

European Legal Cultures in Transition



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and WILLIAM L. MILLER

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European Legal Cultures in Transition Åse B. Grødeland, William Lockley Miller, 2015 Are national legal cultures in Europe converging or diverging as a result of the pressures of European legal integration se B Gr deland and and William L Miller address this question by exploring the attitudes and perceptions of the general public and law professionals in five European countries England Norway Bulgaria Poland and the Ukraine Presenting new findings they challenge the established view that ordinary citizens and people working professionally with the law have different legal cultures Their research in fact reveals that the attitudes of citizens in Eastern and Western Europe towards law in principle are remarkably similar whereas perceptions of law in practice differ by country and often correlate with GDP per capita and country ranking in rule of law indices Gr deland and Miller s innovative methodological approach will appeal to both experts and non experts with an interest in legal culture European integration or European elite and public opinion

European Legal Cultures in Transition Åse B. Grødeland, William L. Miller, 2015-07-24 Provides a novel methodological approach to the study of popular and professional legal culture within the European context

European Legal Cultures Volkmar Gessner, Armin Hoeland, Csaba Varga, 1996 This textbook aims to illuminate the context of law in Europe by exploring its various cultures Two interpretations of legal culture are considered Firstly as it is used in legal philosophy and legal theory to characterize the professional administration of the law Secondly the legal sociological understanding of legal culture as the sum of conditions that impinge upon the law s development and application whether this be the procedural methods employed by institutions the interests and professional qualities of the legal actors or the general legal consciousness of the public Both interpretations of legal culture lead to an understanding of law that suggests a certain scepticism regarding the expectation that Western Europe s successfully tried and tested legal models can be quickly applied to other societies as well Like all cultural assets law is subject to processes of adaptation and exchange but its exportability is limited

Handbook on Legal Cultures Sören Koch, Marius Mikkel Kjølstad, 2023-05-30 Cooperation across borders requires both knowledge of and understanding of different cultures This is especially true when it comes to the law This handbook is the first to comprehensively present selected legal cultures based on a very specific set of structural elements which can be found in all such cultures Legal cultures are a product of and impacted by certain fundamental and commonly shared ideas on and expectations of the law In all modern societies these ideas are to a certain degree institutionalized or at least embedded in institutionalized practices These practices determine the way lawyers are educated and apply the law how they engage with the ongoing internationalization of law and what kind of values they adhere to Looking at these elements separately enables the reader to identify similarities and differences and to explain them contextually Understanding these general features of legal cultures can help avoid misunderstandings or misinterpretations of foreign law and its application Accordingly this handbook is a necessary starting point for all kinds of legal comparative studies conducted by academics students judges and

other legal practitioners **Common Law and Civil Law Today - Convergence and Divergence** Marko

Novakovic, 2019-05-09 Authors from 13 countries come together in this edited volume *Common Law and Civil Law Today: Convergence and Divergence* to present different aspects of the relationship and intersections between common and civil law. Approaching the relationship between common and civil law from different perspectives and from different fields of law, this book offers an intriguing insight into the similarities, differences, and connections between these two major legal traditions. This volume is divided into 3 parts and consists of 22 articles. The first part discusses the common law/civil law dichotomy in the international legal systems and theory. The second focuses on case law and arbitration, while the third part analyses elements of common and civil law in various legal systems. By offering such a variety of approaches and voices, this book allows the reader to gain an invaluable insight into the historical, comparative, and theoretical contexts of this legal dichotomy. From its carefully selected authors to its comprehensive collection of articles, this edited volume is an essential resource for students, researchers, and practitioners working or studying within both legal systems.

