



Law and Language

Effective Symbols of Community

HAROLD J. BERMAN

Edited by JOHN WITTE, JR.

CAMBRIDGE

Law And Language Effective Symbols Of Community

Douglas E. Edlin



Law And Language Effective Symbols Of Community:

Law and Language Harold Joseph Berman, 2013 Berman's long lost tract shows how properly negotiated translated and formalised legal language is essential to fostering peace and common understanding Law and Language Harold J. Berman, 2013-08-08 Berman's long lost tract shows how properly negotiated translated and formalised legal language is essential to fostering peace and common understanding **Meaning and Power in the Language of Law** Janny H. C. Leung, Alan Durant, 2018-01-18 Legal practitioners linguists anthropologists philosophers and others have all explored fundamental challenges presented by language in formulating interpreting and applying laws Building on centuries of interaction between legal practice and jurisprudence the modern field of law and language or forensic linguistics brings insights in linguistics and related fields to bear on topics including legal drafting and translation statutory interpretation expert evidence on language use and dynamics of courtroom interaction This volume presents an interlocking series of research studies engaged with different legal jurisdictions and socio political contexts as well as with the more abstract notion of law Together the chapters written by international leaders in their fields highlight recent directions in research and investigate in particular how law expresses yet also conceals power relations in its crafted use of words and in the gaps and silence between those words Routledge Handbook of Law and Religion Silvio Ferrari, 2015-03-05 The field of law and religion studies has undergone a profound transformation over the last thirty years looking beyond traditional relationships between State and religious communities to include rights of religious liberty and the role of religion in the public space This handbook features new specially commissioned papers by a range of eminent scholars that offer a comprehensive overview of the field of law and religion The book takes on an interdisciplinary approach drawing from anthropology sociology theology and political science in order to explore how laws and court decisions concerning religion contribute to the shape of the public space Key themes within the book include Religions symbols in the public space Religion and security Freedom of religion and cultural rights Defamation and hate speech Gender religion and law This advanced level reference work is essential reading for students researchers and scholars of law and religion as well as policy makers in the field

International Law in Public Debate Madelaine Chiam, 2021-12-09 Public debates in the language of international law have occurred across the 20th and 21st centuries and have produced a popular form of international law that matters for international practice This book analyses the people who used international law and how they used it in debates over Australia's participation in the 2003 Iraq War the Vietnam War and the First World War It examines texts such as newspapers parliamentary debates public protests and other expressions of public opinion It argues that these interventions produced a form of international law that shares a vocabulary and grammar with the expert forms of that language and distinct competences in order to be persuasive This longer history also illustrates a move from the use of international legal language as part of collective justifications to the use of international law as an autonomous justification for state action

Shallow Equality and Symbolic Jurisprudence in Multilingual Legal Orders Janny H.C. Leung, 2019-01-28 What challenges face jurisdictions that attempt to conduct law in two or more languages How does choosing a legal language affect the way in which justice is delivered Answers to these questions are vital for the 75 officially bilingual and multilingual states of the world as well as for other states contemplating a move towards multilingualism Arguably such questions have implications for all countries in a world characterized by the pressures of globalization economic integration population mobility decolonization and linguistic re colonization For lawyers addressing such challenges is made essential by the increased frequency and scale of transnational legal dealings and proceedings as well as by the lengthening reach of international law But it is not only policy makers legislators and other legal practitioners who must think about such questions The relationship between societal multilingualism and law also raises questions for the burgeoning field of language and law which posits among other tenets the centrality of language in legal processes In this book Janny H C Leung examines key aspects of legal multilingualism Drawing extensively on case studies she describes the implications of the legal practical and ideological dilemmas encountered in a given country when it becomes bilingual or multilingual discussing such issues as how legal certainty and the linguistic ideology of authenticity may be challenged in a multilingual jurisdiction how courts balance the language preferences of different courtroom participants and what historical socio political and economic factors may influence the decision to cement a given language as a jurisdiction s official language Throughout Leung elaborates a theory of symbolic jurisprudence to explore common dilemmas found across countries despite their varied political and cultural settings and argues that linguistic equality as proclaimed and practiced today is a shallow kind of equality Although officially multilingual jurisdictions appear to be more inclusive than their monolingual counterparts they run the risk of disguising substantive inequalities and displacing real efforts for more progressive social change This is the first book to offer overarching discussion of how such issues relate to each other and the first systematic study of legal multilingualism as a global phenomenon

