

1.3.1.Semiotics of law

- Semiotics – investigates the structure of all possible sign systems and their role in the way we create meaning in sociocultural behaviour
- Patterned human communication in all its modes (sound, sight, touch, etc.) and in all contexts (dance, film, politics, clothing etc.)

Law And Semiotics

Jan M. Broekman, Larry Catá Backer



Law And Semiotics:

The Semiotics of Law in Legal Education Jan M. Broekman, Francis J. Mootz III, 2011-07-06 This book offers educational experiences including reflections and the resulting essays from the Roberta Kevelson Seminar on Law and Semiotics held during 2008-2011 at Penn State University's Dickinson School of Law. The texts address educational aspects of law that require attention and that also are issues in traditional jurisprudence and legal theory. The book introduces education in legal semiotics as it evolves in a legal curriculum. Specific semiotic concepts such as sign, symbol, or legal language demonstrate how a lawyer's professionally important tasks of name-giving and meaning-giving are seldom completely understood by lawyers or laypeople. These concepts require analyses of considerable depth to understand the expressiveness of these legal names and meanings and to understand how lawyers can say the law or urge such a saying correctly and effectively in the context of a natural language that is understandable to all of us. The book brings together the structure of the Seminar, its foundational philosophical problems, the specifics of legal history, and the semiotics of the legal system with specific themes such as gender, family law, and business law.

Lawyers Making Meaning Jan M. Broekman, Larry Catà Backer, 2014-07-08 This book presents a structure for understanding and exploring the semiotic character of law and law systems. Cultivating a deep understanding for the ways in which lawyers make meaning, the way in which they help make the world, and are made in turn by the world they create, can provide a basis for consciously engaging in the work of the law and in the production of meaning. The book first introduces the reader to the idea of semiotics in general and legal semiotics in particular, as well as to the major actors and shapers of the field and to the heart of the matter: signs. The second part studies the development of the strains of thinking that together now define semiotics, with attention being paid to the pragmatics, psychology, and language of legal semiotics. A third part examines the link between legal theory and semiotics: the practice of law, the critical legal studies movement in the USA, the semiotics of politics, and structuralism. The last part of the book ties the different strands of legal semiotics together and closely looks at semiotics in the lawyer's toolkit, such as text, name, and meaning.

Law and Semiotics Roberta Kevelson, 1988-03-01 However, it became apparent shortly after the establishing of the Center that not only were all methods of legal semiotics not Peircean in origin but were in their respective foundational assumptions not likely to be compatible with Peirce's semiotics without some radical transforming development of the idea of legal semiotics. It was clear that if one would intend to be faithful to Peircean semiotics, then holding a fixed notion of what an idea of Peircean semiotics of law means would be a violation of the spirit of Peirce's thought. This above all emphasizes the growth and development of initiative ideas and also the stricture that all leading principles must be subject to revision. Even the idea of Peircean semiotics as a leading principle must itself be an open idea, the meaning of which must be transformable through the process of defining it. A metasemiotics view of a semiotics of law must leave open the possibility for revision of the leading principle of the term legal semiotics. Therefore, if legal semiotics is an idea which accumulates and evolves its meaning in the

very process of self examination then a process of investigating law investigates itself as well in any semiotic process of inquiry It became apparent that the most appropriate contribution the Center could make to the area of a Peirce an semiotics would be to act as a sponsor an inclusive rather than exclusive agent for inquiry of all kinds into the general topic of law and semiotics *Prospects of Legal Semiotics* Anne Wagner, Jan M. Broekman, 2010-09-24 This book examines the progress to date in the many facets conceptual epistemological and methodological of the field of legal semiotics It reflects the fulfilment of the promise of legal semiotics when used to explore the law its processes and interpretation This study in Legal Semiotics brings together the theory structure and practise of legal semiotics in an accessible style The book introduces the concepts of legal semiotics and offers an insight in contemporary and future directions which the semiotics of law is going to take A theoretical and practical oriented synthesis of the historical contemporary and most recent ideas pertaining to legal semiotics the book will be of interest to scholars and researchers in law and social sciences as well as those who are interested in the interdisciplinary dynamics of law and semiotics Law and Semiotics Roberta Kevelson, 2011-10-06