The Oxford Handbook of Comparative Law Mathias Reimann, Reinhard Zimmermann, 2019-03-26 This fully revised and updated second edition of *The Oxford Handbook of Comparative Law* provides a wide-ranging and diverse critical survey of comparative law at the beginning of the twenty-first century. It summarizes and evaluates a discipline that is time-honoured but not easily understood in all its dimensions. In the current era of globalization, this discipline is more relevant than ever, both on the academic and on the practical level. The Handbook is divided into three main sections. Section I surveys how comparative law has developed and where it stands today in various parts of the world. This includes not only traditional model jurisdictions such as France, Germany, and the United States, but also other regions like Eastern Europe, East Asia, and Latin America. Section II then discusses the major approaches to comparative law, its methods, goals, and its relationship with other fields such as legal history, economics, and linguistics. Finally, section III deals with the status of comparative studies in over a dozen subject-matter areas, including the major categories of private, economic, public, and criminal law. The Handbook contains forty-eight chapters written by experts from around the world. The aim of each chapter is to provide an accessible, original, and critical account of the current state of comparative law in its respective area, which will help to shape the agenda in the years to come. Each chapter also includes a short bibliography referencing the definitive works in the field.

Historical and Philosophical Foundations of European Legal Culture Dawid Bunikowski, 2017-01-06 This ambitious book examines the historical, theoretical, and axiological foundations of European legal culture and explores their practical impacts on current European law and legal ways of thinking in Europe. Including considerations about the history of law as well as contemporary legal issues, the book consists of seven chapters authored by scholars from across the globe, from Italy to Taiwan. This volume shows that it is possible to speak of one European legal culture in terms of various countries' common legal origins: Roman law, Greek philosophy, and medieval jurisprudence as the *ius commune*, while also discussing distinct national legal cultures.

and traditions in Europe However to understand the present day law and legal profession it is necessary to go back to the values theories and thinkers which were influential in the progress of European law from ancient times to the 19th century The book not only presents the theoretical and historical issues of European legal culture but also acquaints the audience with the true axiological foundations of our contemporary legal institutions and the methods of legal thinking in Europe It is clear that many of our current legal concepts and institutions come from theorists such as Aristotle Ulpian Aquinas Hobbes and Savigny The book will be of particular interest to scholars and students of legal history jurisprudence and European law especially in the context of the origins of European legal culture Moreover it will also appeal to all lawyers working in both the common law and the civil law traditions wishing to gain a greater understanding of European legal heritage

On Different Legal Cultures, Premodern and Modern States, and the Transition to the Rule of Law in Western and Eastern Europe Werner Krawietz,Csaba Varga,2002

Paradoxes of European Legal Integration Hanne Petersen,2008

Focusing on paradoxes and tensions of European legal integration this book investigates four complex and inherently contradictory processes to offer a new framework for understanding contemporary European integration The volume features contributions from some of the biggest names in European legal philosophy to include Neil MacCormick Yves Dezalay and Bryant Garth Pierre Legrand Heikki Mattila and David Nelken

Law, Culture and Identity in Central and Eastern Europe Cosmin Cercel,Alexandra Mercescu,Mirosław Michał Sadowski,2023-12-01

Combining insights from comparative legal theory jurisprudence and legal history this collection examines the legal and constitutional identity of Central and Eastern Europe Although the various countries of Central and Eastern Europe have often compared themselves to the West the failure of these countries to engage with one another has resulted in a whole spectrum of legal identities remaining hidden This book takes up a comparison of such identities within the region of Central and Eastern Europe and following from the prima facie similarity between the region s countries given the experience of communism and legal transfers The book thereby illuminates through comparisons the distinct legal identities of the 16 Central and Eastern European states whilst at the same time arguing for a shared Central and Eastern European legal identity This book will appeal to scholars and students in the area of comparative law as well as lawyers political scientists sociologists and historians with particular interests in Central and Eastern Europe

