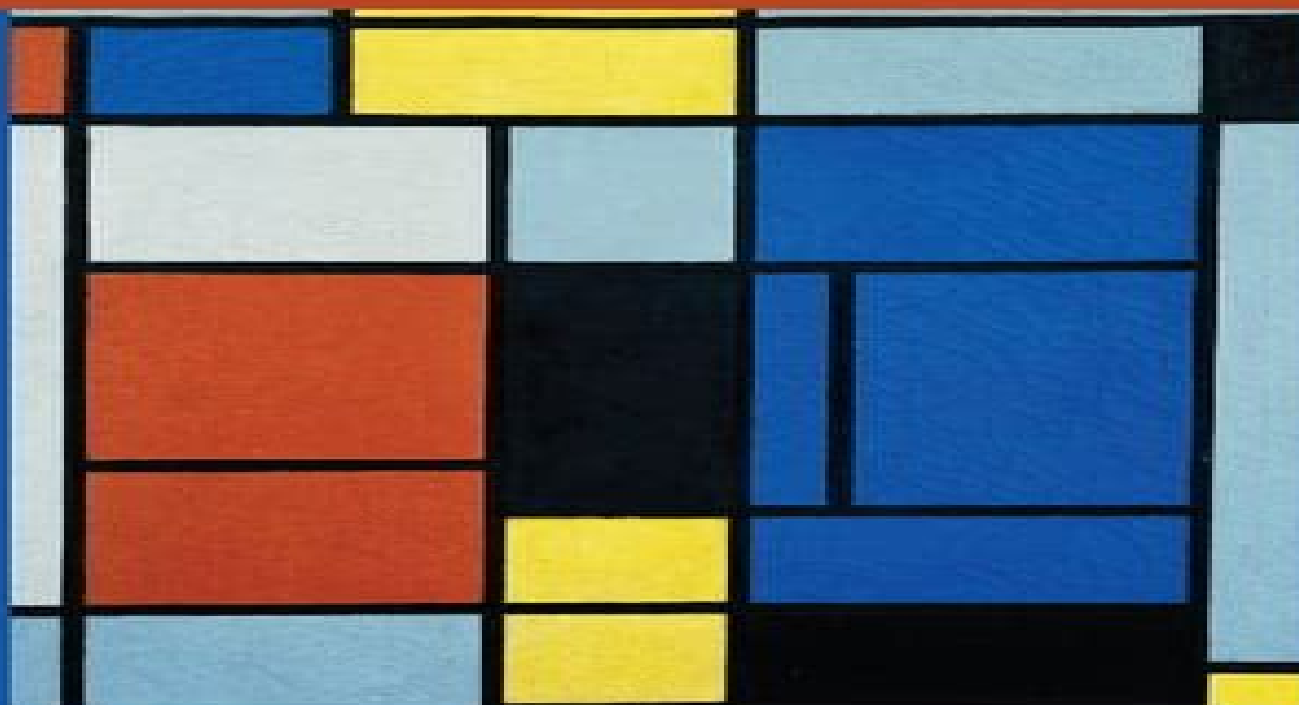


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TRANSNATIONAL LEGAL ORDERS

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Sociology of Constitutions Alberto

Febbrajo,Giancarlo Corsi,2016-05-05 This collection brings together some of the most influential sociologists of law to confront the challenges of current transnational constitutionalism It shows the constitution appearing in a new light no longer as an essential factor of unity and stabilisation but as a potential defence of pluralism and innovation The first part of the book is devoted to the analysis of the concept of constitution highlighting the elements that can contribute from a socio legal perspective to clarifying the principle meanings attributed to the constitution The study goes on to analyse some concrete aspects of the functioning of constitutions in contemporary society In applying Luhmann s General Systems Theory to a comparative analysis of the concept of constitution the work contributes to a better understanding of this traditional concept in both its institutionalised and functional aspects Defining the constitution s contents and functions both at the conceptual level and by taking empirical issues of particular comparative interest into account this study will be of importance to scholars and students of sociology of law sociology of politics and comparative public law