However it became apparent shortly after the establishing of the Center that not only were all methods of legal semiotics not Peircean in origin but were in their respective foundational assumptions not likely to be compatible with Peirce s semiotics without some radical transforming development of the idea legal semiotics It was clear that if one would intend to be faithful to Peircean semiotics then holding a fixed notion of what an idea of Peircean semiotics of law means would be a violation of the spirit of Peirce s thought this above all emphasizes the growth and development of initiative ideas and also the stricture that all leading principles must be subject to revision Even the idea of Peircean semiotics as leading principle must itself be an open idea the meaning of which must be transformable through the process of defining it A metasemiotics view of a semiotics of law must leave open the possibility for revision of the leading principle of the term legal semiotics Therefore if legal semiotics is an idea which accumulates and evolves its meaning in the very process of self examination then a process of investigating law investigates itself as well in any semiotic process of inquiry It became apparent that the most appropriate contribution the Center could make to the area of a Peirce an semiotics would be to act as a sponsor an inclusive rather than exclusive agent for inquiry of all kinds into the general topic of law and semiotics **Law and Semiotics** Roberta Kevelson, 2012-12-06

of those problems in law which we inherit and or retrieve in order to reconstruct and interpret in the light of legal semiotics however defined In addition to three main areas of underlying metaphysical assumptions there are also three main areas of possible editorial focus and these should be mentioned The three areas of focus are 1 the state of the art of legal semiotics 2 the dynamic intense and exceptionally interactive quality of conference participation and 3 the content of the papers presented which is the material of this volume My choice of this triad of focal possibilities is to exclude the last since the papers speak for themselves and need but a brief reportorial caption I also eliminate the second possible focus as the main focus since the discussion was not taped for editing into this volume and must remain for all those who

participated a quality of scholarly meetings to be remembered savored and hoped for My main focus is on the state of the art of legal semiotics II At the conclusion of the First Round Table on Law and Semiotics 1987 it was noted that there were no working paradigms in Kuhn s sense that thus far emerged but rather that several problematic areas were disclosed which warrant attention Therefore the first concern of Legal Semiotics should be to address the surface i e **Legal Signs**

Fascinate Jan M. Broekman, Frank Fleerackers, 2017-10-24 This engaging book examines the origins and first effects of the concept legal semiotics focusing on the inventor of the term Roberta Kevelson 1931 1998 It highlights the importance of her ideas and works which have contributed to legal theory legal interpretation and philosophy of language Kevelson s work is particularly relevant today in our world of global electronic communication networks which rely so much on language signs signals and shortcuts Kevelson could not have foreseen the 21st century yet the story of her work and influence deserves more attention as it is key to our understanding of modern legal discourse and why law fascinates and is accepted in modern society The authors draw on Kevelson s hitherto unknown Office Papers and Notes and a biographical examination points to key influences in her work such as the early feminist movements of the US East Coast the philosophy of Charles Sanders Peirce and the semiotics of Thomas Sebeok This forms the basis for a more encompassing research of Kevelson s position work and philosophical background which the authors call for A quick and enlightening read this book interests a wide range of readers with an interest in legal history and the fields which Kevelson both drew on and influenced including lawyers students and scholars *Flux, Complexity, and Illusion* Roberta Kevelson, 1993 The Sixth International Round Table on Law and Semiotics sponsored and organized by The Center for Semiotic Research in Law Government and Economics convened April 29 30 May 1 2 1992 at Penn State Berks Under the general topic Flux Complexity Illusion special sessions on the following topics resulted in this wide ranging collection of papers Legal Semiotics Theory Law and Literature Law and Economics Intertexts in Legal Semiotics Codification Custom and Legal Norms These papers represent interdisciplinary inquiry that explores the assumptions that a law is a complex sign system which dialogically interacts with other social organizations b law is an indeterminate and open ended concept in both theory and practice that contributes to the process of creating and affirming social values and c all sign systems are self correcting and self directing **Signs In Law - A Source Book** Jan M. Broekman, Larry Catá Backer, 2014-11-06 This volume provides a critical roadmap through the major historical sources of legal semiotics as we know them today The history of legal semiotics now at least a century old has never been written a non event itself pregnant with semiotic possibility As a consequence its sources are seldom clearly exposed and as word object and meaning change are sometimes lost They reach from an English translation of the 1916 inaugural lecture of the first Chair in Legal Significs at the Amsterdam University via mid 20th century studies on property or contract to equally fascinating essays on contemporary semiotic problems produced by former students of the Roberta Kevelson Semiotics Roundtable Seminar at Penn State University 2012 and 2013 Together the materials in this book weave

