

ROUTLEDGE REVIVALS

Europe's Other: European Law Between Modernity and Postmodernity

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Europe's Other European Law Between Modernity And Postmodernity

**Peter Fitzpatrick, James Henry
Bergeron**



Europe's Other European Law Between Modernity And Postmodernity:

Europe's Other Peter Fitzpatrick, James Henry Bergeron, 2018
Bergeron, 2019-05-23 First published in 1998 this volume focuses critically on the European identity of the law of the European Union of national law and the law of human rights It is primarily concerned with the ways in which European identity is created through the rejection of a malign Other constituted in opposition to all that a virtuous Europe and its law are supposed to be The construction of this Other is explored in claims of the EU legal order to a unity and coherence transcending the nation state in the assertion of a European identity through laws effecting cultural immigration and security policies and in the claims to a lofty European ness made by national law and the European Convention on Human Rights A major contribution to the understanding of European Law in the terms of the debates over modernity and postmodernity this book will interest those involved with studies of the European Union and its law with critical legal studies and also with socio legal studies

Europe's Other Peter Fitzpatrick, James Henry Bergeron, 2019-01-04 First published in 1998 this volume focuses critically on the European identity of the law of the European Union of national law and the law of human rights It is primarily concerned with the ways in which European identity is created through the rejection of a malign Other constituted in opposition to all that a virtuous Europe and its law are supposed to be The construction of this Other is explored in claims of the EU legal order to a unity and coherence transcending the nation state in the assertion of a European identity through laws effecting cultural immigration and security policies and in the claims to a lofty European ness made by national law and the European Convention on Human Rights A major contribution to the understanding of European Law in the terms of the debates over modernity and postmodernity this book will interest those involved with studies of the European Union and its law with critical legal studies and also with socio legal studies

The Social Construction of Europe Thomas Christiansen, Knud Erik Jørgensen, Antje Wiener, 2001-06-01 This book is the first to systematically introduce and apply a social constructivist perspective to the study of European integration Social constructivism is carefully located in terms of its philosophical and methodological origins The wider debates and contribution of constructivist approaches to international relations are reviewed and the insights that might then be afforded to European studies fully explored Highlights include new theoretical contributions to the debate by Ernst B Haas Andrew Moravcsik and Steve Smith research on key aspects of European integration and EU governance applying a variety of constructivist approaches The Social Construction of Europe provides new and important in

[The Foundations and Future of Financial Regulation](#) Mads Andenas, Iris H-Y Chiu, 2013-11-20 Financial regulation has entered into a new era as many foundational economic theories and policies supporting the existing infrastructure have been and are being questioned following the financial crisis Goodhart et al s seminal monograph Financial Regulation Why How and Where Now Routledge 1998 took stock of the extent of financial innovation and the maturity of the financial services industry at that time and mapped out a new regulatory roadmap This

book offers a timely exploration of the Why How and Where Now of financial regulation in the aftermath of the crisis in order to map out the future trajectory of financial regulation in an age where financial stability is being emphasised as a key regulatory objective The book is split into four sections the objectives and regulatory landscape of financial regulation the regulatory regime for investor protection the regulatory regime for financial institutional safety and soundness and macro prudential regulation The discussion ranges from theoretical and policy perspectives to comprehensive and critical consideration of financial regulation in the specifics The focus of the book is on the substantive regulation of the UK and the EU as critical examination is made of the unravelling and the future of financial regulation with comparative insights offered where relevant especially from the US Running throughout the book is consideration of the relationship between financial regulation financial stability and the responsibility of various actors in governance This book offers an important contribution to continuing reflections on the role of financial regulation market discipline and corporate responsibility in the financial sector and upon the roles of regulatory authorities markets and firms in ensuring the financial health and security of all in the future

Bridging Divides Eve Darian-Smith,1999-10 This study uses the Channel Tunnel between England and France to explore the shifting geographies of nationalism postcolonialism and legal autonomy in the formation of the European Union It looks at regional differences in feelings about Europe and at vocabulary used in discussing the Tunnel

Rule of Law and Democracy Leonardo Morlino,Gianluigi Palombella,2010 Through a reappraisal of rule of law and democracy the contributors provide for a fresh set of inquiries from the State consolidated and transitional democracies to interstate European and global scenarios They converge in tackling empirical and normative questions and suggest further connections between rule of law and democracy

