

ROUTLEDGE REVIEWS

Love and Law in Europe

Edited by
Hanne Petersen



Love And Law In Europe

Farhad Malekian



Love And Law In Europe:

Love and Law in Europe Hanne Petersen, 2018-11-08 First published in 1998 this volume aims to draw attention to an ongoing shift in the perception of law which is now increasingly understood as a cultural and historical phenomenon As other such phenomena like music literature or art it is acknowledged that it is created in a specific environment on which it is dependent for its functioning and interpretation The historical aspects of love in a European and Nordic context are underlined as well as the modern understanding of love and law as incompatible and contrasting concepts Developments within the European Union and especially the relation of the EU to so called third country nationals and immigrants demonstrate that the problematic concerning law and love is not only one of legal philosophy but also of legal and everyday reality The claim that love has been specifically European is discarded as Eurocentrist and the need for more particular emotions and a more pragmatic approach to romantic feelings for a reasonable love is discussed from legal feminist and philosophical perspectives

Love and the Law in Cervantes Roberto González Echevarría, 2005-01-01 The consolidation of law and the development of legal writing during Spain's Golden Age not only helped that country become a modern state but also affected its great literature In this fascinating book Roberto Gonzalez Echevarria explores the works of Cervantes showing how his representations of love were inspired by examples of human deviance and desire culled from legal discourse

A Love Affair with Europe Giles Radice, 2019-10-15 From his earliest childhood Giles Radice has held Europe close to his heart Ten years after the end of World War II at the age of 18 he set off to cycle across the continent Meeting his European contemporaries Radice discussed the prospects of building a new and better Europe in which war might be ended forever and prosperity assured for all It was clear to him that Europe should unite and that Britain could not stay on the margins Elected to Parliament Radice did his part pushing Britain to become and remain officially a part of Europe and asking why the British always remained reluctant Europeans forever skeptical about the benefits of greater union Now post Brexit he confronts those questions anew Why have the underlying forces of the EU not pulled Britain closer to the continent How much should we blame the negative influence of the media From Thatcher's Euroscepticism to Blair's soundbites and the half hearted campaign from both main parties in the referendum of 2016 Radice ultimately places the blame squarely on the political class itself

Judgments of Love in Criminal Justice Farhad Malekian, 2017-03-31 This volume is a new chapter in the future history of law Its general perspective could not be more original and its critical ethical edge on the state of international law could not be timelier It explores a compassionate philosophical approach to the genuine substance of law criminal procedure international criminal law and international criminal justice It divides law into three interrelated disciplines i.e. legality morality and love The norm love is derived from human reason for man's advancement and the securing of natural law It is more than a mere mandatory norm Its goal is to generate a normative and positive powerful result therefore avoiding any impurity that may exist in the application of other norms because of political or juridical

pressures a one eyed justice The norm love also renders justice with the principles of legal accountability transparency and the high moral authentic values of humanity The notion of justice cannot be trusted in the absence of the norm love The volume indicates the conditions of its efficiency by proving the reasons for its existence in the context of fairness objectivity and concern for all individuals and entities The concept of the norm love should be the core academic corpus for lecturing law in all faculties of law It is simply the enlightenment of the 21st century A lawyer with requisite knowledge and skill is not a lawyer if he cannot understand that the law does not need a lawyer with ethical competence in its provisions for income purposes but one with knowledge of its essence for the advanced morality of justice and the sheer essence of love for justice

Darker Legacies of Law in Europe Christian Joerges, Navraj Singh Ghaleigh, 2003-05-30 The legal scholarship of the National Socialist and Fascist period of the 20th century and its subsequent reverberation throughout European law and legal tradition has recently become the focus of intense scholarly discussion This volume presents theoretical historical and legal inquiries into the legacy of National Socialism and Fascism written by a group of the leading scholars in this field Their essays are wide ranging covering the reception of National Socialist and Fascist ideologies into legal scholarship contemporary perceptions of Nazi Law in the Anglo American world parallels and differences among authoritarian regimes in the Third Reich Austria Italy Spain and Vichy France how formerly authoritarian countries have dealt with their legal antecedents continuities and discontinuities in legal thought in private law public law labour law international and European law and the legal profession s endogenous obedience and the pains of Vergangenheitsbewältigung The majority of the contributions were first presented at a conference at the EUI in the autumn of 2000 the others in subsequent series of seminars

