

CRITIQUE of LEGAL ORDER

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Michael Hoelscher



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China, State Sovereignty and International Legal Order Phil C.W. Chan, 2015-05-19 China's rise has aroused apprehension that it will revise the current rules of international order to pursue and reflect its power and that in its exercise of State sovereignty it is unlikely to comply with international law. This book explores the extent to which China's exercise of State sovereignty since the Opium War has shaped and contributed to the legitimacy and development of international law and the direction in which international legal order in its current form may proceed. It examines how international law within a normative institutional framework has moderated China's exercise of State sovereignty and helps mediate differences between China's and other States' approaches to State sovereignty such that State sovereignty and international law may be better understood.

State Responsibility in the International Legal Order Katja Creutz, 2020-09-24 State responsibility in international law is considered one of the cornerstones of the field. For a long time it remained the exclusive responsibility system due to the primacy of States as subjects of international law. Its unique position has nonetheless been challenged by several developments both within and outside the international legal order such as the rise of alternative responsibility ideas and practices as well as globalization and its consequences. This book adopts a critical and holistic approach to the law of State responsibility and analyzes the functionality of the general rules of State responsibility in a changed international landscape characterized by the fragmentation of responsibility. It is argued that State responsibility is not equally relevant across the broad spectrum of international obligations and that alternative constructions of responsibility namely international criminal law and international liability have increased in standing.

Shallow Equality and Symbolic Jurisprudence in Multilingual Legal Orders Janny Leung, 2019 This book offers a comprehensive account of official multilingualism and its legal ramifications. Janny H C Leung shows that while offering official status to multiple languages has become normalized, actual implementation and success vary. Despite often elaborate institutional adaptations, changes hardly ever challenge the status quo enjoyed by a dominant linguistic group. Leung argues that both shallow equality and symbolic jurisprudence are characteristics of official multilingualism driven by strategic pluralism.

Is the International Legal Order Unraveling? David L. Sloss, 2022 The book examines how the rules-based international order is threatened by challenges such as climate change, autonomous weapons, and cyber weapons. It discusses how the international order can confront these threats and proposes future developments of the rules-based international order as a whole.

Contemporary Methods in International Legal Research Juan J Garcia Blesa, 2024-12-01 This book is a concise practical guide to some of the most relevant ways of thinking and doing international legal research today. It is designed to help students and early career researchers to get acquainted with the theory and practice of a selection of non-doctrinal modes of legal research that include feminist international law, critical international law, and TWAIL, complemented with qualitative methods of empirical legal research. The book also encourages a meaningful dialogue with traditional doctrinal styles of legal research. The book's

most innovative aspect is its practical learner centred approach which focuses on the applied learning of the modes of research presented

The Legal and Economic Analysis of the WTO/FTA System Dukgeun Ahn, 2016-02-29 The Legal and Economic Analysis of the WTO FTA System presents a collation of interdisciplinary studies covering a wide range of issues from WTO dispute settlement issues to trade remedy systems and FTA negotiations The author applies legal as well as economic rationales and methods to analyze core issues in the world trading system and in doing so sheds an interesting light on various trade issues The interdisciplinary analysis on WTO and FTA issues provides a unique opportunity to reconsider many conventional trade topics For instance the author shows that third country dumping rarely used in the GATT WTO system may have a new role with economic incentives in the context of FTAs Contents Dispute Settlement in the WTO System Understanding Non litigated Disputes in the WTO Dispute Settlement System Korea in the GATT WTO Dispute Settlement System Legal Battle for Economic Development Practices and Theoretical Foundations of the Trade Remedy System Alternative Approach to Causation Analysis in Trade Remedy Investigations Cost of Production Test Third Country Dumping Origin Evolution and Prospect Restructuring the WTO Safeguard Mechanism in The WTO Trade Remedy System Foe or Friend of GATT Article XXIV Diversity in Trade Remedy Rules Countervailing Duty against China Opening a Pandora's Box in the WTO System United States Anti Dumping Measures on Certain Shrimp and Diamond Sawblades from China Never Ending Zeroing in the WTO International Decisions United States Definitive Anti Dumping and Countervailing Duties on Certain Products from China Interrelation between Trade and Finance Linkages between International Trade and Financial Institutions IMF World Bank and WTO WTO Disciplines Under the IMF Program Congruence or Conflict Is the Chinese Exchange rate Regime WTO legal Book Review International Law in Financial Regulation and Monetary Affairs Legal and Economic Analysis of Free Trade Agreements Dispute Settlement Systems in Asian FTAs Issues and Problems Analysis of Anti dumping Use in Free Trade Agreements Legal Issues for Korea's Internal Trade in the WTO System Readership Researchers students and members of the public who are interested in international trade or economic law international economics and international political economy

