

Legal Construct, Social Concept

A Macrosociological Perspective on Law

Larry D. Barnett



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Kamari Maxine Clarke



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Legal Construct, Social Concept Larry D. Barnett, 1993 Based on sophisticated demographic analysis Legal Construct Social Concept argues that legal doctrine on social issues is shaped by the needs and values of society rather than by individuals and interest groups and that it evolves in response to social change but has little impact on that change The book also explains why a substantial body of social science research has found that although law may be effective for some types of economic problems its impact on social problems is generally small and of brief duration At least in the United States legal doctrine seems to operate primarily to provide symbols that enhance commitment to the social system and increase the cohesiveness of the system Barnett's approach to legal thought derives from the practices and assumptions of the social sciences particularly sociology and not from those of critical legal studies His main concern is with social issues issues that substantively differ from economic issues In addressing legal thought on social problems with the conceptual framework and quantitative techniques of macrosociology he considers a topic that is infrequently investigated and employs an approach that is infrequently used To illustrate this thesis Barnett presents data on social patterns relevant to three current issues sex discrimination age discrimination and the availability of contraception and abortion His analyses of these data are compared to constitutional philosophy judicial rulings and federal statutes Barnett then turns from the evolution of legal doctrine in the past to its possible change in the future and considers whether active forms of euthanasia are likely to be legalized He concludes with an exploration of additional issues for future research and theory

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Construct, Social Concept L.D. Barnett,1993 *Explaining Law* Larry D. Barnett,2015-08-04 Sociologist lawyer Larry D Barnett advances the macrosociological thesis that in nations that are structurally complex and democratically governed concepts and doctrines of law on society central social activities are fashioned by society level conditions not by particular or even prominent individuals Because a substantial body of social science research has found that law in a modern nation does not have a large permanent effect on the frequency of such activities the book contends that the content of law on the activities is a product not a determinant of the society in which the law exists *Explaining Law* bolsters this contention with several original studies and illustrates types of quantitative evidence that can be used to build a macrosociological theory of law

Societal Agents in Law Larry D. Barnett,2018-12-28 In this two volume set Larry D Barnett delves into the macrosociological sources of law concerned with society important social activities in a structurally complex democratically governed nation Barnett explores why when and where particular proscriptions and prescriptions of law on key social activities arise persist and change The first volume *Societal Agents in Law A Macrosociological Approach* puts relevant doctrines of law into a macrosociological framework uses the findings of quantitative research to formulate theorems that identify the impact of several society level agents on doctrines of law and takes the reader through a number of case analyses The second volume *Societal Agents in Law Quantitative Research* reports original multivariate statistical studies of sociological determinants of law on specific types of key social activities Taken together the two volumes offer an alternative to the almost total monopoly of theory and descriptive scholarship in the macrosociology of law comparative law and history of law and underscore the value of a mixed empirical theoretical approach

Legal Issues in Social Work, Counseling, and Mental Health Robert G. Madden,1998-03-09 As a psychotherapist what do you need to know about the law How does the legal system support or fail to support your work or the delivery of mental health services generally What can you do to make use of the law and the legal system to improve your practice and to protect yourself Filling a significant gap in the social work and other psychotherapeutic literature *Legal Issues in Social Work Counseling and Mental Health* presents clearly and comprehensively what mental health and other direct practice professionals need to know to respond to the legal issues that surround practice This volume covers a wide range of topics including providing testimony responding to subpoenas dealing with an attorney influencing the legal system and understanding the legal side of the business of psychotherapy The author also discusses various direct practice and human service issues incorporating some of the everyday legal issues these professionals encounter and using case material The book educates counselors and clinicians on the function of the law in their professional lives Through cases and case vignettes the author illustrates the legal processes relevant to clinicians professional lives and suggests alternative behaviors for clinicians that would satisfy legal requirements yet remain within sound practice Helping to demystify the legal system *Legal Issues in Social Work Counseling and Mental Health* will allow professionals and students in social work human services family studies counseling clinical psychology

pastoral counseling and psychotherapy a better understanding of the law The Place of Law Larry D. Barnett, 2011-12-31 In this stimulating volume Larry D Barnett locates a fundamental defect in widespread assumptions regarding the institution of law He asserts that scholarship on law is being led astray by currently accepted beliefs about the institution and as a result progress in understanding law as a societal institution will be impeded until a more accurate view of law is accepted This book takes on this challenge The Place of Law addresses two questions that are at the heart of the institution of law Why is law an evidently universal enduring institution in societies characterized by a relatively high level of economic development and a relatively high degree of social complexity And why do the concepts and doctrines of the institution of law differ between jurisdictions states or nations at one point in time and vary within a particular jurisdiction over time These two questions Barnett believes should be prominent in any study of law The framework for law Barnett proposes is concerned with activities that are fundamental aspects of social organization that is activities that are deeply embedded in social life His viewpoint is grounded on a body of quantitative research pertinent to the societal sources and limits of law Barnett argues that this perspective applies only to law in sovereign democratic nations that are economically advanced and socially complex In other environments law s place as a societal institution is less secure This innovative perspective will do much to enhance understanding and appreciation of the role of law in modern societies **Law and Society** Steven Vago, 2015-07-14 For one semester undergraduate courses in Law and Society Sociology of Law Introduction to Law and a variety of criminal justice courses offered in departments of Sociology Criminal Justice and Political Science Examines the interplay between law and society Law and Society 10e provides an informative balanced and comprehensive analysis of the interplay between law and society This text presents an overview of the most advanced interdisciplinary and international research theoretical advances ongoing debates and controversies It raises new levels of awareness on the structure and functions of law and legal systems and the principal players in the legal arena and their impact on our lives In addition it looks at the legal system in the context of race class and gender and considers multicultural and cross cultural issues in a contemporary and interdisciplinary context **Law and Social Change** Sharyn L Roach Anleu, 2000-05 For students and academics in sociology criminology legal studies and criminal justice studies this is a comprehensive guide to the sociology of law surveying current theoretical debates and examining socio legal research Mutual Funds, Hedge Funds, and the Public-Private Dichotomy in a Macrosociological Framework for Law , *Consequences* William A. Bogart, 2002-01-01 A timely and erudite investigation of the impact of law on societies and how this excessive reliance on law particularly litigation has generated difficulties in achieving consensus regarding issues of domestic policy **Litigation** Wilfrid R. Prest, Sharyn L. Roach Anleu, 2004 Litigation does not have a good press in fact it is usually viewed very negatively Rates of litigation in Western countries are claimed to be spiralling beyond control and this is said to indicate a fundamental crisis in contemporary Western societies Litigation Past and Present sheds some much needed light on these views by examining actual patterns of litigation both