Storied Communities Hester Lessard,Rebecca Johnson,Jeremy Webber,2011-01-01 Political communities are defined and often contested through stories Scholars have long recognized that two foundational sets of stories narratives of contact and narratives of arrival helped to define settler societies We are only beginning to understand how ongoing issues of migration and settlement are linked to issues of indigenous settler contact Storied Communities disrupts the assumption in many works that indigenous and immigrant identities fall into two separate streams of analysis The authors do not attempt to build a new master narrative they instead juxtapose narratives of contact and arrival as they explore key themes narrative and narrative form the nature and hazards of storytelling in the political realm and the institutional and theoretical implications of foundation narratives and storytelling By bringing to light the links between narratives of contact and narratives of arrival this volume opens up new ways to imagine sustain and transform political communities

A Companion to European Union Law and International Law Dennis Patterson,Anna Södersten,2016-05-02 Featuring contributions from renowned scholars A Companion to European Union Law and International Law presents a comprehensive and authoritative collection of essays that addresses all of the most important topics on European Union and international law Integrates the fields of European Union law and international law revealing

both the similarities and differences Features contributions from renowned scholars in the fields of EU law and international law Covers a broad range of topical issues including trade institutional decision making the European Court of Justice democracy human rights criminal law the EMU and many others *Between Governing and Governance* Poul F Kjaer, 2010-02-05 This book explains the emergence and functioning of three forms of governance structures within the context of the European integration and constitutionalisation process comitology regulatory agencies and the Open Method of Co ordination The point of departure is the insight that the intergovernmental supranational distinction which most theories of European integration and constitutionalisation rely on has lost its strength A new paradigm of EU research is therefore needed Against this background it is suggested that the distinction between governing and governance provides a more appropriate basis for analysing the phenomenon of integration and constitutionalisation in Europe The distinction between governing and governance allows for an understanding of the EU as a hybrid consisting of a governing dimension characterised by legal and organisational hierarchy and a governance dimension which operates within a network form characterised by legal and organisational heterarchy The function of governance structures is to ensure the embeddedness of the governing dimension in the wider society Instead of representing contradictory developments the two dimensions are therefore mutually constitutive in the sense that more governing implies more governance and vice versa These theoretical insights are illustrated through two detailed case studies which respectively reconstruct the operational mode of the Open Method of Coordination within EU Research Development Policy and the regulatory system for the EU chemicals market REACH The book is inter disciplinary in nature and incorporates insights from law political science and sociology

Modernism and the Grounds of Law Peter Fitzpatrick, 2001-05-02 Existing approaches to the relation of law and society have for a long time seen law as either autonomous or grounded in society Drawing on untapped resources in social theory Fitzpatrick finds law pivotally placed in and beyond modernity Being itself of the modern law takes impetus and identity from modern society and through incorporating pre modern elements of savagery and the sacred it comes to constitute that very society When placing law in such a crucial position for modernity Fitzpatrick ranges widely from the colonizations of the Americas through the thought of the European Enlightenment and engages finally with contemporary arrogations of the global By extending his previous work on the origins of modernity this book makes a significant contribution to continuing developments in law and society legal philosophy and jurisprudence *The Ashgate Research Companion to Migration Law, Theory and Policy* Satvinder S. Juss, 2016-03-23 The Ashgate Research Companion to Migration Law Theory and Policy complements the already successful Ashgate series Law Migration established in 2006 which now has a number of well regarded monographs to its credit The purpose of this Companion is to augment that Series by taking stock of the current state of literature on migration law theory and policy and to sketch out the contours of its future long term development in what is now a vastly expanded research agenda The Companion provides readers with a definitive and

dependable state of art review of current research in each of the chosen areas that is all embracing and all inclusive of its subject matter The chapters focus on the regional and the sub regional as well as the national and the global In so doing they aim to give a snap shot that is contextual coherent and comprehensive The contributors are both world renowned scholars and newer voices and include scholars practitioners former judges and researchers and policy makers who are currently working for international organisations

