

# SOCIOLOGY OF LAW: THEORIES OF LAW

- Will Consider Several Theories of Law
- Several Theorists & Their Views of Law
- From Several Different Perspectives:
  - Sociology
  - Anthropology
  - Philosophy
  - Jurists, Attorneys, Judges
    - Historians

# Sociological Theories Of Law

**Roger Cotterrell**



## **Sociological Theories Of Law:**

Sociological Theories of Law Kahei Rokumoto, 1994 This volume examines theories which concern legal processes in a social context The essays cover the definitions and concept of law a methodological perspective on law and functional as well as social theories of contemporary law

**Sociological Approaches to Theories of Law** Brian Z. Tamanaha, 2022-06-23 Sociological Approaches to Theories of Law applies empirical insights to examine theories of law proffered by analytical jurists The topics covered include artifact legal theory law as a social construction idealized accounts of the function of law the dis embeddedness of legal systems the purported guidance function of law the false social efficacy thesis missteps in the quest to answer What is law and the relationship between empiricism and analytical jurisprudence The analysis shows that on a number of central issues analytical jurists assert positions inconsistent with the social reality of law Woven throughout the text the author presents a theoretically and empirically informed account of law as a social institution The overarching theme is that philosophical claims about the nature of law can be tested and improved through greater empirical input

*A Sociological Theory of Law* Niklas Luhmann, 2013-10-30 Niklas Luhmann is recognised as a major social theorist and his treatise on the sociology of law is a classic text For Luhmann law provides the framework of the state lawyers are the main human resource for the state and legal theory provides the most suitable base from which to theorize on the nature of society He explores the concept of law in the light of a general theory of social systems showing the important part law plays in resolving fundamental problems a society may face He then goes on to discuss in detail how modern positive as opposed to natural law comes to fulfil this function The work as a whole is not only a contribution to legal sociology but a major work in social theory With a revised translation and a new introduction by Martin Albrow

*Law, Culture and Society* Professor Roger Cotterrell, 2013-01-28 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 Law's Community Roger Cotterrell, 1995 Law's Community offers a distinctive analysis of law identifying political and moral problems that are fundamental to contemporary legal theory It portrays contemporary law as institutionalized doctrine emphasizing ways in which legal modes of thought influence wider currents of understanding and belief in contemporary Western societies Exploring relationships between law and sociology as contrasting and competing fields of knowledge Law's Community develops ideas from social theory to identify key problems for legal development in particular those of restoring moral authority to law and of elaborating a concept of community that can guide legal regulation The analysis leads to radical conclusions among them that law's functions need reconsideration at the most general level that a unitary state legal system as portrayed in traditional kinds of legal theory may no longer be adequate in complex contemporary societies and that law should be reconceptualized as a diverse but coordinated plurality of systems sites and forms of regulation **The**

**Sociology of Law** A. Javier Trevino, 2017-07-12 The purpose of this book is to introduce the sociology of law by providing a coherent organization to the general body of literature in that field As such the text gives a comprehensive overview of theoretical sociology of law It deals with the broad expanse of the field and covers a vast amount of intellectual terrain This volume is intended to fill a gap in the literature Most textbooks in the sociology of law are insufficiently theoretical or else do not provide a paradigmatic analysis of sociological theories The content of this text consists of discussions of the works of scholars who have contributed the most to the cumulative development of the sociology of law It surveys the major traditions of legal sociology but is not wedded to any one particular theoretical approach Both the classical or nineteenth century and contemporary or twentieth century perspectives are covered The reader will see that nineteenth century thought has directly influenced the emergence of twentieth century theory One unique feature of this book is that key sociological and legal concepts presented in bold print and italics are defined described and illustrated throughout Although the nature of the subject matter is highly theoretical and at times quite complex Trevino values every effort to present the material in the most straightforward and intelligible form possible without compromising the integrity of the theories themselves In short this book aims to accomplish three objectives inform about the progressive advancement of sociological theory teach the reader to analyze the law as a social phenomenon and develop in the reader a critical mode of thinking about issues relevant to the relationship between law and society Law and Social Theory Reza Banakar, Max Travers, 2014-07-18 There is a growing

interest within law schools in the intersections between law and different areas of social theory The second edition of this popular text introduces a wide range of traditions in sociology and the humanities that offer provocative contextual views on law and legal institutions The book is organised into six sections each with an introduction by the editors on classical sociology of law systems theory critical approaches law in action postmodernism and law in global society Each chapter is written by a specialist who reviews the literature and discusses how the approach can be used in researching different topics

