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Abstract. This book offers a major new means of conceptualizing law and legal relations across the world. National laws are placed in the broader context of major legal traditions, those of chthonic (or indigenous) law, talmudic law, civil law, Islamic law, common law, Hindu law, and Confucian law. Each tradition is examined in terms of its institutions and substantive law, its founding concepts and methods, its attitude towards the concept of change, and its teaching on relations with other ...

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There are four main legal traditions in the world. They include Common, civil, socialist, and Islamic legal tradition. These legal traditions originated from different countries long time ago and they all had a common goal; to serve as a method of social control.

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Legal Traditions of the World is a prize-winning work that offers a major new means of conceptualizing law and legal relations across the world. National laws are placed in the broader context of major legal traditions, those of chthonic (or indigenous) law, talmudic law, civil law, islamic law, common law, hindu law and confucian law.

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Glenn examines seven of the world's most important and complex legal traditions in detail; chtonic (or indigenous) law; talmudic law; civil law; Islamic law; common law; Hindu law and Asian law. Each tradition is examined in terms of its institutions and substantive law, its foundations concepts and methods, its attitudes towards the concept of change, and its teaching on relations with other ...

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Legal Traditions of the World: Sustainable Diversity in Law by Glenn, Patrick, Oxford Univ Pr, 2014, Paperback, New, 5th edition, 423 pages, 9.50x6.50x1.00 inches ...

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Legal Traditions of the World : H. Patrick Glenn ...
Instead, it examines seven legal traditions of the world: the chthonic (or folk), Talmudic, civil law, Islamic, common law, Hindu, and Asian legal traditions.

Legal Traditions of the World: Sustainable Diversity in ...
The first edition of Legal Traditions of the World (Oxford University Press, 2000) received the Grand Prize of the International Academy of Comparative Law. He is a former Director of the Institute of Comparative Law, McGill University, and in that capacity worked on projects on the reform of the Russian Civil Code and judicial education in China.

Legal Traditions of the World : Patrick Glenn : 9780195580804
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Legal Traditions of the World places national laws in the broader context of major legal traditions, those of chthonic (or indigenous) law, talmudic law, civil law, islamic law, common law, hindu law and confucian law. Each tradition is examined in terms of its institutions and substantive law, its founding concepts and methods, its attitude towards the concept of change and its teaching on relations with other traditions and peoples. The fifth edition covers increasing recognition of chthonic legal tradition and features new discussion on the notion of collective memory. New to this editionFeatures new discussion on the notion of collective memoryCovers increasing recognition of chthonic legal traditionIncludes new coverage of the notions of Big Data, Big History and private cloudsIncreased coverage of treatment of animals in each of the legal traditions

Previous edition, 1st, published in 2000.

International courts have proliferated in the international system, with over one hundred judicial or quasi-judicial bodies in existence today. This book develops a rational legal design theory of international adjudication in order to explain the variation in state support for international courts. Initial negotiators of new courts, 'originators', design international courts in ways that are politically and legally optimal. States joining existing international courts, 'joiners', look to the legal rules and procedures to assess the courts' ability to be capable, fair and unbiased. The authors demonstrate that the characteristics of civil law, common law and islamic law influence states' acceptance of the jurisdiction of international courts, the durability of states' commitments to international courts, and the design of states' commitments to the courts. Furthermore, states strike cooperative agreements most effectively in the shadow of an international court that operates according to familiar legal principles and rules.

The primary aim of this book is to provide clear and reliable information on a number of cntral topics in comparative law. At a time when global society is increasingly mobile and legal life is internationalized, the role of comparative law is gaining importance. While the growing interest in this field may well be attributed to the dramatic increase in international legal transactions, this empirical parameter is only part of the explanation. The other part, and (at least) equally important, has to do with the expectation of gaining a deeper understanding of law as a social phenomenon and a fresh insight into the current state and future direction of one ' s own legal system. In response to the internationalization of legal practice and theory, law schools around the world have expanded their comparative law programs. Within the legal subjects that form the core of the curriculum there is a greater interest in comparative legal analysis, as well as greater attention to how global developments and international actors and institutions affect domestic law. Transnational legal education based on comparative reasoning is intended to help shape a new generation of lawyers, public servants and other professionals who recognize and respect cultural diversity in an interconnected world. The central topics discussed in this book include: the nature and scope of comparative legal inquiries; the relationship of comparative law to other fields of legal study; the aims and uses of comparative law; the origins and historical development of comparative law; and the evolution and defining features of some of the world ' s predominant legal traditions. It also deals with selected theoretical aspects, such as the problem of comparability of legal events; the classification of legal systems into families of law; and the topics of legal transplants, harmonization and convergence of laws. Chiefly intended for students, the book also discusses a number of fundamental issues concerning the development of comparative law, and devotes certain sections to reviewing the salient features of the relevant literature on definitional, terminological, methodological and historical issues.

