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# Social Courts in Theory and Practice

*Yugoslav Workers' Courts in Comparative Perspective*

Robert M. Hayden

# Social Courts In Theory And Practice

**Michael Bryan**



## **Social Courts In Theory And Practice:**

Social Courts in Theory and Practice Robert M. Hayden, 2016-11-11 This ethnographic study of a socialist labor court discusses the nature of social courts which are judicial institutions staffed by lay people rather than lawyers *The East German Social Courts* Peter W. Sperlich, 2007-03-30 An interesting read for professional jurists court administrators and scholars concerned with lay adjudication or East German legal institutions this book provides an account of the social courts of the German Democratic Republic GDR Although the East German system was corrupt and oppressive the social courts were an innovative and successful experiment Rooted in Marxist Leninist legal doctrine these courts handled thousands of minor civil disputes and petty criminal offenses each year The judges and jurists who worked at these courts were lay people and did not receive an pay for their services This book delves into the history of the social courts and their success with both the government and the citizens of East Germany It also presents the courts as an instructive example of an inexpensive speedy and popular legal institution that should be studied by today s court systems The social courts of the GDR had a wide range of primary and auxiliary functions Some of these functions were to relieve the state courts of the need to deal with a variety or minor civil and criminal cases give ordinary citizens an important role to play in the administration of justice raise the citizens legal knowledge and consciousness and tie citizens more closely to the regime through participatory acts Offering both commendations and criticisms of the social courts this book seeks to provide a record of the structures functions interactions decisions and personnel of the social courts along with a comparative analysis to other legal systems such as those of the United States of America The Theory and Practice of Communism in 1971 United States. Congress. House. Committee on Internal Security, 1971 **Theory and Practice of Communism in 1971, Part 1-A, Hearings Before the ...** United States. Congress. House. Internal Security, 1971 *East Germany in Comparative Perspective* Thomas A. Baylis, Dr David Childs, Erwin L. Collier, Marilyn Rueschemeyer, 2002-09-11 As a new decade begins the popular demand for change has meant that the social and political fabric of the the Eastern Bloc countries has been irrevocably altered This book offers a comprehensive analysis of the key political economic and social areas of East German society such as the military and the church areas which will intrinsically involved with the movement for change *Chinese Contract Law - Theory & Practice, Second Edition* Mo Zhang, 2019-12-16 Chinese Contract Law 2nd Ed offers an in depth analysis of the contract making process performance and remedies in the legal framework established under the current regulatory scheme governing contracts in China The book discusses various contract issues from theoretic and practical viewpoints and addresses major contractual matters in a comparative way It examines the law of contracts as drafted interpreted and applied with Chinese characteristics The second edition comprises the latest developments in contract legislation adjudication and practices in China including the newly adopted laws judicial interpretations and guiding cases It emphasizes contextual distinctions and transactional considerations relevant to contract research and practice The book provides a

meaningful tool to get inside the contemporary contract law of China

**International Intervention and the Problem of Legitimacy** Andrew C. Gilbert, 2020-08-15 In *International Intervention and the Problem of Legitimacy* Andrew C Gilbert argues for an ethnographic analysis of international intervention as a series of encounters focusing on the relations of difference and inequality and the question of legitimacy that permeate such encounters He discusses the transformations that happen in everyday engagements between intervention agents and their target populations and also identifies key instabilities that emerge out of such engagements Gilbert highlights the struggles entanglements and inter dependencies between and among foreign agents and the people of Bosnia Herzegovina that channel and shape intervention and how it unfolds Drawing upon nearly two years of fieldwork studying in postwar Bosnia and Herzegovina Gilbert s probing analysis identifies previously overlooked sites processes and effects of international intervention and suggests new comparative opportunities for the study of transnational action that seeks to save and secure human lives and improve the human condition Above all *International Intervention and the Problem of Legitimacy* foregrounds and analyzes the open ended innovative and unpredictable nature of international intervention that is usually omitted from the ordered representations of the technocratic vision and the confident assertions of many critiques

