
Site To Download Society And Law In Series International Onati Defence Cultural The On Perspectives Comparative Jurisprudence Multicultural

Right here, we have countless ebook **Society And Law In Series International Onati Defence Cultural The On Perspectives Comparative Jurisprudence Multicultural** and collections to check out. We additionally provide variant types and after that type of the books to browse. The pleasing book, fiction, history, novel, scientific research, as capably as various supplementary sorts of books are readily within reach here.

As this Society And Law In Series International Onati Defence Cultural The On Perspectives Comparative Jurisprudence Multicultural, it ends going on brute one of the favored ebook Society And Law In Series International Onati Defence Cultural The On Perspectives Comparative Jurisprudence Multicultural collections that we have. This is why you remain in the best website to see the amazing book to have.

KEY=DEFENCE - NICHOLSON GROSS

ONATI INTERNATIONAL SERIES IN LAW AND SOCIETY

A SERIES

ADAPTING LEGAL CULTURES

[Bloomsbury Publishing](#) This exciting collection looks at the theory and practice of legal borrowing and adaptation in different areas of the world: Europe, the USA and Latin America, S.E. Asia and Japan. Many of the contributors focus on fundamental theoretical issues. What are legal transplants? What is the role of the state in producing socio-legal change? What are the conditions of successful legal transfers? How is globalisation changing these conditions? Such problems are also discussed with reference to substantive and specific case studies. When and why did Japanese rules of product liability come into line with those of the EU and the USA? How and why did judicial review come late to the legal systems of Holland and Scandinavia? Why is the present wave of USA-influenced legal reforms in Latin America apparently having more success than the previous round? How does competition between the legal and accountancy professions affect patterns of bankruptcy? The chapters in this volume, which include a comprehensive theoretical introduction, offer a range of valuable insights even if they also show that the

THEORY AND METHOD IN SOCIO-LEGAL RESEARCH

[Bloomsbury Publishing](#) Socio-legal researchers increasingly recognise the need to employ a wide variety of methods in studying law and legal phenomena, and the need to be informed by an understanding of debates about theory and method in mainstream social science. The papers in this volume illustrate how a range of topics, including EU law, ombudsmen, judges, lawyers, Shariah Councils and the quality assurance industry can be researched from a socio-legal perspective. The objective of the collection is to show how different methods can be used in researching law and legal phenomena, how methodological issues and debates in sociology are relevant to the study of law, and the importance of the debate between "structural" and "action" traditions in researching law. It also approaches the methodological problem of how sociology of law can address the content of legal practice from a variety of perspectives and discusses the relationship between pure and applied research. The editors provide a critical introduction to each of the six sections, and a general introduction on law, sociology and method. The collection will provide an invaluable resource for socio-legal researchers, law school researchers and postgraduates.

RULES AND NETWORKS

THE LEGAL CULTURE OF GLOBAL BUSINESS TRANSACTIONS

[Hart Publishing](#) International business transactions are heavily influenced by culture, practice and rule. The pursuit of business relationships within nation-states can be subject to differences in the generation of norms and the processing of disputes, but these conflicts are magnified many times over in cross-border transactions where nation-state control and support is weak or absent. This book seeks different explanations of the ways in which business people and their legal advisers try to minimize the effect of these magnified difficulties. At the outset, four sources are suggested through which the international business community might be considered to have supplemented nation-state conflict prevention and dispute resolution institutions - an international legal order, the development of a private normative order based on common business practices (denominated the *lex mercatoria*), through the efforts and work product of internationalized law firms, and by means of extensive, thick personal relationships often referred to by their Chinese term *guanxi*. Since most explanations are dominated by North American and European legal scholarship and practice, a second concern of this book is to open up the discussion to competing explanatory frameworks. Specifically, it develops the notion that global legal convergence may not be the immediate, inevitable result of increased global economic interaction. Rather, less formal mechanisms for achieving normative understanding and predictability in

business dealings may also flourish.

