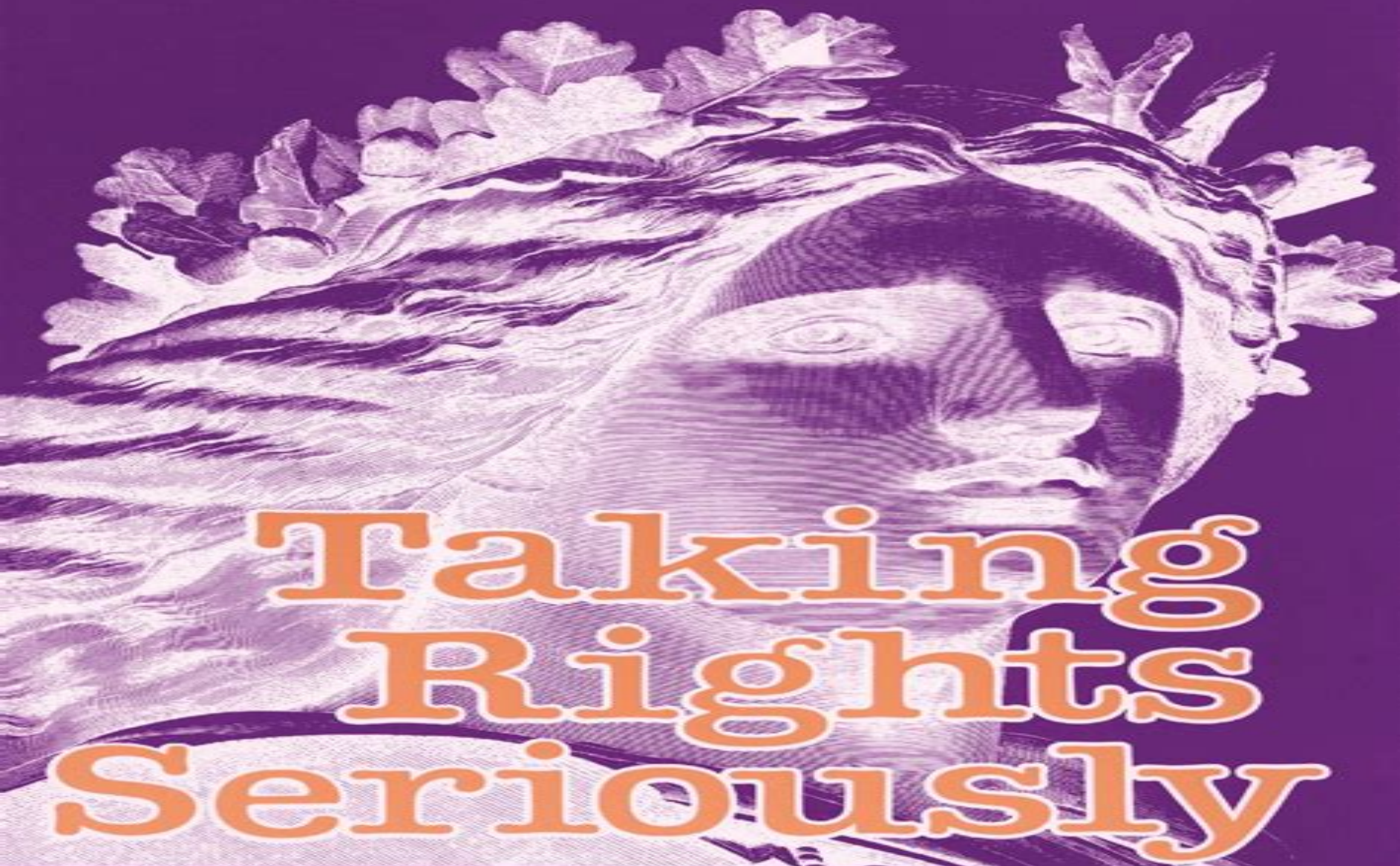


with a new appendix, a response to critics



Talking Rights Seriously

Ronald Dworkin

Taking Rights Cultures Seriously

Solomon A. Dersso



Taking Rights Cultures Seriously:

Taking Economic, Social and Cultural Rights Seriously in International Criminal Law Evelyne

