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Social Power & Legal Culture

Litigation Masters in Late Imperial China

Social Power And Legal Culture

JS Bruner

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Social Power and Legal Culture Melissa Ann Macauley, 1998 Asserting that litigation in late imperial China was a form of documentary warfare this book offers a social analysis of the men who composed legal documents Litigation masters emerge as central players in many of the most scandalous cases in 18th and 19th century China Social power and legal culture ,2000 Law, Legal Culture and Society Alberto Febbrajo, 2018-07-04 This volume addresses the pluralistic identity of the legal order It argues that the mutual reflexivity of the different ways society perceives law and law perceives society eclipses the unique formal identity of written law It advances a distinctive approach to the plural ways in which legal cultures work in a modern society through the metaphor of the mirror As a mirror of society it distinguishes between the structure and function of legal culture within the legal system and the external representation of law in society This duality is further problematized in relation to the increasing transnationalisation of law Based on a multi level interpretation of the concept of legal culture the work is divided into three parts the first addresses the mutual reflections of social and legal norms that support a pluralist representation of internal legal cultures the second concentrates on the external legal cultures that constantly enable pragmatic adjustments of the legal order to its social environment and the third concludes the book with a theoretical discussion of the issues presented Comparing Legal Cultures David Nelken, 2017-03-02 This volume cross examines mainstream approaches to studying legal culture e g those of Friedman and Blankenburg It includes debates over the concept of legal culture and a variety of case studies of different legal cultures

Cultures of Legality Javier Couso, Alexandra Huneeus, Rachel Sieder, 2010-04-30 Ideas about law are undergoing dramatic change in Latin America The consolidation of democracy as the predominant form of government and the proliferation of transnational legal instruments have ushered in an era of new legal conceptions and practices Law has become a core focus of political movements and policy making This volume explores the changing legal ideas and practices that accompany cause and are a consequence of the judicialization of politics in Latin America It is the product of a three year international research effort sponsored by the Law and Society Association the Latin American Studies Association and the Ford Foundation that gathered leading and emerging scholars of Latin American courts from across disciplines and across continents Constitutionalism versus legalism? Eugene E. Dais, Stig Jørgensen, Alice Erh-Soon Tay, 1991 Content Sprache Recht und Rechtsverbindlichkeit R Fukawa An Analysis of the aeRules of Recognition Statement u W Krawietz What does it mean to follow an aeInstitutionalised Legal Rule u N MacCormick Citizens Legal Reasoning and its Importance for Jurisprudence u Y Morigiwa Hart s Theories of Language and Law u R Tuomela Supervenience Collective Action and Kelsen s Organ Theory uRecht und politische Kultur G Haney Recht als Form von Kultur u A Kojder Dysfunctionalities of Legal Cultur u A Lopatka Law and Religion in Poland u M Samu Culture and Law Legal Culture uWerteordnung als ideologische Basis des Rechtsstaats R Dreier Konstitutionalismus und Legalismus u O Maenpaa Unilaterality and Consensualism in the Application