International Law as a Profession Jean d'Aspremont, Tarcisio Gazzini, André Nollkaemper, Wouter Werner, 2017-04-06 This collection of self reflective essays explores the relations between international legal professions and their respective understandings of international law

Common Law Judging Douglas E. Edlin, 2020-03-06 Are judges supposed to be objective Citizens scholars and legal professionals commonly assume that subjectivity and objectivity are opposites with the corollary that subjectivity is a vice and objectivity is a virtue These assumptions underlie passionate debates over adherence to original intent and judicial activism In Common Law Judging Douglas Edlin challenges these widely held assumptions by reorienting the entire discussion Rather than analyze judging in terms of objectivity and truth he argues that we should instead approach the role of a judge s individual perspective in terms of intersubjectivity and validity Drawing upon Kantian aesthetic theory as well as case law legal theory and constitutional theory Edlin develops a new conceptual framework for the respective roles of the individual judge and of the judiciary as an

institution as well as the relationship between them as integral parts of the broader legal and political community Specifically Edlin situates a judge s subjective responses within a form of legal reasoning and reflective judgment that must be communicated to different audiences Edlin concludes that the individual values and perspectives of judges are indispensable both to their judgments in specific cases and to the independence of the courts According to the common law tradition

judicial subjectivity is a virtue not a vice **God and the Secular Legal System** Rafael Domingo,2016-09-29 This timely book offers a theistic approach to secular legal systems and demonstrates that these systems are neither agnostic nor atheist Critical but succinct in its approach this book focuses on an extensive range of liberal legal approaches to religious and moral issues and subjects them to critical scrutiny from a secular perspective Expertly written by a leading scholar the author offers a rare combination of profundity of ideas and simplicity of expression It is a ringing defense of the theistic conception of secular legal systems and an uncompromising attack on the agnostic and atheist conception Faith in Law, Law in Faith

,2024-04-02 Across four decades John Witte Jr has advanced the study of law and religion by retrieving religious sources of law renewing timeless teachings of religion for today and reengaging with the difficult issues confronting society Interdisciplinary international and interfaith in scope Witte s work has generated an enormous body of scholarship This collection of essays by leading scholars examines his impact and maps new directions for future exploration **Legal**

Geography Matteo Nicolini,2022-12-05 This book invites readers to critically rethink the interrelations between geography and the law Traditionally legal geographical interrelations have been dominated by scholars with backgrounds in geopolitics economics or geography More recently a new interdisciplinary approach has been developed with the aim of offering a fresh perspective on how law and geography intersect There has been a steady growth in cross disciplinary research in this field how legal geographical taxonomies interrelate has attracted attention from scholars and academics with a diverse range of backgrounds namely law anthropology and human physical geography thus giving rise to several publications Against this backdrop the book adopts a legal comparative perspective and assesses normative spatialities which are the outcomes of processes of legal spatial production In addition the comparative analysis offers readers new insights on some traditional geographic features which are essential to legal studies territorial identity regional demarcation territorial alternation and place name policy Examples are drawn from several jurisdictions both from the Global North and the Global South and partly employ a diachronic perspective As its subversive character is ideally suited to revealing policies and agendas comparative law is used to identify the ethnocentric and colonial biases underpinning the use and misuse of legal geographic devices by policymakers and academics In sum the book presents legal geography as an interdisciplinary undertaking in which geographers and legal scholars can jointly examine common concepts in the historical cultural political and social contexts in which law is practised The book transcends the boundaries between disciplines to engage in a fruitful dialogue on how the law can help to address the current socio geographic and ecological crises *Legal Formulae* Patrizia Giampieri,2025-02-28