the fabric of semiotics and signifies two names for the unfolding of semiotics in law and legal discourse at least until the second half of the 20th century and both of which covered a lawyer's focus on sign and meaning in law. The latter is embedded within the cultural imperatives of the civilization that gave these terms meaning and made them an effective tool for the dissection of law its reconstitution as an instrument to be used by the lawyer to advance the interests of her clients and for judges as a means to restructure language as a narrative of law whose power could bend behavior to its strictures. Legal semiotics has become an indispensable part of the elite lawyer's toolkit and a fundamental approach to analysis of legal texts. Two previous volumes published in 2011 and 2012 explored the conceptual methodological and epistemological progress in the field of legal semiotics the modern forms of semiotics study and the mechanics of meaning making processes by lawyers. Yet the great lessons of semiotics requires a focus on the origins of the concepts and frameworks that would become contemporary legal semiotics its origins as an object of the consciousness of meaning making one whose roots as lessons for the oracular conversations of law are expanded in this volume.

Meaning, Narrativity, and the Real Jan M. Broekman, 2016-02-29 This book examines the concept of meaning and our general understanding of reality in a legal and philosophical context. Starting from the premise that meaning is a matter of linguistic and other forms of articulation it considers the inherent philosophical consequences. Part I presents Klages Derrida's Von Hofmannsthal's and Wittgenstein's explorations of silence as a source of articulation and meaning. Debates about 20th century psychologism gave the attitude concept a pivotal role it illustrates the importance of the discovery that a word is globally qualified as the basic unit of language. This is mirrored in the fact that we understand reality as a matter of particles and thus interpret the real as a component of an all embracing particle story. Each chapter of the book focuses on an aspect of legal semiotics related to the chapter's theme for instance on the meaning of a Judge's Saying for Law on law students training in varying attitudes or on the ties between law and language. Part II of the book illustrates our general understanding of reality as a matter of particles and partitioning and examines texts that prove that particle thinking is basic for our meaning concept. It shows that physics quantum theory holism and modern brain research focusing on human linguistic capabilities confirm their ties to the particle story. In contrast the book concludes that partitions and particles are neither a fact in the history of the cosmos nor a determinant of knowledge and the sciences and that meaning is a process a constellation rather than a fixation. This is manifest once one understands meaning as the result of continuously changing attitudes which create our narratives on cosmos and creation. The book proposes a new key for meaning a linguistic occurrence anchored in dimensions of human narrativity.

Lawyers Making Meaning, 2012-12-01 Contemporary Issues of the Semiotics of Law Anne Wagner, Tracey Summerfield, Farid Samir Benavides Vanegas, 2005-09-20 The law is a symbolic construction and therefore rests on a variety of undertakings. What gives law its meaning is for some ideology for others the welfare of the majority. However what is manifest is a conception of the law as a material structure that carries symbols of everyday life. The analyses

that are made in the law and semiotics movements show that the laws symbolism cannot be understood by reference only to itself a strictly legal meaning It is a symbol that conveys life a symbol that in itself is contaminated with life politics morality and so on Law and Semiotics is an obvious meeting point between traditions because it is the place where all the discussions about the law can find a common language This is a collection of different papers where the institution of the law is investigated in combination with and as part of a multiplicity of sign systems Firstly law can be understood as part of a global system of meaning Part I and secondly that despite the homogenising threat of globalisation the play of legal meaning retains a socio historical specificity Part II The global issues of human migration human rights colonisation and transnational power are played out in local spaces in the public discourses through which they are given localised representation in moments of activism and as a tool of subversion The law is a rhetorical device which at once constitutes these global and local truths but which is also constituted by them

Law and Semiotics Roberta Kevelson, 1987 Proceedings of a round table May 1989 at Reading Pennsylvania The 21 papers discuss aspects of property and discovery in law The authors are from both legal and humanities disciplines and from a wide range of countries The topics include the official bending of law to enforce implied value ju

