

POPULAR LAW-MAKING  
A STUDY OF THE ORIGIN,  
HISTORY, AND PRESENT  
TENDENCIES OF LAW-  
MAKING BY STATUTE

STIMSON, FREDERIC JESUP



# Popular Lawmaking

**Friedrich Julius Stahl**



## Popular Lawmaking:

*Popular Law-making* Frederic Jesup Stimson, 1910      *Popular Culture and Law* Richard K. Sherwin, 2017-07-05 What are the consequences when law's stories and images migrate from the courtroom to the court of public opinion and from movie television and computer screens back to electronic monitors inside the courtroom itself What happens when lawyers and public relations experts market notorious legal cases and controversial policy issues as if they were just another commodity What is the appropriate relationship between law and digital culture in virtual worlds on the Internet In addressing these cutting edge issues the essays in this volume shed new light on the current status and future fate of law truth and justice in our time      *Failures of American Methods of Lawmaking in Historical and Comparative Perspectives* James Maxeiner, 2018-03-08 What Americans sought What Americans got deranged laws What Americans can do improve legal methods      **A Common Law for the Age of Statutes** Guido Calabresi, 2009-07-01 The dominance of legislatures and statutory law has put an impossible burden on the courts Guido Calabresi thinks it is time for this country seriously to consider returning to a traditional American judicial legislative balance in which courts would enlarge the common law and would also decide when a rule of law has seen its day and should be revised      *The Central Law Journal*, 1874 Vols 64 96 include Central law journal's international law list      *Evolution and the Common Law* Allan C. Hutchinson, 2005-04-04 This book offers a radical challenge to accounts of the common law's development Contrary to received jurisprudential wisdom it maintains there is no grand theory which will explain satisfactorily the dynamic interactions of change and stability in the common law's history Offering original readings of Charles Darwin's and Hans Georg Gadamer's works the book shows that law is a rhetorical activity that can only be properly appreciated in its historical and political context tradition and transformation are locked in a mutually reinforcing but thoroughly contingent embrace In contrast to the dewy eyed offerings of much contemporary work it demonstrates that like life law is an organic process i.e. events are the products of functional and localized causes rather than a miraculous one i.e. events are the result of some grand plan or intervention In short common law is a perpetual work in progress evanescent dynamic messy productive tantalising and bottom up      **Law and Popular Culture** Michael Asimow, Shannon Mader, 2004 This book explores the interface between law and popular culture two subjects of enormous current importance and influence Exploring how they affect each other each chapter discusses a legally themed film or television show such as Philadelphia or Dead Man Walking and treats it as both a cultural and a legal text illustrating how popular culture both constructs our perceptions of law and changes the way that players in the legal system behave Written without theoretical jargon Law and Popular Culture A Course Book is intended for use in undergraduate or graduate courses and can be taught by anyone who enjoys pop culture and is interested in law      **The Cultural Study of Law** Paul W. Kahn, 1999 Drawing on philosophers from Plato to Foucault and cultural anthropologists and historians such as Clifford Geertz and Perry Miller Kahn outlines the conceptual tools necessary for such an inquiry He

analyzes the concepts of time space citizen judge sovereignty and theory within the culture of law s rule and goes on to consider the methodological problems entailed in stripping the study of law of its reformist ambitions *Law Notes* ,1910

The American Journal of International Law ,1910 *Intellectual Property and the Common Law* Shyamkrishna

Balganesh,2013-09-02 In this volume leading scholars of intellectual property and information policy examine what the common law a method of reasoning an approach to rule making and a body of substantive law can contribute to discussions about the scope structure and function of intellectual property The book presents an array of methodologies substantive areas and normative positions tying these concepts together by looking to the common law for guidance Drawing on interdisciplinary ideas and principles that are embedded within the working of common law it shows that the answers to many of modern intellectual property law s most puzzling questions may be found in the wisdom versatility and adaptability of the common law The book argues that despite the degree of interdisciplinary specialization in the field intellectual property is fundamentally a creation of the law therefore the basic building blocks of the law can shed important light on what intellectual property can and should and was perhaps meant to be **Courts and Judicial Activism under Crisis**

