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SOCIOLOGICAL INQUIRY AND LEGAL PHENOMENA



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Sociological Inquiry And Legal Phenomena

Brian Z. Tamanaha



Sociological Inquiry And Legal Phenomena:

Sociological Inquiry and Legal Phenomena Clive Grace, Philip Wilkinson, 1978 *Law In The Sociological Enterprise* Lisa J. McIntyre, 2019-03-11 Few would dispute the notion that law has a tremendous impact on modern life But social scientists who study the dynamics of family work and other important social institutions often ignore the pervasive influence of law This introduction to the legal world and the sociology of law shows how social scientists can better account for the influences of legal issues in a wide range of social settings Incorporating historical and cross cultural research into her book Lisa J McIntyre explains the general effects of law on interpersonal relations the concept of the civil contract and the relationship between law and social norms She discusses why some societies and domains within societies have more law than others and shows that contrary to popular wisdom law is not only a reflection of social values but also fundamental to the formation of those values

Understanding Law in Micronesia Brian Z. Tamanaha, 2024-01-08 This book examines law in Micronesia from a novel perspective It draws upon several branches of interpretive analysis including mundane phenomenology symbolic interaction and cultural hermeneutics to construct a comprehensive approach to transplanted systems of state law Rather than the usual focus on legal norms and institutions this approach directs attention to the law related meaningful actions and understandings of legal actors and of non legal actors Application of this approach results in insights about law in Micronesia as well as about law itself and about the ideology of law A wide range of subjects are addressed from the nature of legal thinking to the autonomy of law It is a work in legal theory grounded in psychological sociological and anthropological observations and analysis

Law and Society in England Bob Roshier, Harvey Teff, 2013-07-04 Tavistock Press was established as a co operative venture between the Tavistock Institute and Routledge Kegan Paul RKP in the 1950s to produce a series of major contributions across the social sciences This volume is part of a 2001 reissue of a selection of those important works which have since gone out of print or are difficult to locate Published by Routledge 112 volumes in total are being brought together under the name The International Behavioural and Social Sciences Library Classics from the Tavistock Press Reproduced here in facsimile this volume was originally published in 1980 and is available individually The collection is also available in a number of themed mini sets of between 5 and 13 volumes or as a complete collection

The Institutions of Private Law and Their Social Functions Eli Ginzberg, Karl Renner, 2017-07-12 In the English speaking world Karl Renner is by far the best known among the Austro Marxists who were active in the Austrian socialist movement during the first few decades of the twentieth century Recognition of Renner s scholarship is due largely to the English translations of his works on Marxism as well as to the secondary writings on his notions of socialist legality and national cultural autonomy Renner has for over half a century been celebrated for the only book of his that has to date been wholly translated into English It remains the classic socialist attempt to offer a realistic understanding of the role of the legal institution of private property in modern society The Institutions of Private Law and

Their Social Functions In his introduction to this edition A Javier Trevii 1 2o discusses the volume s relevance for today and briefly describes that aspect of Renner s life that occupied most of this time and energy his involvement in Austrian social democratic politics The substance of Renner s exposition remains intact The text provides one of the best insights into the relationship between capitalism and property s economic functions It emphasizes how this fundamental institution s application has since the initial stage of finance capitalism increased or diminished been externally transformed or inherently metamorphosed In an age of unprecedented global financial crisis emerging market countries and increased government regulation Trevii 1 2o suggests we would do well to heed the book s message It might help us understand the complex situations we encounter today as we grapple with our hybrid identities as salaried workers and economic investors

Law in Action Max Travers, John F. Manzo, 2016-12-05 Ethnomethodologists and Conversation Analysts have always been interested in the study of law and legal institutions and there is now a large body of empirical studies representing a range of analytic traditions in each field This collection introduces this literature and the research questions pursued by ethnomethodologists and conversation analysts in an accessible form to a general audience in the inter disciplinary field of law and society studies

Law, Culture and Society Roger Cotterrell, 2017-10-03 This book presents a distinctive approach to the study of law in society focusing on the sociological interpretation of legal ideas It surveys the development of connections between legal studies and social theory and locates its approach in relation to sociolegal studies on the one hand and legal philosophy on the other It is suggested that the concept of law must be re considered Law has to be seen today not just as the law of the nation state or international law that links nation states but also as transnational law in many forms A legal pluralist approach is not just a matter of redefining law in legal theory it also recognizes that law s authority comes from a plurality of diverse sometimes conflicting social sources The book suggests that the social environment in which law operates must also be rethought with many implications for comparative legal studies The nature and boundaries of culture become important problems while the concept of multiculturalism points to the cultural diversity of populations and to problems of fragmentation or perhaps to new kinds of unity of the social Theories of globalization raise a host of issues about the integrity of societies and about the need to understand social networks and forces that extend beyond the political societies of nation states Through a range of specific studies closely interrelated and building on each other the book seeks to integrate the sociology of law with other kinds of legal analysis and engages directly with current juristic debates in legal theory and comparative law