historical and contemporary and considering the many ways in which courts provide strategies for social change and social justice Topics surveyed include the long range recording of litigation rates the social uses of legal action the effectiveness of procedural reforms in reducing litigation and the impact of legal proceedings and activism on Indigenous rights and on marriage and family issues Litigation and its impact are too often discussed in excessively rhetorical and pragmatic terms This volume with contributions from internationally recognised scholars adds much needed empirical research and theoretical perspectives to the discussion

Social Justice and Political Change David Mason, 2018-04-17 Analysis and debate about economic and political justice rarely involves research on the views of the common person Scholars often make assumptions about what common people think is fair but for the most part they confine their thinking to a single country and argue on rational or moral grounds with little supporting empirical data Social Justice and Political Change involves the collaboration of thirty social scientists in twelve countries and represents broad ranging comparative research The book grows out of a collaborative study of public opinion about social justice Though conceived prior to the revolutions that swept Central and Eastern Europe in 1989 the ISJP did not put its survey into the field until the summer of 1991 in a new climate of open international exchange in social research Employing common methods of data collection and within the limits of translation identical survey instruments the ISJP investigated public opinion in seven newly emerging post Communist countries and five of the world's most influential capitalist democracies with special sensitivity to divergencies in the newly united Germany Among the themes addressed by the volume are the views and beliefs of citizens in the post Communist states on the transition to market economies and parliamentary democracy the role of ideology in legitimating inequality the structural determination of beliefs about justice the processes that shape individual level evaluations and the major implications of public opinion and mass participation in the democratic process

The Changing Contract across Generations Vern L. Bengtson, W. Andrew Achenbaum, 2024-11-01 Generational conflict has attracted considerable attention in the media and within academic circles during the past decade At the center of this collection of papers analyzing various facets of that conflict lie complex issues of generational equity issues that will remain important for the framing of public policy during the 1990s What do the young and the middle aged owe the elderly In discharging that debt to what extent are they able to provide for their own old age in a climate of changing notions of welfare What light do the longer perspectives of history shed on these issues What role do kinship gender and economic status play The papers commissioned by Bengtson and Achenbaum are intended to give greater analytic rigor to current debates The volume is interdisciplinary not only by theoretical intent but by the practical imperatives of gerontology More than a dozen sociologists economists historians demographers and policy analysts discuss the meanings and ambiguities that are inherent in terms such as generation equity compact contract and conflict in order to assess how relations between the age groups seem to vary from one sociohistorical context to the next This distinguished group of contributors raises comparative issues

throughout assessing variations in generational ties by gender race class and geographic location Several project the extent to which recent changes in the political economy public philosophy and demographic structure of most modern societies presage greater conflicts or greater consensus in family members relationships and social ties Fictions of Justice Kamari Maxine Clarke,2009-05-25 This book explores how notions of justice are negotiated through everyday micropractices and grassroots contestations of those practices **The Greatest of Evils** Joel A. Devine,James David Wright, The debate on persisting poverty in the United States somewhat dampened for the past decade has now been fully rekindled Devine and Wright have entered that debate with an analysis that is both quantitative and qualitative informed on the one side by urban ethnography and steeped in official statistics and relevant data on the other The result is an incisive and cogently documented narrative account leading to policy recommendations for a new president and a new era In *The Greatest of Evils* Devine and Wright develop three principal themes First they argue that poverty is by no means monolithic each subgroup within the population in poverty tends to have different problems Secondly the so called underclass within the poverty population represents a new and especially corrosive development one that cannot be analyzed in traditional terms nor dealt with in traditions ways Thirdly the War on Poverty of the Sixties was not the unmitigated disaster that so many have come to believe and offered a boldness of vision that today s poverty policies tend to lack In exploring these themes the authors show how the social and economic costs of poverty related problems exceed what it will cost to find remedies that address the underlying causes of residual poverty Armed and Considered Dangerous James D. Wright,Peter Henry Rossi,

Japanese Auto Transplants in the Heartland Robert Perrucci,2017-09-29 The idea for this book was formed during the early 1980s when the author was studying the impact of plant closings on displaced workers and communities In one community workers who were displaced by a plant closing expected to receive retraining funds through the Job Training and Partnership Act JTPA only to find that the state had committed all the JTPA funds to train new workers for a Japanese transplant Soon it became apparent that deindustrialization job loss and economically depressed communities were linked with the escalating interstate competition to provide multi million dollar incentive packages for businesses to settle in their state When Japanese automobile companies considered coming to the United States they fueled the interstate competition for these large projects which promised thousands of jobs and economic growth

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