**Social and Economic Rights in Theory and Practice** Helena Alviar García, Karl Klare, Lucy A. Williams, 2014-09-19 Since World War II a growing number of jurisdictions in both the developing and industrialized worlds have adopted progressive constitutions that guarantee social and economic rights SER in addition to political and civil rights Parallel developments have occurred at transnational level with the adoption of treaties that commit signatory states to respect and fulfil SER for their peoples This book is a product of the International Social and Economic Rights Project iSERP a global consortium of judges lawyers human rights advocates and legal academics who critically examine the effectiveness of SER law in promoting real change in people s lives The book addresses a range of practical political and legal questions under these headings with acute sensitivity to the racial cultural and gender implications of SER and the path breaking SER jurisprudence now emerging in the Global South The book brings together internationally renowned experts in the field of social and economic rights to discuss a range of rights controversies from both theoretical and practical perspectives Contributors of the book consider specific issues in the litigation and adjudication of SER cases from the differing standpoints of activists lawyers and adjudicators in order to identify and address the specific challenges facing the SER community This book will be of great use and interest to students and scholars of comparative constitutional law human rights public international law development studies and democratic political theory

Law Books Published , 1992

**Comparing the Prospective Effect of Judicial Rulings Across Jurisdictions** Eva Steiner, 2015-05-05 This work deals with the temporal effect of judicial decisions and more specifically with the hardship caused by the retroactive operation of overruling decisions By means of a jurisprudential and comparative analysis the book explores several issues created by the overruling of earlier decisions Overruling of earlier decisions when it occurs operates

retrospectively with the effect that it infringes the principle of legal certainty through upsetting any previous arrangements made by a party to a case under long standing precedents established previously by the courts On this account in the recent past a number of jurisdictions have had to deal with the prospect of introducing in their own systems the well established US practice of prospective overruling whereby the court may announce in advance that it will change the relevant rule or interpretation of the rule but only for future cases However adopting prospective overruling raises a series of issues mainly related to the constitutional limits of the judicial function coupled by the practical difficulties attendant upon such a practice This book answers a number of the questions raised by this practice It makes use of the great reservoir of foreign legal experience that furnishes theoretical and practical ideas from which national judges may draw their knowledge and inspiration in order to be able to advise a rational method of dealing with time when they give their decisions

**Private Law in Theory and Practice** Michael Bryan, 2007-03-12 Private Law in Theory and Practice explores important theoretical issues in tort law the law of contract and the law of unjust enrichment and relates the theory to judicial decision making in these areas of private law Topics covered include the politics and philosophy of tort law reform the role of good faith in contract law comparative perspectives on setting aside contracts for mistake and the theory and practice of proprietary remedies in the law of unjust enrichment Contributors to the book bring a variety of theoretical approaches to bear on the analysis of private law They include economic analysis corrective justice theory comparative analysis of law socio legal inquiry social history political theory as well as doctrinal analysis of the law In all cases the theoretical approaches are applied to recent case law developments in England Australia and Canada or in the case of tort law proposals in all these jurisdictions to reform the law The book presents the theory of private law and the application of theory to practical legal problems in an accessible form to teachers and students of tort contract and the law of unjust enrichment legal researchers and law reformers

Plea Bargaining in National and International Law Regina Rauxloh, 2012 The book sets out in depth studies of consensual case dispositions in the UK examining how plea bargaining has developed and spread in England and Wales It also goes on to discuss in detail the problems that this practise poses for the rule of law by avoiding procedural safe guards The book draws on empirical research in its examination of the absence of informal settlements in the former GDR offering a unique insight into criminal procedure in a socialist legal system that has been little studied

Trends in the Judiciary Dilip K. Das, Cliff Roberson, 2013-12-16 U S Supreme Court justices are studied publicly but scant attention is generally paid to the judges who function daily in other courts of the world Trends in the Judiciary Interviews with Judges Across the Globe assembles a collection of interviews conducted by international scholars and researchers It provides an insider's perspective of how