LEGAL INSTITUTIONS AND COLLECTIVE MEMORIES

Bloomsbury Publishing In recent decades the debate among scholars, lawyers, politicians and others about how societies deal with their past has been constant and intensive. 'Legal Institutions and Collective Memories' situates the processes of transitional justice at the intersection between legal procedures and the production of collective and shared meanings of the past. Building upon the work of Maurice Halbwachs, this collection of essays emphasises the extended role and active involvement of contemporary law and legal institutions in public discourse about the past, and explores their impact on the shape that collective memories take in the course of time. The authors uncover a complex pattern of searching for truth, negotiating the past and cultivating the art of forgetting. Their contributions explore the ambiguous and intricate links between the production of justice, truth and memory. The essays cover a broad range of legal institutions, countries and topics. These include transitional trials as 'monumental spectacles' as well as constitutional courts, and the restitution of property rights in Central and Eastern Europe and Australia. The authors explore the biographies of victims and how their voices were repressed, as in the case of Korean Comfort Women. They explore the role of law and legal institutions in linking individual and collective memories in the transitional period through processes of lustration, and they analyse divided memories about the past and their impact on future reconciliation in South Africa. The collection offers a genuinely comparative approach, allied to cutting-edge theory

MANAGING FAMILY JUSTICE IN DIVERSE SOCIETIES

Bloomsbury Publishing The aim of this book is to explore what response the law has or should have to different family practices arising from cultural and religious beliefs. The issue has become increasingly debated as western countries have become more culturally diverse. Although discussion has frequently focused on the role Islamic family law should have in these countries, this book seeks to set that discussion within a wider context that includes consideration both of theoretical issues and also of empirical data about the interaction between specific family practices and state law in a variety of jurisdictions ranging from England and Wales to Bangladesh, Botswana, Spain, Poland, France, Israel, Iran and South Africa. The contributors to the 17 chapters approach the subject matter from a variety of perspectives, illustrating its complex and often sensitive nature. The book does not set out to propose any single definitive strategy that should be adopted, but provides material on which researchers, advocates and policy makers can draw in furthering their understanding of and seeking solutions to the problems raised by this significant social development.

FIGHTING FOR POLITICAL FREEDOM

COMPARATIVE STUDIES OF THE LEGAL COMPLEX AND POLITICAL LIBERALISM

Bloomsbury Publishing Across the world political liberalism is being fought for, consolidated and defended. That is the case for nations that have never enjoyed a liberal political society, for nations that have advanced towards and then retreated from political liberalism, for nations that have recently shifted from authoritarian to liberal political systems, and for mature democracies facing terrorism and domestic conflict. This book tests for the contemporary world the proposition that lawyers are active agents in the construction of liberal political regimes. It examines the efficacy of a framework that postulates that legal professions not only orient themselves to a market for their services but can frequently be seen in the forefront of actors seeking to institutionalise political liberalism. On the basis of some 16 case studies from across the world, the authors present a theoretical link between lawyers and political liberalism having wide-ranging application over radically diverse situations in Asia and the Middle East, North and South America, and Europe. They argue that it is not the politics of lawyers alone but the politics of a 'legal complex' of legally trained occupations, centred on lawyers and judges, that drives advances or retreats from political liberalism, that political liberalism itself is everywhere in play, in countries with established democracies and those without liberal politics and that it is now clear that the legal arena is a central field of struggle over the shape of political power. The case studies presented here provide powerful evidence that the nexus of bar and bench in transitions towards or away from political liberalism is a force which has universal application.

LIVING LAW

RECONSIDERING EUGEN EHRLICH

Bloomsbury Publishing This collection of essays is the first edited volume in the English language which is entirely dedicated to the work of Eugen Ehrlich. Eugen Ehrlich (1862-1922) was an eminent Austrian legal theorist and professor of Roman law. He is considered by many as one of the 'founding fathers' of modern sociology of law. Although the importance of his work (including his concept of 'living law') is widely recognised, Ehrlich has not yet received the serious international attention he deserves. Therefore, this collection of essays is aimed at 'reconsidering' Eugen Ehrlich by bringing together an interdisciplinary group of leading international experts to discuss both the historical and theoretical context of his work and its relevance for contemporary law and society scholarship. This book has been divided into four parts. Part I of this volume paints a lively picture of the Bukowina, in southeastern Europe, where Ehrlich was born in 1862. Moreover it considers the political and academic atmosphere at the end of the nineteenth century. Part II discusses the main concepts and ideas of Ehrlich's sociology of law and considers the reception of Ehrlich's work in the German speaking world, in the United States and in Japan. Part III of this volume is

concerned with the work of Ehrlich in relation to that of some of his contemporaries, including Roscoe Pound, Hans Kelsen and Cornelis van Vollenhoven. Part IV focuses on the relevance of Ehrlich's work for current socio-legal studies. This volume provides both an introduction to the important and innovative scholarship of Eugen Ehrlich as well as a starting point for further reading and discussion.

