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THE MYTHOLOGY OF MODERN LAW

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ROUTLEDGE


Mythology Of Modern Law

**Ruth Buchanan, Luis Eslava, Sundhya
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The Mythology of Modern Law Peter Fitzpatrick, 2002-09-11 The Mythology of Modern Law is a radical reappraisal of the role of myth in modern society Peter Fitzpatrick uses the example of law as an integral category of modern social thought to challenge the claims of modernity which deny the relevance of myth to modern society The Oxford Handbook of International Law and Development Ruth Buchanan, Luis Eslava, Sundhya Pahuja, 2024-02-15 The Oxford Handbook of International Law and Development is a unique overview of the field of international law and development examining how normative beliefs and assumptions around development are instantiated in law and critically examining disciplinary frameworks competing agendas legal actors and institutions and alternative futures *Reading Modern Law* Ruth Margaret Buchanan, Stewart John Motha, Sundhya Pahuja, 2012 Reading Modern Law addresses the identification and elaboration of a critical methodology for reading and writing about law in modernity **Fables of the Law** Daniela Carpi, Marett Leiboff, 2016-10-24 The latest development concerning the metaphorical use of the fairy tale is the legal perspective The law had and has recourse to fairy tales in order to speak of the nomos and its subversion of the politically correct and of the various means that have been used to enforce the law Fairy tales are a fundamental tool to examine legal procedures and structures in their many failings and errors Therefore we have privileged the term fables of the law just to stress the ethical perspective they are moral parables that often speak of justice miscarried and justice sought Law and jurists are creators of fables on the view that law is born out of the facts *ex facto ius oritur* so that there is a need for narrative coherence both on the level of the case and the level of legislation or turned the other way around what does it mean if no such coherence is found This is especially of interest given the influx of all kinds of new technologies that are fabulous in themselves and hard to incorporate in traditional doctrinal schemes and thus in the construction of a new reality **The Social Contract Rediscovered** Wenwei Guan, 2025-06-30 The Social Contract Rediscovered conducts a critical analysis of the historical evolution of legitimacy tracing its development from natural law to positive law and finally to post modern critiques It fills a scholarly gap by addressing the overlooked aspect of the consent process The book begins with a recap of the historical development of social contract theory It draws from a broad base of jurisprudential and social theories to think through how social contract's rise and fall forms an integral part of legitimacy's modernization process from the Enlightenment driven Industrial Revolution's global proliferation to the end of the 20th century It then integrates discussion of consensus construction at three levels private contract legitimacy national development consensus and global modern exchange mechanism in the late 20th century Rather than ask how state legitimacy is constructed in social contract theory the book asks what role an individual plays in the process of consensual legitimacy construction This individual oriented perspective calls for a jurisprudential construction of process legitimacy and consensual legitimacy's onto epistemological integrity Providing a new perspective on the social contract this book will interest scholars of private law international trade and

development law **Sustainable Development, International Law, and a Turn to African Legal Cosmologies** Godwin Eli Kwadzo Dzah, 2024-05-15 This original book analyses and reimagines the concept of sustainable development in international law from a non Western legal perspective Built upon the intersection of law politics and history in the context of Africa its peoples and their experiences customary law and other legal cosmologies this ground breaking study applies a critical legal analysis to Africa s interaction with conceptualising and operationalising sustainable development It proposes a turn to non Western legal normativity as the foundational principle for reimagining sustainable development in international law It highlights eco legal philosophies and principles in remaking sustainable development where ecological integrity assumes a central focus in the reimagined conceptualisation and operationalisation of sustainable development While this pioneering book highlights Africa as its analytical pivot its arguments and proposals are useful beyond Africa Connecting global discourses on nature the environment rights and development Godwin Eli Kwadzo Dzah illuminates our current thinking on sustainable development in international law *Freedom of Religion and Constitutional Law* Amit Bindal, 2025-06-27 This book investigates the intersection of religion and modern law It explores how secular courts encounter the religious or mythical question which is disavowed by modern institutions It questions the private public dichotomy of liberal constitutionalism which relegates religion to the private sphere It argues that in ex colonial societies like India which are foundationally and diversely religious the courts need to work through and engage with the difficulties and complexities posed by their continual encounter with the question of religion rather than re affirming the myth of separation of law and myth state and religion This work demonstrates that any other approach leads to its repression and resultant reemergence in various forms Such an approach of working through religious categories will be effective in the struggle against religious fanaticism that has seen a resurgence in contemporary times The book will be a valuable resource for students and academics working in law religious studies history and political science *Studies in Law, Politics, and Society* Austin Sarat, 2021-01-18 This volume brings together an interdisciplinary collection of scholars to critically examine issues around hatred and the law With chapters on different elements of the nexus between hatred and law the volume makes a key contribution to the field and is essential reading for legal scholars **Sylvia Wynter** Katherine McKittrick, 2015-02-02 The Jamaican writer and cultural theorist Sylvia Wynter is best known for her diverse writings that pull together insights from theories in history literature science and black studies to explore race the legacy of colonialism and representations of humanness Sylvia Wynter On Being Human as Praxis is a critical genealogy of Wynter s work highlighting her insights on how race location and time together inform what it means to be human The contributors explore Wynter s stunning reconceptualization of the human in relation to concepts of blackness modernity urban space the Caribbean science studies migratory politics and the interconnectedness of creative and theoretical resistances The collection includes an extensive conversation between Sylvia Wynter and Katherine McKittrick that delineates Wynter s engagement with writers such as

Frantz Fanon W E B DuBois and Aim C saire among others the interview also reveals the ever extending range and power of Wynter s intellectual project and elucidates her attempts to rehistoricize humanness as praxis Intellectual Property Theory and Practice Wenwei Guan,2014-07-03 This book explains China s intellectual property perspective in the context of European theories through a critical examination of intellectual property theory and practice focused on China s compliance with the Agreement on Trade Related Aspects of Intellectual Property Rights TRIPS The author s critical review of contemporary intellectual property philosophy suggests that justifying intellectual property protection through Locke or Hegel s property theories internalizes a theoretical paradox Professor Wenwei Guan s treatment of intellectual property law and practice in the PRC offers new perspectives that enrich an already active field of study This book will be a useful contribution to academic and policy discourses examining conceptual and operational dimensions of China s intellectual property protection system and the broader process of China s international engagement Dr Pitman B Potter Professor of Law University of British Columbia Canada Dr Guan reminds us of the daunting challenge of the public private divide in forming and reforming TRIPS regime how this regime has failed to address development needs and public concerns in developing countries like China and how TRIPS s birth defect can be overcome and its evolution can be put back on the right track Dr Yahong Li Associate Professor at Faculty of Law Hong Kong University

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