Maastricht Journal of European and Comparative Law ,1996

The Enigma of Comparative Law Esin Örüçü,2013-12-14

Viewing the contested theme Comparative Law as an Enigma this book explores its fundamental issues as sub themes each covered in two variations After the Overture the author pulls some strands together in the Intermezzo uses a free hand in the Cadenza and asks the reader to draw her own conclusions in the Finale By this method two fundamentally opposed views are exposed in each Chapter The what why and how of comparative law comparative law and legal education comparative law and judges and comparative law and law reform by transposition are explored The author also examines current debates of comparative law such as law and culture

deconstruction of classifications mixing systems limits of comparability convergence non convergence and ius commune novum By following this two pronged approach the book covers many important aspects of comparative law in a refreshing manner not seen in any other work It is provocative and discursive bringing together for the reader major developments of comparative law The book ends by asking Where are we going *Transition? To Rule of Law?* Csaba Varga,2008

Contemporary Ukraine on the Cultural Map of Europe Larysa M. L. Zales'ka Onyshkevych, Marii[a]

Revakovich,2009 The concept of a return to Europe has been integral to the movement for Ukrainian national rebirth since the nineteenth century While the goal of a more fully reformed politics remains elusive numerous expressions of Ukrainian culture continue to develop in the European spirit This wide ranging book explores Ukraine s European cultural connection especially as it has been reestablished since the country achieved independence in 1991 The contributors discusses many aspects of Ukraine s contemporary culture history politics and religion in Part I literary culture in Part II and language popular culture and the arts in Part III What emerges is a fascinating picture of a young country grappling with its divided past and its colonial heritage yet asserting its voice and preferences amid the diverse and at times conflicting realities of the contemporary political scene Europe becomes a powerful point of reference a measure against which the situation in post independence Ukraine is gouged and debated This framework allows for a better understanding of the complexities deeply ingrained in the social fabric of Ukrainian society **European Legal Book Index** ,1996 *Hungary's Legal Assistance*

Experiences in the Age of Globalization ,2006 Law & Religion in the 21st Century Lisbet Christoffersen,Kjell Å Modéer,Svend Andersen,2010 Caspar David Friedrich s painting on the cover of this book is a metaphor Scholarly relations between law religion seemed to be destroyed through modernity The book however argues for new life in the ruins

Association of American Law Schools Journal of Legal Education ,1992 *Asia and Europe in Globalization* Göran

Therborn,Habibul Haque Khondker,2006 This interdisciplinary book by a group of Asian and European scholars provides a deeper understanding of globalization as an historical process with special attention to the regional and national contexts Globalization this book demonstrates has its roots in civilizational dialogues and interchanges **The Transitions of Local Administration Culture in Russia** Anna-Liisa Heusala,2005

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web aug 30 2015 the first claim is that morality is contra so called reasons internalism a categorical source of practical reasons for agents that is to say agents have practical reasons to comply with the true morality irrespective of whether they accept this morality or desire to comply with it

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web i suggest that we see moral reasons as those ultimate reasons the essential nature of which can be stated only in irreducibly moral terms where moral terms themselves are those that answer to the moral emotions primarily the negative ones of blame shame and guilt see crisp 2006 9 20 an action will be for example wrong if and

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web this is chapter 5 of my commonsense consequentialism wherein morality meets rationality in this chapter i argue that those who wish to accommodate typical instances of supererogation and agent centered options must deny that moral reasons are morally overriding and accept both that the reason that agents have to promote their own self

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web apr 17 2002 in the normative sense morality refers to a code of conduct that would be accepted by anyone who meets certain intellectual and volitional conditions almost always including the condition of being rational that a person meets these conditions is typically expressed by saying that the person counts as a moral agent

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web examines the nature of moral argument and how arguments might be brought to a conclusion it is argued that moral reasoning is a kind of exploration akin to karl popper s concept of deduction the only inferences that take place are deductive

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web this chapter addresses the question how deeply moral reasons relate to human motivation through discussing the debate over internalism and externalism in ethics internalists on moral reasons hold that an agent s having a reason to act requires

that it be based in some motive that she already has while externalists deny the necessary relation

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web jun 27 2022 one might argue that moral reasons are impartial but that there are other reasons that successfully compete with them reasons relating to the near and dear for example or one's own ground projects or one could hold that morality includes special reasons arising from special obligations that also morally justify our actions

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