Muslim Laws, Politics and Society in Modern Nation States Ihsan Yilmaz, 2016-12-05 Drawing on theories of legal pluralism this book tests whether and to what extent claims of the modern nation state laws to exclusive dominance over other spheres are tenable and reassesses the operation of law in society Incorporating a combination of legal theory post modern critique and socio legal analysis of three current jurisdictions in which Muslims play an important role the volume identifies Muslims current socio legal situation and attitudes from different perspectives and

reconciles them with modern legal systems in three key countries It analyzes the conflict between the assumptions of modern legal systems and plural legal realities and also examines attempts by modern legal systems to impose official laws in the face of resistance from unofficial Muslim laws and discusses possible responses to the challenge of dynamic Muslim legal pluralism A valuable resource for students researchers and academics with an interest in the areas of Islamic law and politics and the interplay between secular law and religious cultural traditions Journal of the Statistical and Social Inquiry

Society of Ireland Statistical and Social Inquiry Society of Ireland,1876 Covers 8th session *Discourse Of Law* S. C.

Humphreys,2022-10-30 First Published in 1985 This Volume I Part 2 of the History and Anthropology series and focuses as Law as a discourse including essays on disputes of locals in Eastern Brittany on the ninth century a British Indian dilemma when looking at property law law enforcement in eighteenth century England Islamic Law in the Medieval Middle East and its social contest and silent law in context of the slaves in nineteenth century Brazil **Legal Theory and the Social**

Sciences Maksymilian Del Mar,Michael Giudice,2017-07-05 Ever since H L A Hart s self description of The Concept of Law as an exercise in descriptive sociology contemporary legal theorists have been debating the relationship between legal theory and sociology and between legal theory and social science more generally There have been some who have insisted on a clear divide between legal theory and the social sciences citing fundamental methodological differences Others have attempted to bridge gaps revealing common challenges and similar objects of inquiry Collecting the work of authors such as Martin Krygier David Nelken Brian Tamanaha Lewis Kornhauser Gunther Teubner and Nicola Lacey this volume the second in a three volume series provides an overview of the major developments in the last thirty years The volume is divided into three sections each discussing an aspect of the relationship of legal theory and the social sciences 1 methodological disputes and collaboration 2 common problems especially as they concern different modes of explanation of social behaviour and 3 common objects including most prominently the study of language in its social context and normative pluralism

Vocabularies of Public Life Robert Wuthnow,2022-11-30 First published in 1992 Vocabularies of Public Life explores the revolution that has taken place in our understanding of contemporary culture and decodes a number of the symbols which now dominate public life Wuthnow divides the essays collected here into three distinct vocabularies Part I examines the ways in which religious and scientific languages function as vocabularies of conviction in public life Part II focuses on music and art as vocabularies of expression and Part III considers law ideology and public policy as vocabularies of persuasion The contributors discuss such diverse subjects as American spiritualism the syntax of modern dance and the social contexts of number one songs What unifies the book is the common concern with the concrete everyday manifestations of culture and the importance of understanding its basic structure This book will be of interest to specialists and scholars of various disciplines such as linguistics literature media studies popular culture and sociology **Comparative Matters** Ran Hirschl,2014-08-15 Comparative study has emerged as the new frontier of constitutional law scholarship as well as an

