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# Living Lawfully

Love in Law and Law in Love

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# Living Lawfully Love In Law And Law In Love

**Costas Douzinas**



## **Living Lawfully Love In Law And Law In Love:**

**Living Lawfully** Z. Bankowski, 2013-04-17 The aim of this book is to explore what it means to live a life under the law Does a life of law preclude love and does a life of love preclude law Part of the theme of the book is that social questions also raise individual moral and ethical questions that to live lawfully implies both a question of how I should live in my relations with my fellows and how society should be organised These questions must be looked at together The book explores these questions and in looking at the articulation of law and love touches upon debates in personal morality aesthetics epistemology social and political organisation institutional design and the form and substance of law It raises questions that are of interest to students and those working in law theology and social and political theory **Human Rights and Empire** Costas Douzinas, 2007-03-20 Erudite and timely this book is a key contribution to the renewal of radical theory and politics Douzinas a leading scholar and author in the field of human rights and legal theory considers the most pressing international questions surrounding the legacy and contemporary role of human rights Legal Institutions D.W. Ruiter, 2001-11-30 Building on his contributions to institutional legal theory in Institutional Legal Facts of 1993 Law and Philosophy Library volume 18 the author presents a comprehensive theory of legal institutions To that end the initial theoretical approach which mainly concentrated on problems connected with legal powers and legal acts acts in law is widened to allow for the development of a theory of legal judgements capable of accounting not only for enacted but also unwritten law legal principles and customary law With the use of the concept of institutional legal facts the structure of legal institutions is analyzed in detail In addition to that a classification of legal institutions is provided Extensive attention is given to logical as well as doctrinal problems connected with a conception of legal validity as the mode of existence of legal conditions rather than as a value of legal norms similar to the truth of propositions The study results in an elaborate conceptual framework for institutional analysis of positive law In a final chapter the analytical potential of the framework is put to the test by applying it to the branch of public international law known as the law of treaties Readership Specialists in legal theory and lawyers interested in theoretical issues particularly in linguistic approaches and questions related to the institutional nature of law

**Chinese Lawmaking: From Non-communicative to Communicative** Peng He, 2013-09-30 Dr Peng He in her book addresses various issues drawing on Western and Chinese sources for her argument for a communicative theory of law making This book is both timely and important in the Chinese context Her argument depends upon the insight that what is important in societies is not just representative democracy but voice the opportunity for individuals to be heard and bring their input into official systems More than that she argues that this can also take further the idea of living by the rules as something that is not to be seen as narrow Legalism but as something more akin to living righteously a view which is resonant with parts of Chinese legal thought This book is also important in the present Chinese context in another way The developing economy necessitates substantial legal reform But applying Western models to China can often be na ve and not

fully fulfil their intended purpose Peng He's work addresses this by looking at the process of legislation in connection with legal reform It is grounded in a sound theoretical reflection of both the process of legal transplantation and the process of law making and looks both at Western and Chinese sources Such an approach needs to draw from several intellectual traditions and it is this interdisciplinary foundational research that is the task Dr He has set herself in her project Her theory will provide an abstract theoretical framework that is sensitive to local conditions while at the same time incorporating insights on law reform from a broad range of disciplines Her research is of direct practical relevance for reforming the legislative process in China Professor Zenon Ba kowski The University of Edinburgh

**Perspectives on Power** Jernej Letnar Čerňič, Lindsay Milligan, Heather M. Morgan, 2010-01-08 Although power can appear a vague term the dichotomy between have and have nots the desire to gain autonomy and the dire consequences of subjugation are three issues that resound across the arts and social sciences In this book postgraduate students from the constituent disciplines use the freedom of their positions as early career researchers to boldly explore power relations From a legal perspective papers are included geared towards human rights issues and violations Further the applied perspectives from business and education researchers consider how access to wealth and education and to equal education can and must be achieved Then interpreted through the perspectives of anthropological sociological and historical approaches power has become a resonant issue among the creations of culture and human interaction's Finally within the soft sciences the very same preoccupations as they appear in creative expression are examined within literature and music Indeed through the twenty one articles chosen for inclusion in this collection distinct in their disciplinary origins approaches and foci together the authors are emphasising the many similarities that exist among the arts and social sciences subjects

**Perspectives on Power An Interdisciplinary Approach** was conceived as a result of the quality and reception of papers presented at the 2008 Moving Forward Postgraduate Conference held at the University of Aberdeen The volume comprises twenty one articles on the theme of power carefully chosen by the editorial team from in excess of eighty presentations These represent and tender a wide range of scholarly approaches to and within the arts and social sciences the remit of Moving Forward The collection is aimed at scholars and scholarly institutions within the United Kingdom in particular but contains contributions from scholars across the globe The collection should especially appeal to and inspire delegates visiting the Moving Forward Postgraduate Conference in the years to come