New chapters include authoritative reviews of actor network theory new legal realism critical race theory post colonial theories of law and the sociology of the legal profession Over half the chapters are new and the rest are revised in order to include discussion of recent literature

**A Sociological Theory of Law** Adam Podgórecki,1991 The Sociology of Law Roman Tomasic,1985 The Sociology of Law highlights the major concerns of legal sociologists and provides the reader with an overview of the diversity of the field and the theoretical approaches within it As such it provides a useful introduction for students to the sociology of law The first part of the book explores the theoretical paradigms in the sociology of law the application and development of the ideas of the classical theorists and discussion of behaviourist theories as well as Marxian and critical legal studies The second and third parts of the book examine two areas which have provided the core of the sociological study of law the legal profession and the courts The fourth part examines the study of policing social control and the sociology of criminal law It seeks to evaluate the nature of various sociological theories which have been developed in the context of policing and criminal law research Finally law making and social change are examined in particular the framing of law the implementation of law regulation knowledge and opinion about law and legal change

**Encyclopedia of Social Theory** Austin Harrington,Barbara L. Marshall,Hans-Peter Müller,2006 The Encyclopedia of Social Theory contains over 500 entries varying from concise definitions of key terms and short biographies of key theorists to comprehensive surveys of leading concepts debates themes and schools The object of the Encyclopedia has been to give thorough coverage of the central topics in theoretical sociology as well as terms and concepts in the methodology and philosophy of social science Although 106 theorists are given entries the emphasis of the work is on the elucidation of ideas rather than intellectual biography The Encyclopedia covers the leading contemporary domains of debate on social theory and the classical legacies of social thinkers from the nineteenth and early twentieth centuries giving proper balance to both the European and North American traditions and to important new developments in the global self understanding of sociology Social theory has become one of the most vigorous specialisms of sociology in recent years This is in part due to the considerable overlaps of social theory with other disciplinary areas such as cultural and media studies anthropology and political theory and to the cross disciplinary nature of theoretical approaches such as feminism and psychoanalysis and new fields such as postcolonial studies The editors have therefore worked to produce in the Encyclopedia of Social Theory a first call reference for students and researchers across the social sciences and humanities with an interest in contemporary theory and the modern history of ideas The Encyclopedia has been authored by leading international specialists in the field under the direction of a well balanced editorial team It is comprehensively cross referenced and all larger entries carry bibliographies There is a full index

*A Sociology of Jurisprudence* Richard Nobles,David Schiff,2006-02-10 Niklas Luhmann s sociological theory treats law along with politics economics media and ethics as systems of communication His theory not only offers profound and novel insights into the character of the legal system in modern society but also provides an explanation for the role of

jurisprudence as part of that legal system In this work the authors seek to explore and develop Luhmann's claim that jurisprudence is part of law's self-description a part of the legal system which as a particular kind of legal communication orientates legal operations by explaining law to itself This approach has the potential to illuminate many of the interminable debates amongst and between different schools of jurisprudence on topics such as the origin and or source of law the nature of law's determinacy or indeterminacy and the role of justice The authors introduction to Luhmann's systems theory concentrates on the concept of closure and the distinct disposition of law's openness to its environment From this beginning the book goes on to offer a sustained and methodical application of systems theory to some of the traditional forms of jurisprudence natural law and its relationship with legal positivism Dworkin's version of natural law Kelsen's version of legal positivism and Critical Legal Studies This application of systems theory alters our perception of jurisprudence and better enables us to understand its role within law

*Handbook of Sociological Theory* Jonathan H. Turner, 2006-05-17 Sociology is experiencing what can only be described as hyperdifferentiation of theories there are now many approaches competing for attention in the intellectual arena From this perspective we should see a weeding out of theories to a small number but this is not likely to occur because each of the many theoretical perspectives has a resource base of adherents As a result theories in sociology do not compete head on with each other as much as they coexist This seminal reference work was brought together with an eye to capturing the diversity of theoretical activity in sociology specifically the forefront of theory Contributors describe what they themselves are doing right now rather than what others have done in the past The goal of this volume is to allow prominent theorists working in a variety of traditions who wouldn't usually come together to review their work The chapters in this volume represent a mix of theoretical orientations and strategies but these these theories are diverse and represent the prominent theoretical discussions in sociology today Some areas included are Section I Theoretical Methodologies and Strategies Section II The Cultural Turn in Sociological Theorizing Section III Theorizing Interaction Processes Section IV Theorizing from the Systemic and Macrolevel Section V New Directions in Evolutionary Theorizing Section VI Theorizing on Power Conflict and Change Section VII Theorizing from Assumptions of Rationality This handbook will be of interest to those wanting a broad spectrum and overview of late 20th early 21st century sociological theory