GENDER AND CAREERS IN THE LEGAL ACADEMY

Bloomsbury Publishing In the past fifteen years there has been a marked increase in the international scholarship relating to women in law. The lives and careers of women in legal practice and the judiciary have been extensively documented and critiqued, but the central conundrum remains: Does the presence of women make a difference? What has been largely overlooked in the literature is the position of women in the legal academy, although central to the changing culture. To remedy the oversight, an international network of scholars embarked on a comparative study, which resulted in this path-breaking book. The contributors uncover fascinating accounts of the careers of the academic pioneers as well as exploring broader theoretical issues relating to gender and culture. The provocative question as to whether the presence of women makes a difference informs each contribution.

CONTEMPORARY ISSUES OF THE SEMIOTICS OF LAW

Bloomsbury Publishing 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 law's 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.

GENDER AND JUDGING

A&C Black Does gender make a difference to the way the judiciary works and should work? Or is gender-blindness a built-in prerequisite of judicial objectivity? If gender does make a difference, how might this be defined? These are the key questions posed in this collection of essays, by some 30 authors from the following countries; Argentina, Cambodia, Canada, England, France, Germany, India, Israel, Italy, Ivory Coast, Japan, Kenya, the Netherlands, the Philippines, South Africa, Switzerland, Syria and the United States. The contributions draw on various theoretical approaches, including gender, feminist and sociological theories. The book's pressing topicality is underlined by the fact that well into the modern era male opposition to women's admission to, and progress within, the judicial profession has been largely based on the argument that their very gender programmes women to show empathy, partiality and gendered prejudice - in short essential qualities running directly counter to the need for judicial objectivity. It took until the last century for women to begin to break down such seemingly insurmountable barriers. And even now, there are a number of countries where even this first step is still waiting to happen. In all of them, there remains a more or less pronounced glass ceiling to women's judicial careers.

FEMINIST PERSPECTIVES ON CONTEMPORARY INTERNATIONAL LAW

BETWEEN RESISTANCE AND COMPLIANCE?

Bloomsbury Publishing The essays in this volume analyse feminism's positioning vis-à-vis international law and the current paradigms of international law. The authors argue that, willingly or unwillingly, feminist perspectives on international law have come to be situated between 'resistance' and 'compliance'. That is, feminist scholarship aims at deconstructing international law to show why and how 'women' have been marginalised; at the same time feminists have been largely unwilling to challenge the core of international law and its institutions, remaining hopeful of international law's potential for women. The analysis is clustered around three themes: the first part, theory and method, looks at how feminist perspectives on international law have developed and seeks to introduce new theoretical and methodological tools (especially through a focus on psychoanalysis and geography). The second part, national and international security, focuses on how feminists have situated themselves in relation to the current discourses of 'crisis', the post-9/11 NGO 'industry' and the changing discourses of violence against women. The third part, global and local justice, addresses some of the emerging trends in international law, focusing especially on transitional justice, state-building, trafficking and economic globalisation.

SHOOTING TO KILL

SOCIO-LEGAL PERSPECTIVES ON THE USE OF LETHAL FORCE

Bloomsbury Publishing The present book brings together perspectives from different disciplinary fields to examine the

significant legal, moral and political issues which arise in relation to the use of lethal force in both domestic and international law. These issues have particular salience in the counter terrorism context following 9/11 (which brought with it the spectre of shooting down hijacked airplanes) and the use of force in Operation Kratos that led to the tragic shooting of Jean Charles de Menezes. Concerns about the use of excessive force, however, are not confined to the terrorist situation. The essays in this collection examine how the state sanctions the use of lethal force in varied ways: through the doctrines of public and private self-defence and the development of legislation and case law that excuses or justifies the use of lethal force in the course of executing an arrest, preventing crime or disorder or protecting private property. An important theme is how the domestic and international legal orders intersect and continually influence one another. While legal approaches to the use of lethal force share common features, the context within which force is deployed varies greatly. Key issues explored in this volume are the extent to which domestic and international law authorise pre-emptive use of force, and how necessity and reasonableness are legally constructed in this context.

HUMAN RIGHTS AT WORK

PERSPECTIVES ON LAW AND REGULATION

Bloomsbury Publishing Concerns associated with globalisation of markets, exacerbated by the 'credit crunch', have placed pressure on many nation states to make their labour markets more 'flexible'. In so doing, many states have sought to reduce labour standards and to diminish the influence of trade unions as the advocates of such standards. One response to this development, both nationally and internationally, has been to emphasise that workers' rights are fundamental human rights. This collection of essays examines whether this is an appropriate or effective strategy. The book begins by considering the translation of human rights discourse into labour standards, namely how theory might be put into practice. The remainder of the book tests hypotheses posited in the first chapter and is divided into three parts. The first part investigates, through a number of national case studies, how, in practice, workers' rights are treated as human rights in the domestic legal context. These ten chapters cover African, American, Asian, European, and Pacific countries. The second part consists of essays which analyse the operation of regional or international systems for human rights promotion, and their particular relevance to the treatment of workers' rights as human rights. The final part consists of chapters which explore regulatory alternatives to the traditional use of human rights law. The book concludes by considering the merits of various regulatory approaches.