Law, Religion and Love Paul Babie, Vanja-Ivan Savić, 2017-09-01 Increasingly the modern neo liberal world marginalises any notion of religion or spirituality leaving little or no room for the sacred in the public sphere While this process advances the conservative and harmful behaviours associated with some religions and their adherents exacerbate this marginalisation by driving out those who remain religious or spiritual And all of this is seen through the lens of social science which seems to agree that religion remains important if not in spiritual sense at least as a source of folklore and a means of identification religions remain rooted in the societies from which they emerged and the legal systems of many of those societies emerged from religious sources even if those societies remain unwilling to admit that fact In the modern materialistic world of conformity religion is less a source of guidance than a label of identification The world therefore faces two issues First the decreasing level of spirituality in the West widens the gap between worshippers and those who have left their faith eg agnostics and atheists or those who look at religion as a matter of picking and choosing from a range of options And second the strong connections to religion which remain in many nations but which are often misused in the secular public sphere both in the West and internationally In such divided worlds both religious and secular forces tend to lock themselves into closed groupings of pure truth and in so doing increase the level of disagreement in turn producing

radicalism In short the modern world is divided in two ways between religious and non religious although some have argued that the non religious secular is itself a form of civil religion and between those subscribing to divergent understandings of the same religious tradition While hyperbolic and histrionic the term culture wars nonetheless best captures what we see happening in the public sphere today The question emerges then how best to accommodate the democratic principle which posits that the majority should feel that it lives in a society of its own with the human rights principle holding that is necessary to ensure the full protection of the minority s rights How to balance these seemingly opposed principles We are very familiar with the differences that appear between secular and sacred in the modern world yet what of the similarities amongst scriptures and laws which seek to encourage mutual understanding cooperation and even cohabitation Because religion itself is a source of law a set of exhortations or commands as much as a set of rights every major religion offers an approach to encountering the Other in a positive constructive affirming way and it is here that religions reveal much that they have in common This book draws together the work of scholars engaged in exploring the possibilities for a utopian world in the sense fostered by St Thomas More The essays explore those dimensions of religious and civil law where love however that is defined by relevant texts fosters and encourages acceptance of the Other and will offer perspectives on the ways in which religious or civil state law command one to act in the spirit of love

Love, Death, and Revolution in Central Europe Peter C. Caldwell, 2009-06-22 The philosopher of religion and critic of idealism Ludwig Feuerbach had a far reaching impact on German radicalism around the time of the Revolution of 1848 This intellectual history explores how Feuerbach s critique of religion served as a rallying point for radicals and how they paradoxically sought to create a new post religious form of religiosity as part of the revolutionary aim At issue for the Feuerbachian radicals was the emergence of a humanity emancipated from the constraints of mere institutions able to express itself freely and harmoniously Caldwell also touches on Moses Hess Louise Dittmar and Richard Wagner in his discussion of the time This book reconstructs the nature of Feuerbach s radicalism and shows how it influenced early works of socialism feminism and musical modernism

Affective Economies, Neoliberalism, and Governmentality Anne-Marie d'Aoust, 2017-10-02 Advanced capitalism is characterized by a level of symbolic production that not only results in a dematerialization of labor but also increasingly relies on highly emotional components ranging from consumption desire to workforce management Feelings as varied as love anger and desire are integral to neoliberal processes though not in unproblematic and monolithic ways Whereas some accounts decry capitalism s hold on the emotional realm as the commodified search for soul mates through online dating sites or Starbucks promotion of fair trade coffee suggest others counter that emotions represent a privileged site of resistance to market rationality Relying on different case studies ranging from drone strikes the 2008 economic crisis in Ireland and marriage migration management this volume builds on this productive tension between subjection and resistance through the lenses of the concept of governmentality Developed by Michel Foucault governmentality sheds light on the ways in which economic

and political life are now being managed through logics of security and economic calculations This volume explores how individuals might become emotionally attached to regimes of power that are detrimental to them how neoliberal processes are concomitant with the valorization of certain emotional dispositions and how affective economies might provide a site of resistance This book was published as a special issue of *Global Society*