**Giorgio Agamben** Tom Frost, 2013-11-20 This book collects new contributions from an international group of leading scholars including many who have worked closely with Agamben to consider the impact of Agamben's thought on research in the humanities and social sciences Giorgio Agamben Legal Political and Philosophical Perspectives addresses the potential of Agamben's thought by re focusing attention away from his critiques of Western politics and towards his scheme for a political future Part I of the book draws upon a wide range of issues such as legal oaths legal reasoning and Christian conceptions of love in order to examine the potential for Agamben's work to impact upon future legal

scholarship Part II focuses on political perspectives that include references to Marx Rousseau and Agamben's conception of the messianic Theology biology and the thought of Gilles Deleuze Walter Benjamin and Antonin Artaud are all drawn upon in Part III to explore philosophical perspectives in Agamben's thought This book demonstrates the importance and originality of Giorgio Agamben who has articulated a vision of politics that must be recognised as an influential contribution to modern philosophical and political thinking It is a book that will be of considerable interest to many working across the humanities and social sciences

**Why Grundnorm?** Uta Bindreiter, 2002-12-31 Who presupposes Kelsen's basic norm Is it possible to defend the presupposition in a way that is convincing And what difference does the presupposition make Endeavouring to highlight the role of basic assumptions in the law the author argues that the verb to presuppose with Kelsen has not only a conceptual but also a normative dimension and that the expression presupposing the basic norm is adequate in so far as it marks the descriptive normative nature of utterances made in specifically legal speech situations Addressed to legal theorists in general the treatise purports to show that Kelsen's doctrine lends itself to an interpretation according to which the very act of presupposing the Grundnorm can be understood as a Grund i e normative source of all positive law and what is more that this interpretation admits of addressing the issue of the formal legitimacy of supra national and directly applicable rules and other norms

**Human Rights from Community** Oche Onazi, 2016-06-30 Poverty exclusion and lack of participation are symptomatic of state and market based approaches to human rights Oche Onazi uses Nigeria as a case study to show how the idea of community is a better alternative capable of inspiring the poor and the vul

**Loving Justice** Kathryn D. Temple, 2019-06-25 A history of legal emotions in William Blackstone's England and their relationship to justice William Blackstone's masterpiece Commentaries on the Laws of England 1765 1769 famously took the ungodly jumble of English law and transformed it into an elegant and easily transportable four volume summary Soon after publication the work became an international monument not only to English law but to universal English concepts of justice and what Blackstone called the immutable laws of good and evil Most legal historians regard the Commentaries as a brilliant application of Enlightenment reasoning to English legal history Loving Justice contends that Blackstone's work extends beyond making sense of English law to invoke emotions such as desire disgust sadness embarrassment terror tenderness and happiness By enlisting an affective aesthetics to represent English law as just Blackstone created an evocative poetics of justice whose influence persists across the Western world In doing so he encouraged readers to feel as much as reason their way to justice Ultimately Temple argues that the Commentaries offers a complex map of our affective relationship to juridical culture one that illuminates both individual and communal understandings of our search for justice and is crucial for understanding both justice and injustice today

**An African Path to Disability Justice** Oche Onazi, 2019-11-25 How should disability justice be conceptualised not by orthodox human rights or capabilities approaches but by a legal philosophy that mirrors an African relational community ideal This book develops the first comprehensive answer to this question through the contemporary