Schmid,2015-04-02 Is the neglect of economic social and cultural abuses in international criminal law a problem of positive international law or the result of choices made by lawyers involved in mechanisms such as criminal prosecutions or truth commissions Evelyne Schmid explores this question via an assessment of the relationship between violations of economic social and cultural rights and international crimes Based on a thorough examination of the elements of international crimes she demonstrates how a situation can simultaneously be described as a violation of economic social and cultural rights and as an international crime Against the background of the emerging debates on selectivity in international criminal law and the role of socio economic and cultural abuses in transitional justice she argues that international crimes overlapping with violations of economic social and cultural rights deserve to be taken seriously for much the same reasons as other international crimes

Taking Ethno-Cultural Diversity Seriously in Constitutional Design Solomon A. Dersso,2012

Using a legal and multidisciplinary approach towards empirical and prescriptive analysis of contemporary minority rights standards this book defends and elaborates a robust minority rights framework for articulating a constitutional design responsive to the claims of ethno cultural groups in Africa

A Culture of Rights Michael James Lacey,Knud

Haakonssen,1992-11-27 The essays in this volume provide insights into the rights thinking and consciousness at the core of American political culture

Human Rights, Culture and the Rule of Law Jessica Almqvist,2005-09-12 This new book examines the relationship between culture and respect for human rights It departs from the oft made assumption that culture is closely linked to ideas about community Instead it reveals culture as a quality possessed by the individual with a serious impact on her ability to enjoy the rights and freedoms as recognised in international human rights law in meaningful and effective ways This understanding redirects attention towards a range of issues that have long been marginalised but which warrant a central place in human rights research and on the international human rights agenda Special attention is given to the circumstances induced by cultural differences between people and the laws by which they are expected to live The circumstances are created by differing tools know how and skills cultural equipment diverse settlements on matters that are ultimately indifferent from the standpoint of cosmopolitan moral law adiaphora and conflicts having their source in conflicting doctrinesethical religious and philosophicaladdressing deep questions about the ultimate purpose of human life comprehensive doctrines Each of the circumstances shifts the focus with the aim of securing effective and adequate protection of individual freedom as societies become increasingly diversified in cultural terms and issues arise of access to laws and public institutions exemption from legal obligations for reasons of conscience fair resolution of conflicts having their source in differing ethical religious and philosophical outlooks and excuse for breach of law in case of involuntary ignorance

Law in Society: Reflections on Children, Family, Culture and Philosophy Alison Diduck,Noam Peleg,Helen

Reece,2015-08-24 This collection written by legal scholars from around the world offers insights into a variety of topics from children s rights to criminal law jurisprudence medical ethics and more Its breadth reflects the fact that these are all elements of what can broadly be called law and society that enterprise that is interested in law s place or influence in different aspects of real lives and understands law to be simultaneously symbol philosophy and action It is also testament to the broad range of vision of Professor Michael Freeman in whose honour the volume was conceived The contributions are divided into categories which reflect his distinguished career and publications over 85 books and countless articles including pioneering work on children s rights domestic violence religious law jurisprudence law and culture family law and medicine ethics and the law as well as his enduring commitment to interdisciplinarity The volume begins with work on law in its philosophical cultural or symbolic realm Part I Law and Stories Culture Religion and Philosophy including its commitment to the normative ideal of rights Part II Law and Rights and then offers work on law as coercive state action Part III Law and the Coercive State and as regulator of personal relationships Part IV Law and Personal Living It continues with reflections on the importance of globalisation both of law and of doing family in personal and public life Part V Law and International Living before closing with two reflections on Michael Freeman s body of work generally including one from Michael himself Part VI Law and Michael Freeman

Routledge Handbook of International Human Rights Law Scott Sheeran,Sir Nigel Rodley,2014-08-07 The Routledge Handbook of International Human Rights Law provides the definitive global survey of the discipline of international human rights law Each chapter is written by a leading expert and provides a contemporary overview of a significant area within the field As well as covering topics integral to the theory and practice of international human rights law the volume offers a broader perspective through examinations of the ways in which human rights law interacts with other legal regimes and other international institutions and by addressing the current and future challenges facing human rights Providing up to date and authoritative articles covering key aspects of international human rights law this book work is an essential work of reference for scholars practitioners and students alike Chapter 35 of this book is freely available as a downloadable Open Access PDF under a Creative Commons Attribution Non Commercial No Derivatives 3 0 license <https://www.routledgehandbooks.com/doi/10.4324/9780203481417.ch35>