important aspect of constitutional adjudication Increasingly jurists scholars and constitution drafters worldwide are accepting that we are all comparativists now And yet despite this tremendous renaissance the comparative aspect of the enterprise as a method and a project remains under theorized and blurry Fundamental questions concerning the very meaning and purpose of comparative constitutional inquiry and how it is to be undertaken are seldom asked let alone answered In this path breaking book Ran Hirschl addresses this gap by charting the intellectual history and analytical underpinnings of comparative constitutional inquiry probing the various types aims and methodologies of engagement with the constitutive laws of others through the ages and exploring how and why comparative constitutional inquiry has been and ought to be pursued by academics and jurists worldwide Through an extensive exploration of comparative constitutional endeavours past and present near and far Hirschl shows how attitudes towards engagement with the constitutive laws of others reflect tensions between particularism and universalism as well as competing visions of who we are as a political community Drawing on insights from social theory religion history political science and public law Hirschl argues for an interdisciplinary approach to comparative constitutionalism that is methodologically and substantively preferable to merely doctrinal accounts The future of comparative constitutional studies he contends lies in relaxing the sharp divide between constitutional law and the social sciences Comparative Matters makes a unique and welcome contribution to the comparative study of constitutions and constitutionalism sharpening our understanding of the historical development political parameters epistemology and methodologies of one of the most intellectually vibrant areas in contemporary legal scholarship *The Sociology of Law* A. Javier Treviño, 2008 **Jurisprudence and Socio-Legal Studies** Roger Cotterrell, 2024-03-12 This book presents a set of related studies aimed at showing key points of intersection and common interest between jurisprudence and socio legal studies which are otherwise typically considered distinct fields It reflects and draws on the author's work in these areas over more than four decades The first half of the book explores theoretical issues surrounding the enterprise of socio legal research its current scope and its historical traditions Some chapters directly compare juristic theory and socio legal inquiry Chapters in Part II profile a selection of European jurists whose work offers important insights for socio legal inquiry Other chapters frame these studies explore the history of interactions between jurisprudence and socio legal research and show points of convergence between these fields that are increasingly important today A main aim of the book is to show the current urgency of linking and broadening juristic and social scientific interests in law Internationally oriented the book will be of interest to students and researchers in the areas of jurisprudence legal philosophy sociology of law socio legal studies and comparative law It is suitable as supplementary reading for courses in any of these subjects Inheritance Matters Suzanne Lenon, Daniel Monk, 2023-09-21 This book makes a compelling case for placing the social and legal practices of inheritance centre stage to make sense of fundamental questions of our time Drawing on historical literary sociological and legal analysis this rich collection of original interdisciplinary and international contributions

demonstrates how inheritance is and has always been about far more than the set of legal processes for the distribution of wealth and property upon death The contributions range from exploring the intractable tensions underlying family disputes and the legal and political debates about taxation to revisiting literary plots in the past and presenting a contemporary artistic challenge of heirship With an introduction that presents a critical mapping of the field of inheritance studies this collection reveals the complexity of ideas about passing on legacies and heirlooms troubles some of the enduring consequences of charitable bequests family money and estate planning and deepens our understanding of the intimate and political practices of inheritance

Law and Society James J. Chriss, 2019-07-23 This text introduces students to the study of law from a sociological perspective by focusing on four themes the relationship between law and society law in everyday life the role of race class and gender in the legal system and current political debates that are connected to law While explaining the essentials elements of law and drawing on scholarly literature and relevant cases the author does not advocate for normative views on law and the legal system The text compares laws across various societies discusses international law and demonstrates how the laws of certain countries affect those of others providing readers with insights into the nature of law within any society

Concise Routledge Encyclopedia of Philosophy Routledge (Firm), 2000 The scholarship of this monumental and award winning ten volume work is available in one affordable book that brings together more than 2 000 entries from the original in a shortened more accessible format Extensively cross referenced and indexed

Phenomenology of Law and Normativity Panos Theodorou, Pedro Manuel Santos Alves, Anna Irene Baka, 2024-09-16 Against the widespread mainstream take on the philosophy of law this collected volume fills an important scholarly gap by introducing a phenomenological account of some of the major questions and themes of jurisprudence such as rights and norms This volume argues that wherever there is a demand for grounding normativity the phenomenological method can provide a priori albeit corrigible access to essential truths with reference to beings and their social relationships The present work reflects upon the place and potential impact on the theory of law and normativity stemming from the phenomenology of Edmund Husserl largely overlooked by legal philosophers and legal theorists Further coverage contains those who have built upon these ideas of Husserl such as Martin Heidegger Alfred Schutz Edith Stein Emmanuel Levinas and Adolf Reinach This text addresses new issues and questions from the general perspective of the phenomenology of law It is a response to those critical of phenomenology by presenting sober arguments in support of its potential for achieving a deeper grasp of legal normative concepts such as rights claims obligations promises and apologies Boundaries between law and morality as well as legal and social ontologies are approached from a phenomenological perspective It appeals to students researchers and professionals working in phenomenology ethics legal philosophy and human rights theory and practice

Law, State and Society Bob Fryer, Alan J. Hunt, Doreen McBarnet, Bert Moorhouse, 2018-05-11 Originally published in 1981 Law State and Society confronts many of the most important issues within the developing field of law and society The essays cover the key political

debates and the subject of the sociology of law through two key debates the first tackling the wider theoretical and political system while the other essays are concerned with more concrete aspects of both the political and social face of law Together the essays show how crucial the potential is that exists for a considerable extension and integration of work that focuses explicitly on empirical problems yet is at the same time more conscious of the theoretical issues that underpin the effectivity of law

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