This book analyses and investigates the neutral legal formulae of the English common law and the Italian and French civil law traditions together with those used in international settings such as the European Union. It explores the usage of English formulae and of their Italian and French counterparts that are mentioned in terms of service national and EU legislation and in national and European parliamentary debates. The author takes a comparative approach to analysing the various corpora carrying out cross analyses to allow understanding of the usage s in contexts of neutral legal formulae. This reveals insights into word frequencies in the three languages and legal systems as well as in different genres and the book goes on to compare the relative frequencies of the neutral formulae across the three languages to investigate their variety. This book will be of interest to academics, students and practitioners in fields including linguistics, law and corpus based legal translation.

Christianity and the Laws of Conscience Jeffrey B. Hammond, Helen M. Alvare, 2021-06-24. This book explores the Christian theological, legal, constitutional, historical and philosophical meanings of conscience for both scholarly and educated general audiences.

The Integrative Jurisprudence Of Harold J. Berman Howard O. Hunter, 2019-07-11. The essays in this volume appeared in slightly different versions in the *Emory Law Journal* volume 42 number 2 pages 433-560. The edited and revised versions of those essays are published with the consent of the editors of the *Emory Law Journal* to whom grateful acknowledgment is given.

The Oxford Handbook of International Arbitration Thomas Schultz, Federico Ortino, 2020-09-11. This Handbook brings together many of the key scholars and leading practitioners in international arbitration to present and examine cutting edge knowledge in the field. Innovative in its breadth of coverage, chapter topics range from the practicalities of how arbitration works to big picture discussions of the actors involved and the values that underpin it. The book includes critical analysis of some of international arbitrations most controversial aspects whilst providing a nuanced account overall that allows readers to draw their own informed conclusions. The book is divided into six parts after an introduction discussing the formation of knowledge in the field. Part I provides an overview of the key legal notions needed to understand how international arbitration technically works such as the relation between arbitration and law, the power of arbitral tribunals to make decisions, the appointment of arbitrators and the role of public policy. Part II focuses on key actors in international arbitration such as arbitrators, parties choosing arbitrators and civil society. Part III examines the central values at stake in the field including efficiency, legal certainty and constitutional ideals. Part IV discusses intellectual paradigms structuring the thinking in and about international arbitration such as the idea of autonomous transnational legal orders and conflicts of law. Part V presents the empirical evidence we currently have about the operations and effects of both commercial and investment arbitration. Finally, Part VI provides different disciplinary perspectives on international arbitration including historical, sociological, literary, economic and psychological accounts.

Do Not Love Your Neighbour as Yourself? Leon van den Broeke, 2025-01-20. This book explores the notion of neighbourly law. In the twentieth century, some German church law scholars viewed neighbour law as the foundational principle of the church law system. However, this perspective has since

evolved Around the year 2000 there was a growing focus in the Anglo Saxon world on the relationship between love and law Although neighbour law can no longer be regarded as the sole foundation of church law the obligation remains to reflect critically on the role of the neighbour in legal theological discourse the development and codification of church law and its practical application Canon law is a diaconal ordering of God s love or neighbour law

