

Globalisation and legal theory

William Twining

Research Professor of Law, University College London

Butterworths
London, Edinburgh, Dublin
2003

Globalisation And Legal Theory

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Globalisation and Legal Theory William Twining, 2000-03 The text makes the case for a revival of general jurisprudence in response to globalisation General Jurisprudence William Twining, 2009-02-12 This book explores the implications of globalisation for the theoretical study of law justice and human rights **Law's Ethical, Global and Theoretical Contexts** Upendra Baxi, Christopher McCrudden, Abdul Paliwala, 2015-10-22 Examines contemporary perspectives on law through Twining's scholarly work and with a focus on ethical global and theoretical contexts *Globalisation and Legal Scholarship* William Twining, 2011 At the Montesquieu seminars new developments in legal theory are explored and discussed Fundamental problems experienced in the practices of law are reflected critically A broad range of disciplines contribute at these attempts of sustained critical reflection No particular school of legal theory is preferred over another Tilburg Law School has an open mind for new approaches to law and does not want to limit the debate to the agenda set by some school movement or discipline As a result while the seminars are conceived around urgent actual problems the focus is interdisciplinary Due to this the Montesquieu seminars are especially interesting for national and local politicians students policy makers advisory bodies entrepreneurs business management advocacy and the judiciary This book contains a written version of the sixth Montesquieu seminar which was held in September 2009 by William Twining **Challenge of Globalisation to Legal Theory** Anna Duron, 2002 The Methodology of Legal Theory Michael Giudice, Wil Waluchow, 2017-07-05 The last decade has witnessed a particularly intensive debate over methodological issues in legal theory The publication of Julie Dickson's *Evaluation and Legal Theory* 2001 was significant as were collective returns to H L A Hart's *Postscript to The Concept of Law* While influential articles have been written in disparate journals no single collection of the most important papers exists This volume the first in a three volume series aims not only to fill that gap but also propose a systematic agenda for future work The editors have selected articles written by leading legal theorists including among others Leslie Green Brian Leiter Joseph Raz Ronald Dworkin and William Twining and organized under four broad categories 1 problems and purposes of legal theory 2 the role of epistemology and semantics in theorising about the nature of law 3 the relation between morality and legal theory and 4 the scope of phenomena a general jurisprudence ought to address **Globalisation and the Western Legal Tradition** David B. Goldman, 2008-02-07 What can globalisation teach us about law in the Western tradition This important new work seeks to explore that question by analysing key ideas and events in the Western legal tradition including the Papal Revolution the Protestant Reformations and the Enlightenment Addressing the role of law morality and politics it looks at the creation of orders which offer the possibility for global harmony in particular the United Nations and the European Union It also considers the unification of international commercial laws in the attempt to understand Western law in a time of accelerating cultural interconnections The title will appeal to scholars of legal history and globalisation as well as students of jurisprudence and all those trying to understand

globalisation and the Western dynamic of law and authority Introduction to Critical Legal Theory Ian Ward, 2012-10-02

Introduction to Critical Legal Theory provides an accessible introduction to the study of law and legal theory. It covers all the seminal movements in classical, modern and postmodern legal thought, engaging the reader with the ideas of jurists as diverse as Aristotle, Hobbes and Kant, Marx, Foucault and Dworkin. At the same time, it impresses the interdisciplinary nature of critical legal thought, introducing the reader to the philosophy, the economics and the politics of law. This new edition focuses even more intently upon the narrative aspect of critical legal thinking and the re-emergence of a distinctive legal humanism, as well as the various related challenges posed by our new world order. Introduction to Critical Theory is a comprehensive text for both students and teachers of legal theory, jurisprudence and related subjects. *Legal Theory and the Legal Academy* Maksymilian Del Mar, 2017-07-05

The third in a series of three volumes on Contemporary Legal Theory, this volume deals with four topics: 1. the role of legal theory in the legal curriculum; 2. the teaching of legal theory; 3. the relationship of legal theory to legal scholarship; and 4. the relationship of legal theory to comparative law. The focus of the first two topics is on the common law world, where the debates over the aims and proper place of legal theory in the study of law have traversed a good deal of ground since John Austin's 1828 lecture 'The Uses and the Study of Jurisprudence'. These first two parts offer a selection of the most important papers, including surveys as well as pedagogical viewpoints and particular course descriptions, from analytical, critical, feminist, law and literature, and global perspectives. The last three decades have seen just as many changes for legal scholarship and comparative law. These changes, such as the rise of empirical legal scholarship, have often attracted the attention of legal theorists. Within comparative law, the last thirty years have witnessed intense methodological reflection within the discipline; the results of these reflections are themselves properly recognised as legal theoretical contributions. The volume collects the key papers, including those by Neil MacCormick, Mark Van Hoecke, Andrew Halpin, William Ewald and Geoffrey Samuel. International Legal Theory Jeffrey L. Dunoff, Mark A. Pollack, 2022-08-04

A reader-friendly overview of leading theoretical approaches to international law for students, scholars and practitioners. **Legal Theory and the Social Sciences** Maksymilian Del Mar, 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

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

Authority in Transnational Legal Theory Roger Cotterrell, Maksymilian Del Mar, 2016-09-30 The increasing transnationalisation of regulation and social life more generally challenges the basic concepts of legal and political theory today One of the key concepts being so challenged is authority This discerning book offers a plenitude of resources and suggestions for meeting that challenge