PARENTING AFTER PARTNERING

CONTAINING CONFLICT AFTER SEPARATION. ONATI INTERNATIONAL SERIES IN LAW AND SOCIETY

The book focuses on the relationship between law and politics as perceived by the legal community and more specifically, the transformation of politics into law. After exploring the relationship between law and politics as considered by the major modern schools of legal theory, the focus moves to the regions of interaction in which law and politics meet, termed the 'policy of law.' The policy of law is characterized in this work as the stage of the law-making process at which values entrenched in political decisions are transformed into legal concepts in order to fit the existing legal system. The space labeled as policy of law is today mainly (but not exclusively) the domain of legal actors. Consequently, the identification of a branch of the legal discipline specifically devoted to the investigation of the transformations of values into law is given: the policy of law analysis. Finally, whether and to what extent the policy of law analysis can be encompassed within the traditional legal discipline and, more particularly, as a part of jurisprudence, is explored.

MAKING HUMAN RIGHTS INTELLIGIBLE

TOWARDS A SOCIOLOGY OF HUMAN RIGHTS

Bloomsbury Publishing Human rights have become a defining feature of contemporary society, permeating public discourse on politics, law and culture. But why did human rights emerge as a key social force in our time and what is the relationship between rights and the structures of both national and international society? By highlighting the institutional and socio-cultural context of human rights, this timely and thought-provoking collection provides illuminating insights into the emergence and contemporary societal significance of human rights. Drawn from both sides of the Atlantic and adhering to refreshingly different theoretical orientations, the contributors to this volume show how sociology can develop our understanding of human rights and how the emergence of human rights relates to classical sociological questions such as social change, modernisation or state formation. Making Human Rights Intelligible provides an important sociological account of the development of international human rights. It will be of interest to human rights scholars and sociologists of law and anyone wishing to deepen their understanding of one of the most significant issues of our time.

CHALLENGING THE LEGAL BOUNDARIES OF WORK REGULATION

Bloomsbury Publishing Focusing on paid work that blurs traditional legal boundaries and the challenge this poses to traditional forms of labour regulation, this collection of original case studies illustrates the wide range of different forms of regulation designed to provide decent work. The original case studies cover a diversity of workers from across developed and developing countries, the formal and informal economies and public and private work spaces. Each deals with the failings of traditional labour law, and several explore the capacity of different forms of regulatory

techniques, such as commercial law, corporate codes of conduct, or supply chain regulation, to protect workers.

LUHMANN ON LAW AND POLITICS

CRITICAL APPRAISALS AND APPLICATIONS

Bloomsbury Publishing Perhaps more than any other social theorist in recent history, Niklas Luhmann's work has aroused extreme, and often antagonistic, responses. It has generated controversies about its political implications, its resolute anti-humanism and its ambitious critique of more established definitions of society, social theory and sociology. Now, however, a steadily growing number of scholars working in many different disciplines have begun to use aspects of Luhmann's sociology as an important methodological stimulus and as a theoretical framework for reorientating their studies. This collection of essays includes critical and reconstructive contributions by a number of distinguished social theorists, political theorists, legal scholars and empirical sociologists. Together, they provide evidence of Luhmann's extensive and diverse relevance to the issues facing contemporary society, and, at the same time, they enhance our understanding of the challenges posed by his theoretical paradigm to more traditional conceptions of social theory.

CRAFTING TRANSNATIONAL POLICING

POLICE CAPACITY-BUILDING AND GLOBAL POLICING REFORM

Bloomsbury Publishing The book examines the phenomenon of crafting transnational policing. By this term is meant the different forms of engagement in policing reform by international donors, national governments, foreign police and law enforcement agencies in the domestic policing agencies and programs of recipient countries. It includes, inter alia, peace-keeping in post-conflict situations, reconstruction and capacity-building as part of nation- or state-building exercises, and the provision of technical assistance in relation to certain aspects of law enforcement. In each instance, there is a cross-border provision of resources with a view to shaping the kind of policing provided in recipient nations. Why do some countries engage in these activities? Why has policing become a preferred form of foreign policy engagement in some countries? What forms of policing development are provided? How are they delivered? And how are they received? How should these kinds of assistance and/or interventions be conducted in future? In this regard, is there a non-negotiable 'core' of good policing that needs to be developed and nurtured as an integral part of all defensible transnational policing engagements? These are some of the questions raised by the contributions to this book. The book arises primarily from papers presented at a workshop held in Onati, Spain in July 2004 on the emergence of a global constabulary ethic. The book has also been supplemented by two solicited chapters.