International Commercial Agreements William Fox,Ylli Dautaj,2023-12-05 Precise planning drafting and vigorous negotiation lie at the heart of every international commercial agreement But as the international business community moves toward the third decade of the twenty first century a large amount of the detail of these agreements has migrated to the Internet and has become part of electronic commerce This incomparable one volume work now in its seventh edition begins by discussing and analyzing all the basic components of international contracts regardless of whether the contracting parties are interacting face to face or dealing electronically at some distance from each other The work stands alone among contract drafting guides and has proven its enduring worth Using an established and highly practical format the book offers precise information and analysis of a wide variety of issues and forms of agreement as well as the various forms of international commercial dispute resolution The seventh edition includes new and updated material on a large number of issues and concepts such as new developments and technical progress in electronic commerce the use of concepts of standardization i e the work of the International Organization for Standardization as a contract drafting tool new developments in artificial intelligence in contract drafting the use of cryptocurrencies as a payment device expedited arbitration early neutral evaluation and digital procedures for dispute resolution online dispute resolution including the phenomenon of the robot arbitrator and foreign direct investment investment law and investor state dispute resolution Each chapter provides numerous references to additional sources including websites journal articles and texts Materials from and citations to appropriate literature and languages other than English are included Recognizing that business executives entering into an international commercial transaction are mainly interested in drafting and negotiating an agreement that satisfies all of the parties and that will be performed as promised this superb guide will measurably assist any lawyer or business executive in planning and implementing contracts and resolving disputes even when that person is not interested in a full blown understanding of the entire landscape of international contracts Business executives who are not lawyers will find that this book gives them the understanding and perspective necessary to work effectively with legal experts

Comparing Fiscal Federalism Alice Valdesalici,Francesco Palermo,2018-02-27 Comparing Fiscal Federalism investigates intergovernmental financial relations and the current de jure and de facto allocation of financial and fiscal powers in compound states from a comparative and interdisciplinary perspective The volume combines theoretical approaches with case studies and involves scholars from various disciplines in order to provide a comprehensive analysis of different approaches developments and trends This includes outlining fiscal federalism s basic principles and overall frameworks investigating current constitutional legislative settings and how

financial systems function as well as zooming in on a selection of emerging issues in financial and fiscal relations The single chapters are based on comparative investigations under the umbrella of a broad definition of fiscal federalism that includes all varieties of federal systems

Translating and Interpreting Justice in a Postmonolingual Age Esther

Monzó-Nebot, Juan Jiménez-Salcedo, 2019-01-15 Postmonolingualism as formulated by Yildiz can be understood to be a resistance to the demands of institutions that seek to enforce a monolingual standard Complex identities social practices and cultural products are increasingly required to conform to the expectancies of a norm that for many is no longer considered reasonable Thus in this postmonolingual age it is essential that the approaches and initiatives used to counter these demands aim not only to understand these hyper diverse societies but also to deminoritize underprivileged communities Translating and Interpreting Justice in a Postmonolingual Age is an attempt to expand the limits of postmonolingualism as a framework for exploring the possibilities of translation and interpreting in mediating between the myriad of sociocultural communities that coexist today Challenging assumptions about the role of translation and interpreting the contributions gathered in this volume focus on intercultural and intergroup understanding as a process and as a requisite for social justice and ethical progress From different but complementary approaches practical experiences and existing legal and policy frameworks are scrutinized to highlight the need for translation and interpreting policies in legal and institutional contexts in multicultural societies Researchers and policymakers in the fields of translation and interpreting studies multiculturalism and education and language and diversity policies will find inspiring perspectives on how legal and institutional translation and interpreting can help pursue the goals of democratic societies

2013 Massimo Mastrogregori, 2017-11-20 Every year the Bibliography catalogues the most important new publications historiographical monographs and journal articles throughout the world extending from prehistory and ancient history to the most recent contemporary historical studies Within the systematic classification according to epoch region and historical discipline works are also listed according to author s name and characteristic keywords in their title

The Top Books of the Year Law And Language Effective Symbols Of Community The year 2023 has witnessed a noteworthy surge in literary brilliance, with numerous captivating novels enthralling the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have charmed audiences this year. Law And Language Effective Symbols Of Community : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Law And Language Effective Symbols Of Community : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This spellbinding historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : 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, captivating 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 engaging stories waiting to be discovered. The novel begins with Richard Papen, 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 a masterful and gripping novel that will keep you speculating until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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