of increasing awareness of economic and social inequality, Harcourt calls on us to make society more equal and just. Only critical theory can guide us toward a more self-reflexive pursuit of justice. Charting a vision for political action and social transformation, Harcourt argues that instead of posing the question "What is to be done," we must now turn it back onto ourselves and ask and answer "What more am I to do?" *Critique and Praxis* advocates for a new path forward that constantly challenges each and every one of us to ask what more we can do to realize a society based on equality and justice. Joining his decades of activism, social justice litigation, and political engagement with his years of critical theory and philosophical work, Harcourt has written a magnum opus. *Bentham and the Common Law Tradition* Gerald J. Postema, 2019. Presentation de l'auteur. This second edition of a classic in Anglo-American legal philosophy reopens the dialogue between Bentham's work and contemporary legal philosophy. Gerald J. Postema revisits the themes of the first edition in light of the latest scholarly criticism and provides new insights into the historical philosophical roots of international law. *Law in the Courts of Love* Peter Goodrich, 2002-11. In the wake of current criticisms of the legal profession, Peter Goodrich presents us with a radical alternative vision of the law. He examines past legal systems, offering up the possibility of a more humane system. **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

Ideology and Community in the First Wave of Critical Legal Studies Richard W. Bauman, 2002-01-01 Bauman examines several major themes and arguments in the first decade of critical legal scholarship predominantly in the U S in the period dating roughly from the mid 1970s to the mid 1980s

Moral Regulation and Governance in Canada Amanda Glasbeek, 2006 Moral Regulation and Governance in Canada offers an outstanding selection of readings that represents an overview of the key issues in deviance moral regulation and governance in Canada from a distinctly Canadian perspective It effectively tracks the sociology of deviance from governmentality studies to theories of social control Of particular note is the focus this book gives to gender issues It also argues that sometimes what is considered deviant is less related to criminality and more concerned with the perception of normalcy

Currents of Radicalism Eugenio F. Biagini, Alastair J. Reid, 1991-06-28 Those who were originally called radicals and afterwards reformers are called Chartists declared Thomas Duncombe before Parliament in 1842 a comment which can be adapted for a later period and as a description of this collection of papers those who were originally called Chartists were afterwards called Liberal and Labour activists In other words the central argument of this book is that there was a substantial continuity in popular radicalism throughout the nineteenth and into the twentieth century The papers stress both the popular elements in Gladstonian Liberalism and the radical liberal elements in the early Labour party The first part of the book focuses on the continuity of popular attitudes across the commonly assumed mid century divide with studies of significant personalities and movements as well as a local case study The second part examines the strong links between Gladstonian Liberalism and the working classes looking in particular at labour law taxation and the Irish crisis The final part assesses the impact of radical traditions on early Labour politics in Parliament the unions and local government The same attitudes towards liberty the rule of law and local democracy are highlighted throughout and new questions are therefore posed about the major transitions in the popular politics of the period

An Index to Legal Periodical Literature Leonard Augustus Jones, 1888

When the

Nazis Came to Skokie Philippa Strum, 1999 Strum political science City U of New York Brooklyn describes the events when a neo Nazi group announced it would parade in the Chicago suburb in 1977 and the ensuing court case that tested the devotion of many to the principles of free speech Annotation copyrighted by Book News Inc Portland OR

Private International Law and Global Governance Horatia Muir Watt, Diego P. Fernández Arroyo, 2014 Contemporary debates about the changing nature of law engage theories of legal pluralism political economy social systems international relations or regime theory global constitutionalism and public international law Such debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority However private international law tends to stand aloof claiming process based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond those of the nation state As a result the discipline is paradoxically ill equipped to deal with the most significant cross border legal difficulties from immigration to private financial regulation which might have been expected to fall within its remit Contributing little to the governance of transnational non state power it is largely complicit in its unhampered expansion This is all the more a paradox given that the new thinking from other fields which seek to fill the void theories of legal pluralism peer networks transnational substantive rules privatized dispute resolution and regime collision have long been part of the daily fare of the conflict of laws The crucial issue now is whether private international law can or indeed should survive as a discipline This volume lays the foundations for a critical approach to private international law in the global era While the governance of global issues such as health climate and finance clearly implicates the law and particularly international law its private law dimension is generally invisible This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state To do so it must shed a number of assumptions entrenched in the culture of the nation state but this will permit the discipline to expand its potential to confront major issues in global governance

The Law of Worldwide Value Samir Amin, 2010-12 Portions of this book were originally published as *The Law of value and historical materialism* c1978 by Monthly Review Press

Courts Cassia Spohn, Craig Hemmens, 2009 *Courts A Text Reader* provides the best of both worlds authored text Sections with carefully selected accompanying Readings that illustrate the questions and controversies legal scholars and court researchers are investigating in the 21st century The articles from leading journals in criminology and criminal justice reflect both classic studies of the criminal court system and state of the art research and often have a policy perspective that makes them more applied less theoretical and more interesting to both undergraduate and graduate students This unique Text Reader is primarily intended for undergraduate and graduate courses on the criminal court system and or judicial processes

BOOK JACKET *The Methodist Review* ,1887 Methodist Magazine and Quarterly Review ,1887 *Rethinking the*

State in the Age of Globalisation Heinz-Gerhard Justenhoven, 2003 Since Jean Bodin and Thomas Hobbes political theorists have depicted the state as sovereign because it holds preeminent authority over all the denizens belonging to its geographically defined territory From the Peace of Westphalia in 1648 until the beginning of World War I in 1914 the essential responsibilities ascribed to the sovereign state were maintaining internal and external security and promoting domestic prosperity This idea of the state in political theory is clearly inadequate to the realities of national governments and international relations at the beginning of the twenty first century During the twentieth century the sovereign state as a reality and an idea has been variously challenged from without and within its borders Where will the state head in the age of globalisation Can Catholic political thinking contribute to an adequate concept of statehood and government A group of German and American scholars were asked to explore specific ways in which the intellectual traditions of Catholicism might help our effort to rethink the state The debate is guided by the conviction that these intellectual resources will prove valuable to political theorists as they work to revise our understanding of the state

This book delves into Radical Critiques Of The Law. Radical Critiques Of The Law is an essential 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

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6. In chapter 5, this book will draw a conclusion about Radical Critiques Of The Law. This chapter will summarize the key points that have been discussed throughout the book.

This 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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