CRIMINOLOGY AND ARCHAEOLOGY

STUDIES IN LOOTED ANTIQUITIES

Bloomsbury Publishing This collection is the product of a collaborative venture between criminologists and archaeologists concerned with the international market in illicit antiquities. It examines the state of regulation in the antiquities market, with a particular focus on the UK's position, but also with reference to the international context. Looting happens routinely and many countries have rich deposits of cultural material. Antiquities are highly collectable, and there are several prominent international centres for trade. As well as the legitimate face of the antiquities trade there therefore exists an international illicit market in which cultural objects are trafficked for profit in breach of national laws and international conventions. It is within such a complex international and local regulatory context that the essays presented here emerge, focusing upon three areas in particular: the demand for looted antiquities; the supply of cultural artefacts which originate in source countries; and regulation of the international market in antiquities. Criminology has long been interested in transnational crime and its regulation. Archaeologists' concerns lie in the destructive consequences of antiquities looting, which erases our knowledge of the past. In the papers presented here both disciplines present new data and analysis to forge a more coherent understanding of the nature and failings of the regulatory framework currently in place to combat the criminal market in antiquities.

LUHMANN ON LAW AND POLITICS

CRITICAL APPRAISALS AND APPLICATIONS

Hart Publishing These essays, by distinguished experts, provide evidence of Luhmann's extensive and diverse relevance to the issues facing contemporary society.

HEALING THE WOUNDS

ESSAYS ON THE RECONSTRUCTION OF SOCIETIES AFTER WAR

Hart Publishing In this book the authors examine various paths to peace and reconciliation in low intensity conflicts.

EUROPEAN PENOLOGY?

Bloomsbury Publishing Is there something distinctive about penology in Europe? Do Europeans think about punishment and penal policy in a different way to people in other parts of the globe? If so, why is this the case and how does it work in practice? This book addresses some major and pressing issues that have been emerging in recent years in the interdisciplinary field of 'European penology', that is, a space where legal scholarship, criminology, sociology and

political science meet - or should meet - in order to make sense of punishment in Europe. The chapters in European Penology? have been written by leading scholars in the field and focus in particular on the interaction of European academic penology and national practice with European policies as developed by the Council of Europe and, increasingly, by the European Union.

CHALLENGING GENDER INEQUALITY IN TAX POLICY MAKING

COMPARATIVE PERSPECTIVES

Bloomsbury Publishing This volume takes a critical look at the gender of tax policy around the world. Contributors based in eight different countries examine the profound effects that gender norms and practices have had in shaping tax law and policy, and how taxation in turn impacts upon the possibilities for equality along gender, race, class, sexuality and other lines. Chapters explore how the gendered fiscal state might be theorised; how structural choices about rates and bases in tax policy design contribute to gender inequality; how tax policy affects family configurations and perceptions of what constitutes family; how fiscal systems impact on savings and wealth accumulation by women and men; and the role of different policy-making processes and institutions in occluding and sometimes challenging these patterns. Most significantly, perhaps, the book explores these questions in an international frame, traversing countries and continents. The conclusion: fiscal policy has deep rooted, long standing gender implications that affect virtually every aspect of our social, political, and economic lives whether we live in Canada, Australia or Kenya.

MAKING LAW FOR FAMILIES

Bloomsbury Publishing Making Law for Families is the result of a workshop organized by Mavis Maclean and held between May 26 and June 2, 1999, at the international Institute for the Sociology of Law (IISL) in Onati, Spain. This book analyzes the concept of the family in the context of increasing challenges and questions created by multicultural societies in ever more complicated international and transnational legal contexts. How is the family defined across cultural and national divides? To what extent and under what conditions should any particular state intervene? The collected essays in this volume seek to answer these and other difficult questions through grounded empirical research and insightful appreciation of how political systems function in various countries. An underlying concern is to explore to what extent and under what terms will the family endure in the future as a basic unit of social management and control. This book is part of the Oñati International Series in Law and Society.