Research

Handbook on Soft Law Mariolina Eliantonio,Emilia Korkea-aho,Ulrika Mörtz,2023-11-03 This pioneering Research Handbook provides an in depth scholarly overview of the field of soft law exploring the scope of current thinking in the field as well as proposing future pathways for soft law research Through theoretical and empirical analyses by established voices in the field the Research Handbook offers important insights and much needed clarity into the dynamic and complex nature of soft law This title contains one or more Open Access chapters

Research Handbook on the Sociology of Law Jiří

Přibán,2020-12-25 This unique Research Handbook maps the historical theoretical and methodological concepts in sociology of law exploring the rich and complex nature of this area of research It argues that sociology of law flourishes due to its strong capacity for interdisciplinary engagement and links to other scientific concepts methodologies and research fields

Law, Society and Community Richard Nobles,David Schiff,2016-04-22 This collection of socio legal studies written by leading theorists and researchers from around the world offers original perceptive and critical contributions to ideas and theories that have been expounded by Roger Cotterrell over a long and distinguished career Engaging with many classic issues and theories of the sociology of law the contributions are likely to become classics themselves as they tackle some of the most significant challenges that modern law faces They do not shy away from what one of the contributors describes as the complexity and multiplicity of our contemporary legal world The book is organized in three parts socio legal themes methodological and jurisprudential themes globalization cultural and comparative law themes Starting with a chapter that re

engages with the need to interpret legal ideas sociologically and ending with one that explores the global significance of modern fascination with the idea of the rule of law this selection offers important additions to the oeuvre of Roger Cotterrell a list of whose academic writings is included in the book **Internationalised Constitution Making and State**

Formation Katrin Seidel, 2025-03-31 This book presents an in depth and nuanced interdisciplinary and comparative analysis of post conflict constitution making in South Sudan and Somaliland exploring the ways in which the two emerging states negotiate statehood in a globalised world It critically examines the transfer of international constitution making models as part of international rule of law promotion frameworks Specific emphasis is placed on the socio cultural translation dynamics of these models in conflict settings The comparative study explores the tensions between state sovereignty and international interventions examining whether international constitution making involvement fosters the production of societal consensus or inadvertently impedes efforts to achieve stability and peace By focusing on constitutional law making the book sheds light on how normative ideas are transformed in negotiations and opens up new analytical avenues for re thinking conventional constitution making practices It critically reconsiders the assumption that every emerging state requires a written constitution alongside the state centred notion of sovereignty underpinning this paradigm Additionally the study addresses the power and knowledge hierarchies inherent in international interventions providing empirical data from post conflict African contexts The book will be of interest to academics researchers and policy makers working in the areas of comparative public law constitutionalism sociology of law anthropology legal geography international relations political science and African studies New Perspectives on the Structure of Transnational Criminal Justice Mikkel Jarle Christensen, Neil

Boister, 2018-03-20 National criminal justice systems are slowly integrating in an effort to combat cross border criminality New Perspectives on the Structure of Transnational Criminal Justice provides a forum for critical perspectives on this evolving system with the goal of testing and challenging conceptions of transnational criminal law Collectively the papers in this special issue investigate the main symbolic and material characteristics of this space of justice how it is organized and what dynamics shape its functionality and impact 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 The International Legal Order in Global Governance Alain Germeaux, 2022-10-18 The space occupied by international law in shaping political action is subject to continuing

debate and controversy This book aims to answer the question of how and why international law impacts the behaviour of actors on the international stage in the absence of central authority and faced with asymmetric power At a time when the role of normative restraints in international relations and international law in particular has come under renewed questioning it advances an analytical framework for understanding the effect of norms on behaviour that is not contingent on material restraints or a given political constellation while being informed by the practical realities and practice of international organisation In doing so this book draws on an interdisciplinary range of sources including international law political theory cognitive psychology and behavioural economics to explore a communicative action based approach of how norms and ideas persuade actors to engage in a course of action consonant with international law to achieve a particular outcome In probing the role of norms on questions such as the use of force and accountability and issues of equity and justice it examines the challenges international law faces and what the way forward may look like

Handbook on Global Constitutionalism

Anthony F. Lang, Antje Wiener, 2023-11-03 This thoroughly revised Handbook presents an up to date political and philosophical history of global constitutionalism By exploring the constitutional like qualities of international affairs it provides key insight into the evolving world order

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