Radical Critiques of the Law Stephen M. Griffin, Robert C. L. Moffat, 1997 The past two decades have seen an outpouring of work in legal theory that is self consciously critical of aspects of American law and the institutions of the liberal state In this lively volume eminent scholars in philosophy law and political science respond to this recent scholarship by exploring what constitutes a radical critique of the law examining such theories as critical legal studies feminist theory and theories of difference and critical race theory The authors consider whether the critiques advanced in recent legal theory can truly be called radical and what form a radical critique of American law should take Writing at the cutting edge of the critique of critical legal theory they offer insights first on critical legal scholarship then on feminist political and legal theory A third group of contributions questions the radicalness of these approaches in light of their failure to challenge fundamental aspects of liberalism while a final section focuses on current issues of legal reform through critical

views on criminal punishment including observations on rape and hate speech Each major essay describes the underlying principles in the development of a radical legal theory and addresses unresolved questions relating to it while accompanying commentaries present conflicting views The resulting dialogue explores wide ranging issues like equity value relativism adversarial and empathic legal advocacy communitarianism and the social contract impartiality and contingency natural law and corrective justice A common thread for many of the articles is a focus on the social dimension of society and law which finds the individualism of prevailing liberal theories too limiting *Radical Critiques of the Law* is particularly unique in presenting critical and feminist approaches in one volume along with skeptical commentary about just how radical some critiques really are Proposing alternative critiques that embody considerably greater promise of being truly radical it offers provocative reading for both philosophers and legal scholars by showing that many claims to radicalism are highly problematic at best

The Phenomenology of Modern Legal Discourse William E. Conklin, 2024-05-01 Originally published in 1998 *The Phenomenology of Modern Legal Discourse* recovers the suffering which is concealed as lawyers judges and other legal officials resignify a harm through the special vocabulary and grammar which constitutes legal language At the moment of re signification an untranslatable gap erupts between the knowers special language and the embodied meanings of the non knower *The Phenomenology* claims that the gap can be unconcealed if the knowers of the special language reconsider their assumptions about legal meaning the body and desire With a broad grasp of diverse problematics from the legal procedures legal discourses and legal theory of three jurisdictions to exemplify his claims the author interweaves arguments which draw from Edmund Husserl s and Maurice Merleau Ponty s insights about meaning The author s effort demonstrates how one may unconceal lived laws through a re reading of the role of the experiential body in legal signification The author s effort to retrieve the embodiment of legal meaning destabilizes deep assumptions of contemporary lawyers and legal theorists

Slapper and Kelly's The English Legal System David Kelly, 2024-06-21 *Slapper and Kelly's The English Legal System* explains and critically assesses what law is how it is made and applied and how it affects the general public This latest edition has not only been restructured and updated but extensively refocused to provide a reliable analysis of the contemporary legal system in the sociopolitical uncertainty of a post Brexit post Covid UK It retains the key learning features of useful chapter summaries which act as a good checkpoint for students food for thought questions at the end of each chapter to prompt critical thinking and reflection sources for further reading and suggested websites at the end of each chapter to point students towards further learning pathways and a fully updated online resource for students and instructors Trusted by generations of academics and students this authoritative textbook is a permanent fixture in this ever evolving subject

Contextualising Legal Research Sanne Taekema, Wibren van der Burg, 2024-06-05 Providing a clear and concise guide to the practicalities of legal research this informative book presents a methodological framework for law in context research design It argues that legal scholarship relies on the interpretive and argumentative methods of the

humanities but also requires empirical input due to its focus on social reality

The Top Books of the Year Critique Of The Legal Order Critique Of The Legal Order The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous compelling novels captivating the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the engaging narratives that have charmed audiences this year. The Must-Read : Colleen Hoover's "It Ends with Us" This touching tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover expertly weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Uncover the Best : Taylor Jenkins Reid's "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reid's absorbing storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Critique Of The Legal Order Critique Of The Legal Order : Delia Owens' "Where the Crawdads Sing" This mesmerizing coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens weaves a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papan, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is an exceptional and gripping novel that will keep you wondering until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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