Law, Solidarity and the Limits of Social Europe Hartzén, Ann-Christine, Iossa, Andrea, Karageorgiou, Eleni, 2022-02-11 This is an open access title available under the terms of a CC BY NC ND 4.0 License It is free to read download and share on [Elgaronline.com](https://www.elgaronline.com) This thought provoking book examines the socio legal mechanisms that drive EU constitutional tensions as well as the role of principles and values in re directing EU law and policy towards a democratic Social Europe It addresses the current limits of Social Europe in relation to different areas of EU law offering a critical assessment of the present status of EU integration

Common Core and Better Law in European Family Law Katharina Boele-Woelki, 2005 This volume contains twenty three contributions delivered at the CEFL's second international conference which took place in Utrecht in December 2004 The interventions written by both experienced family experts as well as young researchers cover those fields of family law that are closely related to the activities of the CEFL 1 divorce and maintenance between former spouses 2 parental responsibilities 3 informal long term relationships and 4 the revised Brussels II Regulation Furthermore the opening two contributions deal not only with essential aspects of the harmonisation process of family law in Europe but also with the CEFL's working method

European Family Law Volume III Jens M. Scherpe, 2016-01-29 Family Law in a European Perspective examines core aspects of family law from a comparative European perspective marriage divorce cohabitation same sex relationships the financial consequence of divorce adoption parentage and surrogacy parental responsibility the child's welfare and law concerning older people These topics have been the most debated in family law over the past century They cover areas where national family laws have reacted or will need to react to the challenges of societal changes medical advances and institutional pressures including decisions of the European Courts The contributions show diversity in as well as developments towards a common European family law This book and the others in the set will serve as an invaluable resource for anyone interested in family law It will be of particular use to students and scholars of comparative and international family law as well as family law practitioners Contributors M Antokolskaia P Beaumont I Curry Sumner C Fenton Glynn J Ferrer Riba R George J Herring J Miles J M Scherpe C Srgjerd K Trimmings

Republican Europe Anna Kocharov, 2017-06-01 Constitutional orders constitute political communities and international orders deriving from them by managing conflicts that threaten peace This book explores how a European political community can be advanced through EU constitutional law The constitutional role of the Union is to ensure peace by addressing two types of conflict The first are static conflicts of interests between the national polities in the EU These are avoided by ensuring reciprocal non interference between Member States in the Union through deregulation in Union law The second are dynamic conflicts of ideas about

positive liberty held by the peoples of Europe These can be resolved through regulation in a European political space Here EU law enables a continuous process of re negotiating a shared European idea of positive liberty that can be accepted as its own by each national polity in the EU These solutions to the two types of conflicts correspond to the liberal and republican models for Europe The claim of this book is that the constitutional design of Europe presents both liberal and republican features Taking an innovative approach which draws on arguments from substantive law constitutional theory case law analysis insights from psychology and philosophy it identifies how best to strengthen the Union through constitutional law

Principles of European Constitutional Law Armin von Bogdandy, Jürgen Bast, 2009-12-03 For the time being the political project of basing the European Union on a document entitled Constitution has failed The second revised and enlarged edition of this volume retains its title nonetheless Building on a scholarly rather than black letter law account it shows European constitutional law as it looks following the Treaty of Lisbon with the EU's foundational treaties mandating the exercise of public authority establishing a hierarchy of norms and legitimising legal acts providing for citizenship and granting fundamental rights In this way the treaties shape the relations between legal orders between public interest regulation and market economy and between law and politics The contributions demonstrate in detail how a constitutional approach furthers understanding of the core issues of EU law how it offers theoretical and doctrinal insights and how it adds critical perspective From Reviews of the First Edition should be mandatory reading for anyone who wants to get a holistic perspective of the academic debate on Europe's constitutional foundations It is impossible to present the richness of thought contained in the 833 pages of the book in a short review Common Market Law Review an enduring scholarly work which gives an English speaking audience important and overdue access to the long standing and forever vigorous traditions of European constitutional law unhesitatingly recommended European Law Journal real scholarship in the profound sense of the word K Lenaerts Professor of European Law Leuven **Love is the Law** William Noble Roundy, 1922 *Reflexive Governance in EU Equality Law* Emma Lantschner, 2021-10-21 The Covid 19 pandemic has revealed how far we as a European society still are from the proclaimed Union of Equality The book explores how the promise of equal treatment can become a reality and compliance with the EU acquis relating to equality and non discrimination can be improved It studies enforcement and promotion aspects of the two watershed directives of 2000 the Racial Equality Directive 2000 43 EC and the Employment Equality Directive 2000 78 EC through the lens of reflexive governance This governance approach is proposed as having great potential in enhancing the likelihood of sustainability or continuation of reforms in the current candidate countries and EU Member States through its emphasis on reflexive learning processes and the cooperation between EU institutions national authorities and civil society actors In order to deploy this potential there is however a need for more consistent and transparent monitoring both with regard to candidate countries as well as old and new Member States and a reconsideration of the understanding of monitoring as such It should be seen as helping to deconstruct own preference