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Republican Beijing Daniel Asen examines the process through which imperial China's tradition of forensic science came to serve the needs of a changing state and society under dramatically new circumstances **Land of Strangers** Eric Schluessel, 2020-10-20 At the close of the nineteenth century near the end of the Oing empire Confucian revivalists from central China gained control of the Muslim majority region of Xinjiang or East Turkestan There they undertook a program to transform Turkic speaking Muslims into Chinese speaking Confucians seeking to bind this population and their homeland to the Chinese cultural and political realm Instead of assimilation divisions between communities only deepened resulting in a profound estrangement that continues to this day In Land of Strangers Eric Schluessel explores this encounter between Chinese power and a Muslim society through the struggles of ordinary people in the oasis of Turpan He follows the stories of families divided by war women desperate to survive children unsure where they belong and many others to reveal the human consequences of a bloody conflict and the more insidious violence of reconstruction Schluessel traces the emergence of new struggles around essential questions of identity showing how religious and linguistic differences converged into ethnic labels Reading across local archives and manuscript accounts in the Chinese and Chaghatay languages he recasts the attempted transformation of Xinjiang as a distinctly Chinese form of colonialism At a time when understanding the roots of the modern relationship between Uyghurs and China has taken on new urgency Land of Strangers illuminates a crucial moment of social and cultural change in this dark period of Xinjiang s past The Ideological Foundations of Qing Taxation Taisu Zhang, 2023-02-09 This survey of the fiscal history of China's last imperial dynasty explains why its ability to tax was unusually weak It argues that the answer lies in the internal ideological worldviews of the political elite rather than in external political or economic constraints Forgery and Impersonation in Imperial China Mark McNicholas, 2016-03-29 Across eighteenth century China a wide range of common people forged government documents or pretended to be officials or other agents of the state This examination of case records and law codes traces the legal meanings and social and political contexts of small time swindles that were punished as grave political transgressions Adapting Legal Cultures David Nelken, Johannes Feest, 2001-11-07 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 Amercia 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 The Development of Islamic Law and Society in the Maghrib David S. Powers, 2022-02-13 The first eleven essays in this collection treat the application of Islamic law in gadi courts in the Maghrib in the period between 1100 and 1500 CE Based on preserved legal documents and the expert opinions of Muslim jurists Muftis the essays examine family law cases involving legal minority guardianship divorce inheritance bequests and endowments Cumulatively the cases bear witness to the effectiveness and efficiency of the Islamic judicial system in this period Contrary to popular perceptions the cases demonstrate that Muslim jurists placed a high value on reasoned thought and were sensitive to the manner in which law society and culture interacted with and shaped each other The final essay shows how the treatment of family endowments by colonial regimes in Algeria and India at the end of the 19th and beginning of the 20th centuries shaped or misshaped the modern western scholarly understanding of Islamic law Women, Land and Justice in Tanzania Helen Dancer, 2015 Recent decades have seen a wave of land law reforms across Africa in the context of a land rush and land grabbing But how has this been enacted on the ground and in particular how have women experienced this This book seeks to re orientate current debates on women s land rights towards a focus on the law in action Centring on cases involving women litigants the book considers the extent to which women are realising their interests in land through land courts and follows the progression of women's claims to land from their social origins through processes of dispute resolution to judgment Unedited summary from book cover Social Psychological Approaches to Responsibility and Justice V. Lee Hamilton, 1992 **Human Rights Redefining Legal Thought** Juhana Mikael Salojärvi, 2019-10-05 This book investigates the origins and development of human rights discourse in Finnish legal scholarship in the twentieth century It provides a detailed account of how human rights were understood before they had legal relevance in a positivist sense how they were adapted to Finnish legal thinking in the post Second World War decades how they developed into a mode of legal rhetoric and a type of legal argument during the 1970s and 1980s and how they eventually became a significant paradigm in legal thinking in the 1990s The book also demonstrates how rights discourse infiltrated the discussion regarding problems that were previously addressed in arguments concerning morals social justice and equity Although the book focuses on the history of Finnish legal scholarship it is also interesting from a global perspective for two reasons Firstly it demonstrates how an idea of international law is transplanted and diffused into national legal thinking Finland is an illustrative example in this regard Secondly it offers insights into the general history of human rights **Disgraceful Matters** Janet Theiss, 2005-01-10 Looking beyond the familiar trappings of the cult of female chastity such as hagiographies of widows and chastity shrines in late imperial China this book explores the cult's political significance and practical ramifications in everyday life during the eighteenth century In the first full length study of the subject Janet Theiss examines a vast number of laws legal cases regulations and policies to illustrate the social and political processes through which female virtue was defined enforced and contested Along the way she provides rich details of social life and cultural practices among ordinary Chinese people through narratives of criminal cases of sexual assault harassment adultery and domestic violence

Comparative Law Mathias Reimann, Reinhard Zimmermann, 2019-03-26 This fully revised and updated second edition of The Oxford Handbook of Comparative Law provides a wide ranging and diverse critical survey of comparative law at the beginning of the twenty first century It summarizes and evaluates a discipline that is time honoured but not easily understood in all its dimensions In the current era of globalization this discipline is more relevant than ever both on the academic and on the practical level The Handbook is divided into three main sections Section I surveys how comparative law has developed and where it stands today in various parts of the world This includes not only traditional model jurisdictions such as France Germany and the United States but also other regions like Eastern Europe East Asia and Latin America Section II then discusses the major approaches to comparative law its methods goals and its relationship with other fields such as legal history economics and linguistics Finally section III deals with the status of comparative studies in over a dozen subject matter areas including the major categories of private economic public and criminal law The Handbook contains forty eight chapters written by experts from around the world The aim of each chapter is to provide an accessible original and critical account of the current state of comparative law in its respective area which will help to shape the agenda in the years to come Each chapter also includes a short bibliography referencing the definitive works in the field

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