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large law firms have become a dominant feature of the legal landscape in the united states and elsewhere this volume of studies in law politics and society examines the situation of large law firms

without understanding the legal culture of the judges a full understanding of strasbourg s rulings seems hardly possible through

interviews field observations and case law analysis this book fills this need and offers a fresh approach towards convergence in europe

combining insights from comparative legal theory jurisprudence and legal history this collection examines the legal and constitutional identity of central and eastern europe although the various countries of central and eastern europe have often compared themselves to the west the failure of these countries to engage with one another has resulted in a whole spectrum of legal identities remaining hidden this book takes up a comparison of such identities within the region of central and eastern europe and following from the prima facie similarity between the region s countries given the experience of communism and legal transfers the book thereby illuminates through comparisons the distinct legal identities of the 16 central and eastern european states whilst at the same time arguing for a shared central and eastern european legal identity this book will appeal to scholars and students in the area of comparative law as well as lawyers political scientists sociologists and historians with particular interests in central and eastern europe

a common complaint of the anti lawyer movement is that under the influence of lawyers we have become a litigious society in the process undermining traditional american values such as self reliance and responsibility in this volume a group of distinguished scholars in law and the social sciences explores these questions

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

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

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

the book comprehensively explores the origins structure characteristics functions and unique role of chinese legal tradition within the global scope of legal culture it adopts a thematic framework that extends across multifaceted dimensions to examine the evolution features and impact of chinese legal culture breaking away from the traditional chronological approach to legal history the book seamlessly integrates macro and micro views bridges ancient and modern as well as chinese and foreign perspectives and combines state law with folk law and law with ethics the content covers seven key aspects the culture of rites and etiquettes penal culture and practice the culture of legal philosophies the culture of a legal system contractual culture the culture of mediation and the culture of justice the topics encompass the origins of traditional chinese law the evolution of legal thoughts the development of legal systems the procedures and effects of legal practices and the relationship between legal development and social change this book is primarily aimed at legal scholars students and practitioners who are interested in understanding chinese traditional legal culture it is also intended for readers with a moderate level of education or higher who seek to understand chinese legal history and culture

in comparative legal studies the concept of legal culture has come to play an increasingly significant role in contemporary theorising empirical analysis and methodological innovation using legal culture explores a number of the key issues regarding the use of this concept the essays contained in this book were originally presented in the journal of comparative law workshop held in venice university ca foscari may 20 21 2010 the papers show that legal culture is a very productive concept and also one which carries different meanings and resonances in different places and different languages and which sometimes means

different things to different scholars this collection therefore offers an especially helpful set of reflections on the nature and analytical value of this concept the studies published here broadly speaking fall into three categories general reflections on the concept of legal culture the use of the concept in the micro dimensions of the engagement of law with everyday life and legal culture as a more holistic idea employed to characterise aspects of professionally administered schemes of law and practice the chapters are written by prominent international scholars and given a general introduction by one the foremost researchers in the study of legal culture professor david nelken the book provides an important resource for all students and scholars with an interest in comparative legal studies as well as for anyone interested in the relationship between law and culture

for law students and lawyers to successfully understand and practice law in the u s recognition of the wider context and culture which informs the law is essential simply learning the legal rules and procedures in isolation is not enough without an appreciation of the culture that produced them this book provides the reader with an understandable introduction to the ways in which u s law reflects its culture and each chapter begins with questions to guide the reader and concludes with questions for review challenge and further understanding kirk w junker explores cultural differences employing history social theory philosophy and language as reference frames which are then applied to the rules and procedures of the u s legal system in the book s final chapter through these cultural reference frames readers are provided with a set of interpretive tools to inform their understanding of the substance and institutions of the law with a deeper understanding of this cultural context international students will be empowered to more quickly adapt to their studies more comprehensively understand the role of the attorney in the u s system draw comparisons with their own domestic legal systems and ultimately become more successful in their legal careers both in the u s and abroad

this companion to transnational commercial law text cases and materials contains up to date primary materials for students without linking commentary

the migration of legal institutions has been a recurrent phenomenon and it is highly predictable in the era of globalization that it will endure as a consequence the conclusions drawn from previous analysis which asserted the purity of a legal system have been disproved by the current state of legal systems seen around the world these changes are what this book ponders and it tries to stress how the movement of legal systems has been transformed by interlegality or inter normativeness the panopoly of analysis include in this book is a crystal clear example of how difficult it is in defining and working with such concepts a consensus can be found that law and culture are embedded but there is little agreement on how to determine or measure this culture and legal culture should be seen as something that changes and is changeable legal culture like other aspects of culture may also rest on imaginary and previously invented traditions this is precisely the aim of this book

one of the more significant recent pieces of scholarship in this area essential reading for all students of early america journal of american history departing from traditional approaches to colonial legal history mary sarah bilder argues that american law and legal culture developed within the framework of an evolving unwritten transatlantic constitution that lawyers legislators and litigants on both sides of the atlantic understood the central tenet of this constitution that colonial laws and customs could not be repugnant to the laws of england but could diverge for local circumstances shaped the legal development of the colonial world focusing on practices rather than doctrines bilder describes how the pragmatic and flexible conversation about this constitution shaped colonial law the development of the legal profession the place of english law in the colonies the existence of equity courts and legislative equitable relief property rights for women and inheritance laws commercial law and currency reform and laws governing religious establishment using as a case study the corporate colony of rhode island which had the largest number of appeals of any mainland colony to the english privy council she reconstructs a largely unknown world of pre constitutional legal culture the book is rich in social history as well with the evolving status of women and institutional religion providing much of the legal grist choice

this publication addresses itself to ngos government authorities and other institutions and organisations involved in development assistance and international co operation concerning human rights good governance corruption control and related issues

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