Cultural Rights and Wrongs in Transitional Justice Colin Luoma,2025-09-09 Cultural Rights and Wrongs in Transitional Justice provides the first in depth analysis of culture and cultural rights in the field of transitional justice It takes stock of the role of cultural rights with respect to the field s historical marginalization of culture Cultural rights remain a significant blind spot in the relevant research one that has yet to be consistently incorporated into transitional justice practice or considered in academic theory This book traces the marginalization of cultural rights to how the transitional justice field originated and evolved Certain biases assumptions and preoccupations were cemented in a dominant model of justice in times of transition especially as it relates to the concepts of transition justice and violence Conventional notions have greatly restricted transitional justice from

respecting cultural rights and addressing their violations Cultural Rights and Wrongs in Transitional Justice challenges the dogmatic approaches inherent in the dominant model and retheorizes these core concepts in ways that enable and encourage a more robust engagement with cultural rights without sacrificing the raison d'être of the transitional justice project It argues that transitional justice unmoored from its initial conceptual boundaries has the flexibility to respect and address large scale cultural rights violations and accommodate local and Indigenous cultures This flexibility allows the field to account for underlying cultural violence and empower cultural interventions in the wake of mass harm This has the potential to strengthen the normative value of cultural rights address root causes of violent conflict respond to survivor priorities and shape more meaningful long term reforms

Founding a Global Human Rights Culture for Trade Marks Genevieve Wilkinson, 2023-08-14 This ground breaking book demonstrates that states are not attentive enough to the serious human rights implications of trade mark protection Important rights to freedom of expression health life benefits from science and culture privacy a fair trial and protection from discrimination and hate speech are often insufficiently addressed

Legal Visions of the 21st Century Antony Anghie, Garry Sturgess, 1998-10-29 Wouter de Vos *Negotiating Cultural Rights* Lucky Belder, Helle Porsdam, 2017-10-27 The various reports on cultural rights by UN Special Rapporteur Faridah Shaheed provide a new universal standard on cultural rights with topics ranging from cultural diversity cultural heritage and the right to artistic freedom to the effects of today's intellectual property regimes The international team of expert contributors to this book reflect upon the many aspects of cultural rights in the reports and present a discussion of how cultural rights support cultural diversity foster intercultural dialogue and contribute to inclusive social economic and political development

Vernacular Rights Cultures Sumi Madhok, 2022-02-03 Vernacular Rights Cultures offers a bold challenge to the dominant epistemologies and political practices of global human rights It argues that decolonising global human rights calls for a serious epistemic accounting of the historically and politically specific encounters with human rights and of the forms of world making that underpin the stakes and struggles for rights and human rights around the globe Through combining ethnographic investigations with political theory and philosophy it goes beyond critiquing the Eurocentrism of global human rights in order to document and examine the different political imaginaries critical conceptual vocabularies and gendered political struggles for rights and justice that animate subaltern mobilisations in most of the world Vernacular Rights Cultures demonstrates that these subaltern struggles call into being different and radical ideas of justice politics and citizenship and open up different possibilities and futures for human rights

Justice, Law and Culture J.K. Feibleman, 2012-12-06 The following pages contain a theory of justice and a theory of law Justice will be defined as the demand for a system of laws and law as an established regulation which applies equally throughout a society and is backed by force The demand for a system of laws is met by means of a legal system The theory will have to include what the system and the laws are intended to regulate The reference is to all men and their possessions in a going concern In the past all such theories have been

discussed only in terms of society justice as applicable to society and the laws promulgated within it. However, men and their societies are not the whole story. In recent centuries, artifacts have played an increasingly important role. To leave them out of all consideration in the theory would be to leave the theory itself incomplete and even distorted. For the key conception ought to be one not of society but of culture. Society is an organization of men but culture is something more. I define culture as civilization has often been employed as a synonym as an organization of men together with their material possessions. Such possessions consist in artifacts, material objects which have been altered through human agency in order to reduce human needs. The makers of the artifacts are altered by them. Men have their possessions together and this objectifies and consolidates the culture.

Culture, Economy and Governance in Aboriginal Australia Diane J. Austin-Broos, Gaynor Macdonald, 2005. Aboriginal and Torres Strait Islander peoples are advised that this resource may contain images, transcripts or names of Aboriginal and Torres Strait Islander peoples now deceased. It may also contain historically and culturally sensitive words, terms and descriptions.