The End of Family Court Jane M. Spinak, 2025-08-05 Explores the failures of family court and calls for immediate and permanent change At the turn of the twentieth century American social reformers created the first juvenile court They imagined a therapeutic court where informality specially trained public servants and a kindly all knowing

judge would assist children and families But the dream of a benevolent means of judicial problem solving was never realized A century later children and families continue to be failed by this deeply flawed court The End of Family Court rejects the foundational premise that family court can do good when intervening in family life and challenges its endless reinvention to survive Jane M Spinak illustrates how the procedures and policies of modern family court are deeply entwined in a heritage of racism a profound disdain for poverty and assimilationist norms intent on fixing children and families who are different And the court s interventionist goals remain steeped in an approach to equity and well being that demands individual rather than collective responsibility for the security and welfare of families Spinak proposes concrete steps toward abolishing the court shifting most family supports out of the court s sphere vastly reducing the types and number of matters that need court intervention and ensuring that any case that requires legal adjudication has the due process protections of a court of law She calls for strategies that center trusting and respecting the abilities of communities to create and sustain meaningful solutions for families An abolitionist approach in turn celebrates a radical imagination that embraces and supports all families in a fair and equal economic and political democracy

**The Legal Studies Forum** ,1997 *Rotten Foundations* Peter W. Sperlich,2002-11-30 Sperlich examines the ideological foundations of the socialist regime of the former German Democratic Republic He provides a detailed analysis of the nature of the GDR s legitimating ideology and of the reasons why the ideology ultimately failed to legitimate the regime The study uses primary source documents extensively as well as the little existing secondary literature This is part of Sperlich s larger project dealing with the government society economy political participation and administration of the law and the system of courts of the GDR This definitive treatment of the GDR provides the background essential to an understanding of all communist systems of the twentieth century As such it is vital reading for scholars students and other researchers seeking to understand the rise and ultimate collapse of communist systems and in particular the decline of the German Democratic Republic

**Recent Acquisitions** Ohio State University. College of Law. Library,1991 Drug Court Justice Kevin Whiteacre,2008 This book is an exploratory study of a juvenile drug treatment court in the Midwest Based on observations and interviews the author conducted while serving as the contracted program evaluator the book investigates how denial surveillance coercion accountability and definitions of success operate and interact in the Juvenile Drug Court environment and intertwine with institutional needs and authority structures The book s findings suggest that some drug court practices may expose participants to potential harms that until now have been largely ignored in studies of drug courts Drug Court Justice concludes with suggestions for reducing the potential harms of juvenile drug courts

**Sociological Abstracts** Leo P. Chall,1993 CSA Sociological Abstracts abstracts and indexes the international literature in sociology and related disciplines in the social and behavioral sciences The database provides abstracts of journal articles and citations to book reviews drawn from over 1 800 serials publications and also provides abstracts of books book chapters dissertations and conference papers

**Choice** ,1990

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## **Table of Contents Social Courts In Theory And Practice**

1. Understanding the eBook Social Courts In Theory And Practice
  - The Rise of Digital Reading Social Courts In Theory And Practice
  - Advantages of eBooks Over Traditional Books
2. Identifying Social Courts In Theory And Practice
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Social Courts In Theory And Practice
  - User-Friendly Interface
4. Exploring eBook Recommendations from Social Courts In Theory And Practice
  - Personalized Recommendations
  - Social Courts In Theory And Practice User Reviews and Ratings
  - Social Courts In Theory And Practice and Bestseller Lists
5. Accessing Social Courts In Theory And Practice Free and Paid eBooks
  - Social Courts In Theory And Practice Public Domain eBooks
  - Social Courts In Theory And Practice eBook Subscription Services
  - Social Courts In Theory And Practice Budget-Friendly Options
6. Navigating Social Courts In Theory And Practice eBook Formats

- ePub, PDF, MOBI, and More
- Social Courts In Theory And Practice Compatibility with Devices
- Social Courts In Theory And Practice Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Social Courts In Theory And Practice
  - Highlighting and Note-Taking Social Courts In Theory And Practice
  - Interactive Elements Social Courts In Theory And Practice
- 8. Staying Engaged with Social Courts In Theory And Practice
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Social Courts In Theory And Practice
- 9. Balancing eBooks and Physical Books Social Courts In Theory And Practice
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Social Courts In Theory And Practice
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Social Courts In Theory And Practice
  - Setting Reading Goals Social Courts In Theory And Practice
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Social Courts In Theory And Practice
  - Fact-Checking eBook Content of Social Courts In Theory And Practice
  - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
- 14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks



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