literature on African philosophy which is relied upon to construct a legal philosophy of disability justice comprising of ethical ideals of community human relationships and obligations From these ideals an African legal philosophy of disability justice is offered as a criterion for critically evaluating existing laws legal and political institutions as well as providing an ethical basis for creating new ones to ensure that they are inclusive to people with disabilities In taking an alternative perspective on the subject the book outlines and emphasises the need for a new public culture of obligations owed to people with disabilities highlighting both the prospects and difficulties of achieving the ideal of disability justice that continues to elude the lived experiences of millions of Africans today Oche Onazi s *An African Path to Disability Justice* is the first book length exploration of disability in the light of African ethics as contrasted with the human rights and capabilities frameworks Of particular interest are Onazi s thoughtful reflections on how various conceptions of community salient in African moral philosophy including group based reciprocal and relational bear on what we owe to the disabled Thaddeus Metz Distinguished Professor University of Johannesburg *The Anxiety of the Jurist* Claudio Michelon, 2016-04-01 The contributions in this volume pay homage to Zenon Ba kowski with a focus on problems concerning law s normalization and the revitalizing force of anxiety Ranging from political critique to methodological issues and from the role of human rights in development to the role of parables and analogy in legal reasoning the contributions themselves are testament to the richness of Ba kowski s scholarship as well as to the applicability of his core ideas to a wide range of issues Divided into five parts the book focuses on the role and methods of the jurist conceptions of legality and the experience of living under rules jurisprudential issues affecting exchange and the market and the burden and methods of legal judgement It also includes Ba kowski s 2011 valedictory lecture and a bibliography of his work Comprising all original contributions the contributors represent a balance of established leading figures and younger emerging scholars in the field of legal and social theory **IBSS: Sociology: 2002 Vol.52** Compiled by the British Library of Political and Economic Science, 2004-03-01 First published in 1952 the International Bibliography of the Social Sciences anthropology economics political science and sociology is well established as a major bibliographic reference for students researchers and librarians in the social sciences worldwide Key features Authority Rigorous standards are applied to make the IBSS the most authoritative selective bibliography ever produced Articles and books are selected on merit by some of the world s most expert librarians and academics Breadth today the IBSS covers over 2000 journals more than any other comparable resource The latest monograph publications are also included International Coverage the IBSS reviews scholarship published in over 30 languages including publications from Eastern Europe and the developing world User friendly organization all non English titles are word sections Extensive author subject and place name indexes are provided in both English and French Place your standing order now for the 2002 volumes of the the IBSS Anthropology 2002 Vol 48 December 2003 234x156 Hb 0 415 32634 6 195 00 Economics 2002 Vol 51 December 2003 234x156 Hb 0 415 32635 4 195 00 Political Science 2002 Vol 51 December 2003 234x156 Hb 0 415 32636 2 195 00

Sociology 2002 Vol 52 December 2003 234x156 Hb 0 415 32637 0 195 00      **The Legal Essays of Michael Bayles** W.L. Robison, 2002-06-30 The legal essays by Michael Bayles in this collection display his commitment to utilitarianism both as a moral theory and an analytical device A utilitarian must choose between the best of all possible alternatives and so must lay out the alternatives and thus their consequences carefully and completely As it happens there is no better way of understanding why something is as it is in the law and no better way to lay the foundations for criticism and improvement than to lay out what the alternatives are carefully distinguishing them their justifications and their implications for changing other areas of the law and for changing our relation to the law Bayles was a master at such work and each essay thus repays careful study for anyone concerned about the law The essays cover a wide variety of topics from contract law to the criminal law from torts to theory and form a natural set Laying out the alternatives in one area makes it much clearer how and why alternatives in other areas are acceptable or required Interconnections within the legal system as a whole not readily visible when studying one area of the law become obvious when several are laid out side by side using the analytical skill required by a good utilitarian      **Law's Judgement** William Lucy, 2017-07-27 Law s Judgement elucidates and defends a feature of contemporary law that is currently either overlooked or too glibly dismissed as morally troublesome or historically anachronistic That feature is the abstract nature of law s judgement and its three components show that when law judges us it often does so in ignorance of our particular characters and abilities on the one hand and in ignorance of our context and circumstances on the other Law s judgement is thus insensitive to all or much that makes us the particular people we are The book explores various connections between this mode of judgement and some of our most important legal and political values It shows that law s abstract judgement is closely related to important juristic conceptions of personhood responsibility and impartiality and that these notions are not without moral significance The book also examines the connections between modern law s judgement and three of our most important political values namely dignity equality and community It argues that if we value particular conceptions of dignity equality and community then we must also value law s judgement Illuminating these connections therefore serves a double purpose first it makes a case against those who counsel liberation from law s abstract judgement and second it redirects attention to the task of morally evaluating law s abstract judgement in its own terms      Wordplay and Powerplay in Latin Poetry Phillip Mitsis, Ioannis Ziogas, 2016-07-28 The political allegiances of major Roman poets have been notoriously difficult to pin down in part because they often shift the onus of political interpretation from themselves to their readers By the same token it is often difficult to assess their authorial powerplays in the etymologies puns anagrams telestichs and acronyms that feature prominently in their poetry It is the premise of this volume that the contexts of composition performance and reception play a critical role in constructing poetic voices as either politically favorable or dissenting and however much the individual scholars in this volume disagree among themselves their readings try to do justice collectively to poetry s power to shape political realities The book is aimed not only at scholars of