REGULATORY TRANSFORMATIONS

RETHINKING ECONOMY-SOCIETY INTERACTIONS

Bloomsbury Publishing The issue of whether transnational risk can be regulated through a social sphere goes to the heart of what John Ruggie has described as 'embedded liberalism': how capitalist countries have reconciled markets with the social community that markets require to survive and thrive. This collection, located in the wider debates about global capitalism and its regulation, tackles the challenge of finding a way forward for regulation. It rejects the old divisions of state and market, citizens and consumers, social movements and transnational corporations, as well as 'economic' and 'social' regulation. Instead this rich, multidisciplinary collection engages with a critical theme-the idea of harnessing the regulatory capacity of a social sphere by recognising the embeddedness of economic transactions within a social and political landscape. This collection therefore explores how social norms, practices, actors and institutions frame economic transactions, and thereby regulate risks generated by and for business, state and citizens. A key strength of this book is its integration of three distinct areas of scholarship: Karl Polanyi's economic sociology, regulation studies and socio-legal studies of transnational hazards. The collection is distinct in that it links the study of specific transnational risk regulatory regimes back to a social-theoretical discussion about economy-society interactions, informed by Polanyi's work. Each of the chapters addresses the way in which economics, as well as economic and social regulation, can never be understood separately from the social, particularly in the transnational context. Endorsement 'This thought-provoking collection asks the most critical question of our time - how to civilise markets through social accountability and political action. The climate and financial crises we face show how crucial this challenge is. Lange, Haines and Thomas have put together a series of fruitful case studies of the possibilities for embedding economic relationships in social relationships by a series of top-class researchers within their own illuminating and sensitive framing of the issue'. Professor Christine Parker, Professor of Regulatory Studies at Monash University.

CONTRACTUAL CERTAINTY IN INTERNATIONAL TRADE

EMPIRICAL STUDIES AND THEORETICAL DEBATES ON INSTITUTIONAL SUPPORT FOR GLOBAL ECONOMIC EXCHANGES

Global business interacts efficiently despite the heterogeneity of social, economic and legal cultures which, according to widespread assumptions, cause insecurities and uncertainties. Breaches of contracts may occur more frequently and business relationships may be terminated more often in international than in domestic trade. But most business people engaged in exporting or importing products or services seem to operate in a sufficiently predictable environment allowing successful ventures into the global market. The apparent paradox presented by cultural/institutional diversity and contractual efficiency in cross-border business transactions is the focus of this volume of essays. The wide range of approaches adopted by contributors to the volume include: the Weberian concept

of law as a tool for avoiding the risk of opportunism; economic sociology, which treats networks and relationships between contractual parties as paramount; representatives of new institutional economics who discuss law as well as private governance institutions as most efficient responses to risk; comparative economic sociologists who point to the varieties of legal cultures in the social organisation of trust; and national and international institutions such as the World Bank which try to promote legal certainty in the economy. The purpose of the volume is to build on this interdisciplinary exercise by adding empirical evidence to ongoing debates regarding enabling structures for international business, and by critically reviewing and discussing some of the propositions in the literature which contain interesting hypotheses on the effects of the internationalization of markets on market co-ordination institutions and on the role of the state in the globalising economy.

EMOTIONS, CRIME AND JUSTICE

Bloomsbury Publishing The return of emotions to debates about crime and criminal justice has been a striking development of recent decades across many jurisdictions. This has been registered in the return of shame to justice procedures, a heightened focus on victims and their emotional needs, fear of crime as a major preoccupation of citizens and politicians, and highly emotionalised public discourses on crime and justice. But how can we best make sense of these developments? Do we need to create "emotionally intelligent" justice systems, or are we messing recklessly with the rational foundations of liberal criminal justice? This volume brings together leading criminologists and sociologists from across the world in a much needed conversation about how to re-calibrate reason and emotion in crime and justice today. The contributions range from the micro-analysis of emotions in violent encounters to the paradoxes and tensions that arise from the emotionalisation of criminal justice in the public sphere. They explore the emotional labour of workers in police and penal institutions, the justice experiences of victims and offenders, and the role of vengeance, forgiveness and regret in the aftermath of violence and conflict resolution. The result is a set of original essays which offer a fresh and timely perspective on problems of crime and justice in contemporary liberal democracies.

RESEARCH HANDBOOK ON THE SOCIOLOGY OF LAW

Edward Elgar Publishing This unique Research Handbook maps the historical, theoretical, and methodological concepts in sociology of law, exploring the rich and complex nature of this area of research. It argues that sociology of law flourishes due to its strong capacity for interdisciplinary engagement and links to other scientific concepts, methodologies and research fields.