**Conditions** Martin Belov,2021-09-22 This collection examines topical issues related to the impact of courts on constitutional politics during extreme conditions The book explores the impact of activist courts on democracy separation of powers and rule of law in times of emergency constitutionalism It starts with a theoretical explanation of the concept features and main manifestations of judicial activism and its impact in shaping the relationship between constitutional international and supranational law It then focuses on judicial activism in extreme conditions for example in times of emergencies and pandemics or in the context of democratic backsliding authoritarian constitutionalism and illiberal constitutionalism Thus the book may be considered as a contribution to the debates on judicial activism including the discussion of the impact of courts on certainty proportionality and balancing of rights as well as on revolutionary courts challenging authoritarian context and generally over the role of courts in the context of illiberalism and democratic backsliding The volume thus offers an explanation of the concept of judicial activism its impact on both the legal system and the political order and the role of courts in shaping the structures of the legal order These issues are explored in theoretical and comparative constitutional perspectives The book will be a valuable resource for academics and researchers working in the areas of courts constitutional law and constitutional politics **The Well-Ordered Republic** Frank Lovett,2024-10-01 Classical and contemporary republicans offer a compelling political vision built on a commitment to promoting freedom from domination establishing popular control over public officials and securing the empire of law The Well Ordered Republic provides the most rigorous comprehensive and up to date account of republican political theory presently available while also showing how that theory can be extended to address new issues of economic justice workplace democracy identity politics emergency powers education migration and foreign policy Frank Lovett argues that our shared freedom from domination is constituted

by republican institutions such as democracy the rule of law and the public provision of an unconditional basic income As a public good whose continued supply depends on robust civic engagement republican freedom is a valuable but ongoing collective achievement all citizens must remain dedicated to shared republican institutions for their freedom to endure Oxford Political Theory presents the best new work in contemporary political theory It is intended to be broad in scope including original contributions to political philosophy and also work in applied political theory The series will contain works of outstanding quality with no restriction as to approach or subject matter Series Editors Will Kymlicka and David Miller

*English Common Law in the Early American Colonies* Paul Samuel Reinsch, 1899      **Report of the Librarian of Congress** Library of Congress, 1911 Includes index and appendices      *Common Law, History, and Democracy in America, 1790-1900* Kunal M. Parker, 2011-03-14 This book argues for a change in our understanding of the relationships among law politics and history Since the turn of the nineteenth century a certain anti foundational conception of history has served to undermine law s foundations such that we tend to think of law as nothing other than a species of politics Thus viewed the activity of unelected common law judges appears to be an encroachment on the space of democracy However Kunal M Parker shows that the world of the nineteenth century looked rather different Democracy was itself constrained by a sense that history possessed a logic meaning and direction that democracy could not contravene In such a world far from law being seen in opposition to democracy it was possible to argue that law specifically the common law did a better job than democracy of guiding America along history s path      *Columbia Law Times*, 1893      *1600 Business Books* Newark Public Library. Business Branch, Newark Public Library, 1917      *Principles of Law* Friedrich Julius Stahl, 2024-06-05 The Christian difference to the legal order is not to be found in any religious test or requirement of conformity but in the Christian character of legal institutions Stahl accomplishes this by making institutions rather than actions the cornerstone of law Law is a general rule not a specific command and institutions not persons are its primary object Persons operate within the framework established by law but that law is an external objective framework not an internal subjective one The right of the person and the rights of persons are established and defended precisely by this objectively Christian order Therefore what is Christian about this legal order is the principles the law ideas upon which it is based not the level of faith of those living within it This Christian orientation also demands a respect for the inheritance of the nation conservation of its received institutions and laws Law is rooted in custom and tradition supplemented through legislation The courts are bound to the law as the expression of the historical people not ephemeral public opinion The major error of modern legal philosophy is its natural rights orientation which makes law and the state into the creatures of individual choice in which individuals through a social contract choose to leave the state of nature and form a government and a set of laws under which to be ruled This whole approach is oblivious to the fact that human social order being an inheritance is a higher order transcending individual choice Modern legal philosophy compounds its error by making natural law into a directly applicable legal standard or

alternatively by abandoning the law to the play of interests cutting off any influence from higher principles For its part natural law lacks objectivity universal recognition and publicity in the sense that it can be known by everyone ahead of time it therefore cannot be enforced by the state In fact to do so is to establish opinion and thus injustice as law God s divine order is the archetype of law but it is not directly applicable as law In fact God commands that the law as it stands is to be obeyed regardless of its correspondence to the higher principles of law Human freedom under God is the freedom to crystallize and make concrete those God revealed principles of law as a positive legal order In this second edition of Principles of Law there is no difference in content as compared with the first but the text has been corrected where necessary and improved where appropriate      *American Foreign Policy Ideology and the International Rule of Law* Malcolm Jorgensen, 2020-01-02  
Demonstrates American legal policymakers hold competing conceptions of the international rule of law structured by foreign policy ideologies

## Unveiling the Magic of Words: A Overview of "**Popular Lawmaking**"

In a global defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their capability to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Popular Lawmaking**," a mesmerizing literary masterpiece penned by way of a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve to the book is central themes, examine its distinctive writing style, and assess its profound affect the souls of its readers.

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