Roman poetry politics and philosophy but also at those working in later literary and political traditions influenced by Rome's greatest poets

**The End of Law** David McIlroy, 2019 The End of Law applies Augustine's questions to modern legal philosophy as well as offering a critical theory of natural law that draws on Augustine's ideas McIlroy argues that such a critical natural law theory is realistic but not cynical about law's relationship to justice and to violence can diagnose ways in which law becomes deformed and pathological and indicates that law is a necessary but insufficient instrument for the pursuit of justice Positioning an examination of Augustine's reflections on law in the context of his broader thought McIlroy presents an alternative approach to natural law theory drawing from critical theory postmodern thought and political theologies in conversation with Augustine

*Influence and Power* Ruth Zimmerling, 2005-12-28 Some years ago on request of the German Political Science Association DVPW an empirical investigation On the state and the orientation of political science in the Federal Republic of Germany was conducted by Carl B hret Among other interesting 1 information in the paper that was subsequently published the author presented the results of a survey among 254 political scientists in the Federal Republic on what they considered to be the sine qua non basic concepts of the discipline In various respects the data are remarkable 2 On the one hand the enormous diversity of the answers corroborates statistically what has long been known from experience i e the existence of an extremely wide variety of standpoints perspectives and approaches within the discipline An interesting case in point is the concept of power Somewhat surprisingly power was not the most frequently mentioned term But it did of course end up at the very top of the list in third place behind conflict and interest What is noteworthy is that it gained this position by being named only 81 times that is by less than a third of the respondents This is no insignificant detail Certainly to that minority of scholars whose conceptions of politics do include power as an indispensable basic concept the approaches of the vast majority of their colleagues for whom as their answers in the survey reveal power does not play an eminent role must appear in an 3 important sense mistaken or perhaps even incomprehensible

Research Methods in Law Dawn Watkins, Mandy Burton, 2025-07-31 Explaining in clear terms some of the main methodological approaches to legal research Research Methods in Law is written by specialists in their fields researching in a variety of jurisdictions Covering a range of topics including feminist approaches economic analysis of the law and socio legal studies each contributor addresses the topic of lay decision makers in the legal system from their particular methodological perspective This focus on one main topic allows the reader to draw comparisons between methods with relative ease This third edition has been fully updated and includes bullet point summaries at the start of each chapter There are also two new chapters covering biographical approaches and creative approaches The broad range of contributors makes Research Methods in Law well suited to an international audience and it is ideal reading for PhD students in law undergraduate dissertation students in law LL M Research students and early year researchers

**Rehumanizing Law** Randy Gordon, 2011-04-15 In a popular sense law connotes the rules of a society as well as the institutions that make and



enforce those rules Although laws are created and interpreted in legislatures and courtrooms by individuals with very specialized knowledge the practice and making of law is closely tied to other systems of knowledge To emphasize this often downplayed connection Rehumanizing Law examines the law in relation to narrative a fundamental mode of human expression Randy D Gordon illustrates the bridge between narrative and law by considering whether literature can prompt legislation Using Upton Sinclair's *The Jungle* and Rachel Carson's *Silent Spring* Gordon shows that literary works can figure in important regulatory measures Discussing the rule of law in relation to democracy he reads Melville's *Billy Budd* and analyzes the O J Simpson and Rodney King cases This highly original and creative study reconnects the law to its narrative roots by showing how and why stories become laws

*Certainty in Law* Humberto Ávila, 2016-07-20 Instead of the usual apologetic treatment found in legal doctrine linked to the determinacy immutability or predictability of norms this book treats legal certainty innovatively holistically and in depth Using a method at once analytical and functional Professor Ávila examines the structural elements of legal certainty from its definition and foundations to its various dimensions normative forces and efficacies citing a wealth of examples from case law to support each of the theses defended No subject is more important and topical than legal certainty Problems relating to lack of understanding instability and unpredictability of law intensify day by day everywhere in civil law and common law countries alike Normative sources are increasingly diverse in origin national international community and multiple in nature legal contractual jurisprudential They change constantly and present increasingly frequent problems of ambiguity and vagueness that significantly hinder their comprehension This state of affairs which to a greater or lesser extent is true of any legal order justifies a return to the subject of legal certainty In this book essential questions are answered such as Legal certainty in what sense Certainty of what for whom in whose vision and by whom When to what extent and to what end it is probably the most comprehensive and systematic study ever produced on this subject using the analytical method Riccardo Guastini Professor of Jurisprudence University of Genoa Italy

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