CRIMINOLOGICAL AND LEGAL CONSEQUENCES OF CLIMATE CHANGE

Bloomsbury Publishing This edited collection, the result of an international seminar held at the International Institute for the Sociology of Law, Oñati, Spain in 2010, explores the potential legal and criminological consequences of climate change, both domestically and for the international community. A novel feature of the book is the consideration given to the potential synergies between the two disciplinary foci, thus to encourage among legal scholars and criminologists not only an analysis of the consequences of climate change from these perspectives but to bring these fields together to provide a unique, inter-disciplinary exploration of the ways in which climate change does, or could, impact on our societies. Such an inter-disciplinary approach is necessary given that climate change is a multifaceted phenomenon and one which is intimately linked across disciplines. To study this topic from the point of view of a single social science discipline restricts our understanding of the societal consequences of climate change. It is hoped that this edited collection will identify emerging areas of concern, illuminate areas for further research and, most of all, encourage future academic discussion on this most critical of issues.

CONSTITUTIONAL POLITICS IN THE MIDDLE EAST

WITH SPECIAL REFERENCE TO TURKEY, IRAQ, IRAN, AND AFGHANISTAN

This book is the first comparative and interdisciplinary study of constitutional politics and constitution-making in the Middle East. The historical background and setting are fully explored in two substantial essays by Linda Darling and Saïd Amir Arjomand, placing the contemporary experience in the contexts, respectively, of the ancient Middle Eastern legal and political tradition and of the nineteenth and twentieth century legal codification and political modernization. These are followed by Ann Mayer's general analysis of the treatment of human rights in relation to Islam in Middle Eastern.

THE LEGACIES OF INSTITUTIONALISATION

DISABILITY, LAW AND POLICY IN THE 'DEINSTITUTIONALISED' COMMUNITY

Bloomsbury Publishing This is the first collection to examine the legal dynamics of deinstitutionalisation. It considers the extent to which some contemporary laws, policies and practices affecting people with disabilities are moving towards the promised end point of enhanced social and political participation in the community, while others may instead reinstate, continue or legitimate historical practices associated with this population's institutionalisation. Bringing together 20 contributors from the UK, Canada, Australia, Spain and Indonesia, the book speaks to overarching themes of segregation and inequality, interlocking forms of oppression and rights-based advancements in law, policy and practice. Ultimately this collection brings forth the possibilities, limits and contradictions in the roles of law and policy

in processes of institutionalisation and deinstitutionalisation, and directs us towards a more nuanced and sustained scholarly and political engagement with these issues.

RIGHTS AND COURTS IN PURSUIT OF SOCIAL CHANGE

LEGAL MOBILISATION IN THE MULTI-LEVEL EUROPEAN SYSTEM

Bloomsbury Publishing Over the past few decades, European countries have witnessed a proliferation of legal norms concerning marginalised individuals and minorities who increasingly invoke them in front of courts to assert their rights and claim protection. The present volume explores the relationship between law, rights and social mobilisation in Europe. It specifically enquires into the extent and ways in which legal processes and entitlements are mobilised by less privileged social actors to advance their rights claims and pursue social change. Most distinctly, it explores such processes in the context of the multi-level European system, characterised by the existence of multiple legal and judicial arenas at the national, subnational and supranational/transnational level. In such a complex system of law and governance in Europe, concepts like legal opportunity structures, as well as the factors shaping them need to be reconceptualised. How does the multi-level European context distinctly shape the nature and salience of rights, as well as their mobilisation by individuals and minority actors?

CRIMINAL POLICY IN TRANSITION

Hart Publishing This book takes a much needed "global" perspective and presents important new insights into changing penal policy and practice.

FUNDAMENTAL RIGHTS AND LEGAL CONSEQUENCES OF CRIMINAL CONVICTION

Bloomsbury Publishing The legal position of convicted offenders is complex, as are the social consequences that can result from a criminal conviction. After they have served their sentences, custodial or not, convicted offenders often continue to be subject to numerous restrictions, in many cases indefinitely, due to their criminal conviction. In short, criminal convictions can have adverse legal consequences that may affect convicted offenders in several aspects of their lives. In turn, these legal consequences can have broader social consequences. Legal consequences are often not formally part of the criminal law, but are regulated by different areas of law, such as administrative law, constitutional law, labour law, civil law, and immigration law. For this reason, they are often obscured from judges as well as from defendants and their legal representatives in the courtroom. The breadth, severity and longevity and often hidden nature of these restrictions raises the question of whether offenders' fundamental rights are sufficiently protected. This book explores the nature and extent of the legal consequences of criminal convictions in Europe, Australia and the USA. It addresses the following questions: What legal consequences can a criminal conviction have? How do these consequences affect convicted offenders? And how can and should these consequences be limited by law?