formations and as a possibility to learn from successes and failures in a cooperative and recursive process To work on these lacunae and improve learning and monitoring processes this book identifies indicators that are deduced from the comparative review of the implementation practice of the member states This book is thus a contribution to the existing literature in the fields of Europeanization governance and the right to equality and non discrimination **Conscience and Love in Making Judicial Decisions** Alexander Nikolaevich Shytov, 2013-03-14 THE CONSCIENCE OF JUDGES AND APPLICATION OF LEGAL RULES The book is devoted to the problem of the influence of moral judgements on the result of judicial decision making in the process of application of the established positive law It is the conscience of judges that takes the central place in the research Conscience is understood in the meaning developed in the theory of Thomas Aquinas as the complex capacity of the human being to make moral judgements which represent acts of reason on the question of what is right or wrong in a particular situation The reason why we need a theory of conscience in making judicial decisions lies in the nature of the positive law itself On the one hand there is an intrinsic conflict between the law as the body of rigid rules and the law as a living experience of those who are involved in social relationships This conflict particularly finds its expression in the collision of strict justice and equity The idea of equity does not reject the importance of rules in legal life What is rejected is an idolatrous attitude to the rules when the uniqueness of a human being his well being and happiness are disregarded and sacrificed in order to fulfil the observance of the rules The rules themselves are neither good or bad What makes them good or bad is their application **Framing the Subjects and Objects of Contemporary EU Law** Samo Bardutzky, Elaine Fahey, 2017-06-30 This timely book invites the reader to explore the lexicon of subjects and objects of EU law as a platform from which several dilemmas and omissions of EU law can be researched It includes a number of case studies from different fields of law that deploy this lexicon structuring the contributions around three principal elements of EU law its transformations crises and external internal dynamics **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 **Family Reunification in Europe** Ellen Desmet, Milena Belloni, Dirk Vanheule, Jinske Verhellen, Ayse Gdk, 2024-09-10 This book provides a multi disciplinary investigation of family reunification laws policies and practices across the European Union Family reunification the possibility for family members to re unite in a country where one of them is residing has been high on the political agenda Building on original empirical research with families and practitioners as well as in depth doctrinal analyses the book explores the fragmentation of legal rules the gaps between formal regulations and practices and their consequences for families across borders Different contributions in the volume point to the growing inequalities among and within applicant families based on residence status gender location citizenship and socio economic resources due to the family reunification regimes currently in place The book enhances interdisciplinary dialogue by providing clear insights into the specific

contribution of migration law private international law and social scientific analyses to the study of family reunification The book is aimed at researchers working on the topic of family reunification as well as students of law and socio legal studies and practitioners in the field of migration *Law and Empire in English Renaissance Literature* Brian C. Lockey, 2006-08-31

Early modern literature played a key role in the formation of the legal justification for imperialism As the English colonial enterprise developed the existing legal tradition of common law no longer solved the moral dilemmas of the new world order in which England had become instead of a victim of Catholic enemies an aggressive force with its own overseas territories Writers of romance fiction employed narrative strategies in order to resolve this difficulty and in the process provided a legal basis for English imperialism Brian Lockey analyses works by such authors as Shakespeare Spenser and Sidney in the light of these legal discourses and uncovers new contexts for the genre of romance Scholars of early modern literature as well as those interested in the history of law as the British Empire emerged will learn much from this insightful and ambitious study

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