Introducing Cultural Studies Brian Longhurst, 2014-01-21. A rapidly changing world in part driven by huge transformations in technology and mobility means we all encounter shifting cultures and new cultural and social interactions daily. Powerful forces such as consumption and globalization exert an enormous influence on all walks and levels of life across both space and time. Cultural Studies remains at the vanguard of consideration of these issues. This completely revised second edition of *Introducing Cultural Studies* gives a systematic overview of the concepts, theories, debates and latest research in the field. Reinforcing the interdisciplinary nature of Cultural Studies, it first considers cultural theory before branching out to examine different dimensions of culture in detail. Key features: Collaboratively authored by an interdisciplinary team. Closely cross-referenced between chapters and sections to ensure an integrated presentation of ideas. Figures, diagrams, cartoons and photographs help convey ideas and stimulate. Key Influence: Defining Concepts and Extract boxes focus in on major thinkers, ideas and works. Examines culture along the dividing lines of class, race and gender. Weblinks and Further Reading sections encourage and support further investigation. Changes for this edition: Brand new chapter addresses how culture is researched and knowledge in cultural studies is produced. Brand new chapter on the Postmodernisation of Everyday Life. Includes hot topics such as globalization, youth subcultures, virtual cultures, body modification, new media, technologically assisted social networking and many more. This text will be core reading for undergraduates and postgraduates in a variety of disciplines including Cultural Studies, Communication and Media Studies, English, Geography, Sociology and Social Studies, looking for a clear and comprehensible introduction to the field.

Geographical Indications at the Crossroads of Trade, Development, and Culture Irene Calboli, Wee Loon Ng-Loy, 2017-06-16. Historically few topics have proven to be so controversial in international intellectual property as the protection of geographical indications (GIs). The adoption of TRIPS in 1994 did not resolve disagreements and countries worldwide continue to quarrel today as to the nature, the scope and the enforcement of GI protection nationally and

internationally Thus far however there is little literature addressing GI protection from the point of view of the Asia Pacific region even though countries in this region have actively discussed the topic and in several instances have promoted GIs as a mechanism to foster local development and safeguard local culture This book edited by renowned intellectual property scholars fills the void in the current literature and offers a variety of contributions focusing on the framework and effects of GI protection in the Asia Pacific region The book is available as Open Access *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 Contested Culture Jane M. Gaines,2000-11-09 Jane M Gaines examines the phenomenon of images as property focusing on the legal status of mechanically produced visual and audio images from popular culture Bridging the fields of critical legal studies and cultural studies she analyzes copyright trademark and intellectual property law asking how the law constructs works of authorship and who owns the country's cultural heritage *Cultural Heritage in International Economic Law* Valentina Vadi,2023-03-27 Can cultural heritage be adequately protected vis vis economic globalization This book investigates whether and how international economic law governs cultural phenomena by mapping the relevant legal framework discussing the relevant disputes concerning cultural elements adjudicated before international economic courts namely the World Trade Organization adjudicative bodies and investment treaty arbitral tribunals and proposing legal methods to reconcile cultural and economic interests It thus provides a comprehensive evaluation of possible solutions including evolution of the law through treaty interpretation and reforms to improve the balance between economic governance and cultural policy objectives *The Cultural Defense* Alison Dundes Renteln,2005 Publisher's description In a trial in California Navajo defendants argue that using the hallucinogen peyote to achieve spiritual exaltation is protected by the Constitution's free exercise of religion clause trumping the state's right to regulate them An Ibo man from Nigeria sues Pan American World Airways for transporting his mother's corpse in a cloth sack Her arrival for the funeral face down in a burlap bag signifies death by suicide according to the customs of her Ibo kin and brings great shame to the son In Los Angeles two Cambodian men are prosecuted for attempting to eat a four month old puppy The immigrants lawyers argue that the men were following their own national customs and do not realize their conduct is offensive to American sensibilities What is the just decision in each case When cultural practices come into conflict with the law is it legitimate to take culture into account Is there room in modern legal systems for a cultural defense

In this remarkable book Alison Dundes Renteln amasses hundreds of cases from the U S and around the world in which cultural issues take center stage from the mundane to the bizarre from drugs to death Though cultural practices vary dramatically Renteln demonstrates that there are discernible patterns to the cultural arguments used in the courtroom The regularities she uncovers offer judges a starting point for creating a body of law that takes culture into account Renteln contends that a systematic treatment of culture in law is not only possible but ultimately more equitable A just pluralistic society requires a legal system that can assess diverse motivations and can recognize the key role that culture plays in influencing human behavior The inclusion of evidence of cultural background is necessary for the fair hearing of a case

Ordering The International William Brown, Simon Bromley, Suma Athreya, 2004-05-20 Leading Marxist thinkers re evaluate Trotsky's key theories an ideal introduction for students

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