Events: The Force of International Law Fleur Johns, Richard Joyce, Sundhya Pahuja, 2010-10-04 Events The Force of International Law presents an analysis of international law centred upon those historical and recent events in which international law has exerted or acquired its force From Spanish colonization and the Peace of Westphalia through the release of Nelson Mandela and the Rwandan genocide and to recent international trade negotiations and the torture memos each chapter in this book focuses on a specific international legal event Short and accessible to the non specialist reader these chapters consider what forces are put into play when international law is invoked as it is so frequently today by lawyers laypeople or leaders At the same time they also reflect on what is entailed in naming these events of international law and how international law grapples with their disruptive potential Engaging economic military cultural political philosophical and technical fields Events The Force of International Law will be of interest to international lawyers and scholars of international relations legal history diplomatic history war and or peace studies and legal theory It is also intended to be read and appreciated by anyone familiar with appeals to international law from the general media and curious about the limits and possibilities occasioned or the forces mobilised by that appeal

The European Union Ali El-Agraa, 2007-08-09 The European Union provides a comprehensive introduction to the economics and policies of the EU

Race, Law, Resistance Patricia Tuitt, 2012-09-10 Race Law Resistance is an original and important contribution to current theoretical debates on race and law The central claims are that racial oppression has profoundly influenced the development of legal doctrine and that the production of subjugated figures like the slave and the refugee has been fundamental to the development of legal categories such as contract and tort Drawing on examples from the UK and US legal systems in particular this book employs a wide range of theoretical and disciplinary perspectives to explore resistance to racial dominance in modernity In particular it highlights the main tenets and distinctive scholarly forms of critical theories on race and law Race Law Resistance will be of interest to academics and students following courses on critical race theory law and postcolonialism discrimination law legal theory legal systems the law of obligations comparative legal cultures law and literature and human rights

European Union Law for the Twenty-First Century: Volume 2 Takis Tridimas, Paolisa Nebbia, 2004-12-06 This book to be published in two volumes is based on the contributions made to the W G Hart Workshop 2003 It contains more than forty contributions by leading experts seeking to assess the state of development of EU law some fifty years after the establishment of the Communities and contribute to the current debate on the European Constitution The second volume focuses on challenges in the field of the internal market and external relations

looking at diverse areas of European Law including free movement competition law and merger control public procurement consumer law enlargement WTO third country nationals sex equality etc Authors include Tony Arnall George Bermann Marise Cremona Paul Craig Eileen Denza Piet Eeckhout Koen Lenaerts Steve Peers Wulf Henning Roth Francis Snyder Erika Szyszczak Takis Tridimas and Stephen Weatherill European Union Law for the Twenty-First Century: Volume 2 Τάκης Τριδίδας, Paolisa Nebbia, 2004-10 This book assesses the state of EU law fifty years after the Communities were established contributing to the debate on the European Constitution **Refugees, Security and the European Union** Sarah Léonard, Christian Kaunert, 2019-06-07 This book analyses the extent and the modalities of the securitization of asylum seekers and refugees in the EU It argues that the development of the EU asylum policy far from securitizing asylum seekers and refugees has led to the strengthening and codification of several rights for these two categories of persons However the securitization of terrorism and the links that have been constructed between asylum irregular migration and terrorism in the wake of the various terrorist attacks that have taken place in Europe in the last few years have had a significant impact on the ability of asylum seekers to gain access to asylum systems in the EU From a theoretical point of view the book develops an original analytical framework that draws upon and further develops security studies more precisely securitization theory by connecting it to the literature on policy venues and venue shopping It therefore makes a significant contribution to the debates on both securitization and migration Empirically examining the entire development of the EU's policy towards asylum seekers and refugees from its origins in 1993 this book will be of great interest to students of European and EU politics refugees migration security terrorism and counter terrorism security studies and International Relations

Europeanised Politics? Klaus H. Goetz, Simon Hix, 2012-12-06 This comparative examination of the impact of European integration on the politics and government of EU member states covers the parties the legal system voters and public administration Law, Modernity, Postmodernity Brendan Edgeworth, 2019-07-30 This title was first published in 2003 This book examines the interrelationship between the unravelling of the post war welfare state and legal change By reference to theorists of postmodernity such as Zygmunt Bauman Scott Lash and John Urry and David Harvey the principal argument is that contemporary law and legal institutions can be best understood as having changed in ways that mirror the recent transformation of the interventionist welfare state and its Fordist Keynesian economic infrastructure The key changes identified in the legal field include the shift toward marketized regulatory structures as reflected in privatization and deregulation the attenuation of welfare rights the privatization of justice legal polycentricity the reconfiguration of the welfare state's social citizenship and the globalization of law Empirical evidence from a number of jurisdictions is adduced to indicate the general direction of change

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