The Legal Theory of Carl Schmitt Mariano Croce, Andrea Salvatore, 2013-10-11 The Legal Theory of Carl Schmitt provides a detailed analysis of Schmitt's institutional theory of law mainly developed in the books published between the end of the 1920s and the beginning of the 1930s By reading Schmitt's overall work through the lens of his institutional turn the authors offer a strikingly different interpretation of Schmitt's theory of politics law and the relation between these two domains The book argues that Schmitt's adherence to legal institutionalism was a key theoretical achievement based on serious reconsideration of the main flaws of his own decisionist paradigm in the light of the French and Italian institutional theories of law In so doing the authors elucidate how Schmitt was able to unravel many of the impasses that affected his previous conceptual framework The authors also make comparisons between Schmitt and other leading legal theorists H Kelsen M Hauriou S Romano and C Mortati and explain why the current legal debate should take into serious account his legacy

CONTEMPORARY POLITICAL THEORY VINOD, M. J., DESHPANDE, MEENA, 2013-01-11 Intended as a text for the postgraduate students of political science this well researched book attempts to track the evolution of political ideas in the recent past and their background It brings out the contemporary epistemological and methodological debates within the discipline and social sciences as a whole and incorporates the latest developments in the field Divided into forty chapters under eleven parts the book deals with the core concepts and debates in political theory and focuses on the state society interactions It tries to explain how the states societies and cultures have responded to the emerging challenges thrown up by the social economic and political factors and the direction of the response It also dwells on the impact of globalisation on current trends Finally the book analyses the ideas of modern Indian thinkers such as V D Savarkar Jawaharlal Nehru Ram Manohar Lohia B R Ambedkar and Jayaprakash

Narayan Besides the postgraduate students of political science the book would also be useful to the aspirants of civil services examinations and the initiated readers *The Globalization of Legal Education* Bryant G. Garth, Gregory C. Shaffer, 2022

Legal academics and practitioners in recent decades increasingly emphasize the so called globalization of legal education The diffusion of the Juris Doctor JD degree to Australia Hong Kong Japan and South Korea as well as the advent of a very similar Juris Master JM degree in China and a shift in the late 1980s and beyond to a new US influenced format in India exemplify shifts toward US legal education practices Flood 2014 The global and Americanizing trend is evident on the web sites of law schools around the globe with many law schools competing to be the most global in terms of their faculty curricula teaching methods and students Less pronounced but related to the literature on legal globalization is that on transnationalization and transnational processes which is a strong component of the move toward globalization in legal education As this book shows if we look to see what is celebrated as part of globalized law schools and faculties we see increased cross border flows of professors and students teaching of transnational legal subjects development of particular forms of teaching practice such as legal clinics explicit focus on transnational rankings and transnationalized scholarly communities sharing teaching and research methods and approaches across domains of law **The Great Juristic Bazaar** William Twining, 2017-09-08 Some law students find jurisprudence daunting impersonal dry and seemingly detached from practical affairs William Twining believes that many jurists have been fascinating people struggling with questions that are both historically significant and relevant to contemporary issues This book brings together previously published essays that centre on three related themes reading Juristic texts the role of narrative in law and relations between theory and practice Building on a pragmatic view of jurisprudence the author explores different ways of reading and using Juristic texts to set them in context to bring them to life and to engage with the reader's own concerns He applies this approach to throw fresh light on four familiar figures Holmes Bentham Hart and Llewellyn Challenging limited agendas and parochial points of view Twining outlines a programme for a broad approach to legal theory in the context of globalization He satirizes some bad habits in jurisprudence and explores in depth how stories can be seductive vehicles for cheating in legal contexts yet are essential for making sense of disputes about fact or law *Critical theory and legal autopoiesis* Gunther Teubner, 2019-05-10 This volume collects and revises the key essays of Gunther Teubner one of the world's leading sociologists of law Written over the past twenty years these essays examine the dark side of functional differentiation and the prospects of societal constitutionalism as a possible remedy Teubner's claim is that critical accounts of law and society require reformulation in the light of the sophisticated diagnoses of late modernity in the writings of Niklas Luhmann Jacques Derrida and select examples of modernist literature Autopoiesis deconstruction and other post foundational epistemological and political realities compel us to confront the fact that fundamental democratic concepts such as law and justice can no longer be based on theories of stringent argumentation or analytical philosophy We must now approach law in terms of

contingency and self subversion rather than in terms of logical consistency and rational coherence *Chaos and Complexity Theory in World Politics* Erçetin, Şefika Şule, Banerjee, Santo, 2014-05-31 As an important research field in mathematics chaos theory impacts many different disciplines such as physics engineering economics and biology Most recently however chaos theory has also been applied to the social sciences helping to explain the complex and interdependent nature of international politics *Chaos and Complexity Theory in World Politics* aims to bring attention to new developments in global politics within the last few years Demonstrating various issues in international relations and the application of chaos theory within this field this publication serves as an essential reference for researchers and professionals as well as useful educational material for academicians and students **Legal Theory** Ian McLeod, 2007 What is justice Is there a duty to obey a law even it is unjust This book tackles questions like these and explains some of the answers which legal theorists have given from ancient Greece to the present day

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