*Living Law* Roger Cotterrell, 2017-07-05 *Living Law* presents a comprehensive overview of relationships between legal and social theory and of current approaches to the sociological study of legal ideas It explores the nature of legal theory and sociolegal studies today as teaching and research fields and the work of many of the major sociolegal theorists In addition it sets out the author's distinctive approach to sociological analysis of law applying this in a range of studies in specific legal fields such as the law of contract property and trusts constitutional analysis and comparative law

*Sociological Theory in the Classical Era* Laura Desfor Edles, Scott Appelrouth, 2020-06-18 Now available for the first time in both print and e book formats *Sociological Theory in the Classical Era* Fourth Edition is an innovative text reader for courses in classical theory It

introduces students to important original works by sociology's key classical theorists while providing a thorough framework for understanding these challenging readings. For each theorist the editors supply a biographical sketch, discuss intellectual influences and core ideas, and offer contemporary applications of those ideas. In addition to the seven major theorists covered, the book also connects their work to Significant Others: writers and thinkers who may have derived much of their own perspectives from Marx, Durkheim, Weber, Gilman, Simmel, Du Bois, and Mead. Included with this title: The password-protected Instructor Resource Site, formally known as SAGE Edge, offers access to all text-specific resources including a test bank and editable chapter-specific PowerPoint slides.

**An Introduction to Law and Social Theory** Reza Banakar, Max Travers, 2002-08-20. This book, written by specialists, introduces a range of sociological traditions and how they can be used in investigating law and legal institutions.

*Sociological Theory and Criminological Research* Mathieu Deflem, 2006-06-21. This volume highlights the value of sociological theorizing in various strands of criminological research and reveals the breadth and depth of criminological sociology in its explicit and informed reliance on insights from sociological theory. It offers a range of perspectives and theories of criminal behavior and perspectives of social control.

**Handbook of Classical Sociological Theory** Seth Abrutyn, Omar Lizardo, 2021-11-01. This is the first handbook focussing on classical social theory. It offers extensive discussions of debates, arguments, and discussions in classical theory and how they have informed contemporary sociological theory. The book pushes against the conventional classical theory pedagogy which often focused on single theorists and their contributions and looks at isolating themes, capturing the essence of the interest of classical theorists that seem to have relevance to modern research questions and theoretical traditions. This book presents new approaches to thinking about theory in relationship to sociological methods.

*Social Theories of the Middle Ages, 1200-1500* Bede Jarrett, 1926.

*Ideas and Intervention (RLE Social Theory)* Joe Bailey, 2014-08-13. Theorizing in sociology has increasingly become a self-generating and self-fulfilling activity as sociologists absorb theory as an isolated and formalist part of their discipline. Joe Bailey believes that sociological theory should be a contribution to practical social intervention. His book presents a practical view of social theorizing as an activity at which sociologists are skilled and which they could teach to the interventionist professions. The relation between theory and practice is defined as one in which theory guides practice and makes explicit necessary choices. A description of disciplines and professions is provided as a basis for examining social intervention in three areas: law, social work, and urban planning. The author considers some exemplary contributions which sociological theorizing could and should provide and concludes by proposing a pluralist view of theory as the best strategy for a sociology relevant to practice.

**Classical and Contemporary Sociological Theory** Scott Appelrouth, Laura Desfor Edles, 2008. A unique hybrid of text and readings, this book combines the major writings of sociology's core classical and contemporary theorists with an historical as well as theoretical framework for understanding them. Laura Desfor Edles and Scott A. Appelrouth provide not just a biographical and theoretical summary of each theorist's reading but an overarching

scaffolding which students can use to examine compare and contrast each theorist's major themes and concepts. No other theory text combines such student-friendly explanation and analysis with original theoretical works. Key features include Pedagogical devices and visual aids: charts, figures, and photographs to help summarize key concepts, illuminate complex ideas, and provoke student interest. Chapters on well-known figures such as Marx, Weber, Durkheim, Parsons, and Foucault, as well as an in-depth discussion of lesser-known voices such as Charlotte Perkins Gilman, WEB Du Bois, and Leslie Sklair. Photos of not only the theorists but of the historical milieu from which the theories arose, as well as a glossary at the back.



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