Making Sense in Law Bernard S. Jackson, 1995 *Semiotics of International Law* Evandro Menezes de Carvalho, 2010-10-23 Language carries more than meanings language conveys a means of conceiving the world In this sense national legal systems expressed through national languages organize the Law based on their own understanding of reality International Law becomes in this context the meeting point where different legal cultures and different views of world intersect The diversity of languages and legal systems can enrich the possibilities of understanding and developing international law but it can also represent an instability and unsafety factor to the international scenario This multilegal system and multilingual scenario adds to the complexity of international law and poses new challenges One of them is legal translation which is a field of knowledge and professional skill that has not been the subject of theoretical thinking on the part of legal scholars How to negotiate draft or interpret an international treaty that mirrors what the parties who belong to different legal cultures and who on many occasions speak different mother tongues want or wanted to say By analyzing the decision making process and the legal discourse adopted by the WTO s Appellate Body this book highlights the active role of language in diplomatic negotiations and in interpreting international law In addition it also shows that the debate on the effectiveness and legitimacy of International Law cannot be separated from the linguistic issue

The Law as a System of Signs Roberta Kevelson, 2012-12-06 Even if Peirce were well understood and there existed general agreement among Peirce scholars on what he meant by his semiotics or philosophy of signs the undertaking of this book which intends to establish a theoretical foundation for a new approach to understanding the interrelations of law economics and politics against referent systems of value would be a risky venture But since such general agreement on Peirce s work is lacking one s sense of adventure in ideas requires further qualification Indeed the proverbial nerve for failure must in any case be attendant If one

succeeds one has introduced for further inquiry the strong possibility that should our social systems of law economics and politics our means of interpersonal transaction as a whole be understood against the theoretical back ground of a dynamic motion picture universe that is continually becoming that is infinitely developing and changing in response to genuinely novel elements that emerge as existents then the basic concepts of rights resources and reality take on new dimensions of meaning in correspondence with n dimensional infinite value judgments or truth like beliefs which one holds If such a view as Peirce maintained were possible and tenable not only for philosophy but as the basis for action and interaction in the world of human experience and practical affairs one would readily say that risk taking is a small price for the realization of such possibility

Prospects of Legal Semiotics Anne Wagner, Jan M. Broekman, 2010-11-05 This book examines the progress to date in the many facets conceptual epistemological and methodological of the field of legal semiotics It reflects the fulfilment of the promise of legal semiotics when used to explore the law its processes and interpretation This study in Legal Semiotics brings together the theory structure and practise of legal semiotics in an accessible style The book introduces the concepts of legal semiotics and offers an insight in contemporary and future directions which the semiotics of law is going to take A theoretical and practical oriented synthesis of the historical contemporary and most recent ideas pertaining to legal semiotics the book will be of interest to scholars and researchers in law and social sciences as well as those who are interested in the interdisciplinary dynamics of law and semiotics

Law and the Human Sciences Roberta Kevelson, 1992

Legal Semiotics and the Sociology of Law Bernard S. Jackson, 1994 **Constitutional Semiotics** Martin

Belov, 2022-06-30 This book offers an outline of the foundations of a theory of constitutional semiotics It provides a systematic account of the concept of constitutional semiotics and its role in the representation and signification of meaning in constitution constitutional law and constitutionalism The book explores the constitutional signification of meaning that is stretched between rational entrenchment and constitutional imagination It provides a critical assessment of the rationalist entrapment of constitutional modernity and justifies the need to turn to shadow constitutionalisms textual symbolic imaginary and visual constitutionalism The book puts forward innovative incentives for constitutional analysis based on constitutional semiotics as a paradigm for representation of meaning in rational textual symbolic imaginary and visual constitutionalism The book focuses on the textual imaginative and visual discourse of constitutionalism which is built upon collective constitutional imaginaries and on the peculiar normativity of constitutional geometry and constitutional mythology as borderline phenomena entrenched in rational textual symbolic imaginary and visual constitutionalism The book analyses concepts such as constitutional text and texture authoritative constitutional narratives and authoritative constitutional narrators constitutional semiotic community constitutional utopia constitutional taboo normative ideology and normative ideas constitutional myth and mythology constitutional symbolism constitutional code and constitutional geometric form It explores the textual entrenchment of constitutionalism and its repercussions for representation and signification of meaning

Law And Semiotics Book Review: Unveiling the Power of Words

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