HUMAN RIGHTS ENCOUNTER LEGAL PLURALISM

NORMATIVE AND EMPIRICAL APPROACHES

Bloomsbury Publishing This collection of essays interrogates how human rights law and practice acquire meaning in relation to legal pluralism, ie, the co-existence of more than one regulatory order in a same social field. As a social phenomenon, legal pluralism exists in all societies. As a legal construction, it is characteristic of particular regions, such as post-colonial contexts. Drawing on experiences from Latin America, Sub-Saharan Africa and Europe, the contributions in this volume analyse how different configurations of legal pluralism interplay with the legal and the social life of human rights. At the same time, they enquire into how human rights law and practice influence interactions that are subject to regulation by more than one normative regime. Aware of numerous misunderstandings and of the mutual suspicion that tends to exist between human rights scholars and anthropologists, the volume includes contributions from experts in both disciplines and intends to build bridges between normative and empirical theory.

LATIN AMERICAN LAWYERS

A HISTORICAL INTRODUCTION

Stanford University Press This book is the first comprehensive history of the intellectual training and social placement of lawyers in Latin America. Pérez-Perdomo examines the Roman legal roots of the Latin American tradition and traces the development of legal education and practice in Latin America from the 16th century to the present. The main themes in the book are the relationship between lawyers and power, the place of lawyers in social stratification, the role of law and lawyers in building nations and maintaining elite power, the role of law schools, and the main intellectual trends in legal thought.

EUROPEAN WAYS OF LAW

TOWARDS A EUROPEAN SOCIOLOGY OF LAW

Hart Publishing Can there be such a thing as a European sociology of law? The uncertainties which arise when attempting to answer that straightforward question are the subject of this book, which also overlaps into comparative law, legal history, and legal philosophy. The richness of approaches reflected in the essays (including comparisons with the US)

makes this volume a courageous attempt to show the present state of socio- legal studies in Europe and map directions for its future development. Certainly we already know something about the existence of differences in the use and meaning of law within and between the nation states and groups that make up the European Union. They concern the role of judges and lawyers, the use of courts, patterns of delay, contrasts in penal 'sensibilities', or the meanings of underlying legal and social concepts. Still, similarities in 'legal culture' are at least as remarkable in societies at roughly similar levels of political and economic development. The volume should serve as a needed stimulus to a research agenda aimed at uncovering commonalities and divergences in European ways of approaching the law.

SUPPORTING LEGAL CAPACITY IN SOCIO-LEGAL CONTEXT

Bloomsbury Publishing This collection brings together leading international socio-legal and medico-legal scholars to explore the dilemma of how to support legal capacity in theory and practice. Traditionally, decisions for persons found to lack capacity are made by others, generally without reference to the person, and this applies especially to those with cognitive and psycho-social disabilities. This book examines the difficulties in establishing effective and deliverable supported decision-making, concluding that approaches to capacity need to be informed by a grounded understanding of how it operates in 'real life' contexts. The book focuses on the UN Convention on the Rights of Persons with Disabilities (CRPD), which recognises the equal right to legal capacity of people with disabilities and requires States Parties to provide support for the exercise of this right. However, 10 years after the CRPD came into force, the shift to legal frameworks for supported decision-making remains at best only partial. With 16 chapters written by contributors from the UK, Canada, Finland, India, Ireland, Spain, Sweden, and Turkey, the collection takes a comparative and interdisciplinary approach. Many of the contributors have been directly involved in law reform processes in their home jurisdictions, and thus can combine both academic expertise and practical, grounded awareness of the challenges of legal change.

CRIMINOLOGIES OF THE MILITARY

MILITARISM, NATIONAL SECURITY AND JUSTICE

Bloomsbury Publishing This innovative collection offers one of the first analyses of criminologies of the military from an interdisciplinary perspective. While some criminologists have examined the military in relation to the area of war crimes, this collection considers a range of other important but less explored aspects such as private military actors, insurgents, paramilitary groups and the role of military forces in tackling transnational crime. Drawing upon insights from criminology, this book's editors also consider the ways the military institution harbours criminal activity within its ranks and deals with prisoners of war. The contributions, by leading experts in the field, have a broad reach and take a truly global approach to the subject.