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Great Legal Traditions: Civil Law, Common Law, and Chinese Law in Historical and Operational Perspective draws on the nearly thirty years of experience that the author has accumulated from working in and writing about a variety of legal systems around the world. After an introduction to the underlying concepts and values of comparative legal studies, Head embarks on a brisk six-chapter survey of European civil law, English and American common law, and Chinese law (both dynastic and contemporary). Each legal tradition is divided into two perspectives — first historical and then operational. Numerous illustrations and biographical sketches bring the historical surveys to life, thereby setting the stage for a close examination of several key attributes of representative legal systems in each of the three traditions. Head's "operational" topics include sources of law, the role and training of lawyers, the division of court jurisdiction, constitutional review, the role of codification, and more — and he gives special attention to comparative criminal procedure. Great Legal Traditions is designed primarily for use in law schools and other graduate programs in comparative history, international relations, and both European and Chinese area studies, but the book is also written to be accessible to a more general readership. The main text is supplemented with numerous appendices that serve in place of a documents supplement. A teacher's manual is also available with guidance on each of the study questions that Head places at the beginning of each chapter (roughly 200 study questions in all). The teacher's manual also provides guidance (and confidence) to instructors not already familiar with Chinese law and history.

Approximately one thousand years ago Gypsies, or Roma, left their native India. Today Gypsies can be found in countries throughout the world, their distinct culture still intact in spite of the intense persecution they have endured. This authoritative collection brings together leading Gypsy and non-Gypsy scholars to examine the Romani legal system, an autonomous body of law based on an oral tradition and existing alongside dominant national legal networks. For centuries the Roma have survived by using defensive strategies, especially the absolute exclusion of gadje (non-Gypsies) from their private lives, their values, and information about Romani language and social institutions. Sexuality, gender, and the body are fundamental to Gypsy law, with rules that govern being pure (vajo) or impure (martine). Women play an important role in maintaining legal customs, having the power to sanction and to contaminate, but they are not directly involved in legal proceedings. These essays offer a comparative perspective on Romani legal procedures and identity, including topics such as the United States' criminalization of many aspects of Gypsy law, parallels between Jewish and Gypsy law, and legal distinctions between Romani communities. The contributors raise broad theoretical questions that transcend the specific Gypsy context and offer important insights into understanding oral legal traditions. Together they suggest a theoretical framework for explaining the coexistence of formal and informal law within a single legal system. They also highlight the ethical dilemmas encountered in comparative law research and definitions of "human rights."

Courts, Codes, and Custom addresses the question of why some states recognize and comply with international human rights and environmental law, while others do not. To address this question, Dana Zartner has developed a novel cultural–institutional theory to explain the manner in which a state's domestic legal tradition shapes policy through the process of internalization. A state's legal tradition – the cultural and institutional factors that shape attitudes about the law, appropriate standards of behavior, and the legal process – is the key mechanism by which international law becomes recognized, accepted, and internalized in the domestic legal framework. Legal tradition shapes not only perceptions about law, but also provides the lens through which policy-makers view state interests, directly and indirectly influencing state policy. The book disaggregates the concept of legal tradition and examines how the individual cultural and institutional characteristics present within a state's domestic legal tradition facilitate or hinder the internalization of international law and, subsequently, shape state policy. In turn it explains both the differences in international law recognition across legal traditions, as well as the variance among states within legal traditions. To test this theory Zartner compares case studies within five of the main legal traditions in the world today: common law (U.S. and Australia), civil law (Germany and Turkey), Islamic law (Egypt and Saudi Arabia), mixed traditions (India and Kenya), and East Asian law (China and Japan). She addresses the differences among legal traditions as well as between states within the same tradition; the important role that legal culture and history play in shaping contemporary attitudes about law; and similarities and differences in state policy towards human rights law versus environmental law.

This volume surveys 150 law books of fundamental importance in the history of Western legal literature and culture. The entries are organized in three sections: the first dealing with the transitional period of fifteenth-century editions of medieval authorities, the second spanning the early modern period from the sixteenth to the eighteenth century, and the third focusing on the nineteenth and twentieth centuries. The contributors are scholars from all over the world. Each ' old book ' is analyzed by a recognized specialist in the specific field of interest. Individual entries give a short biography of the author and discuss the significance of the works in the time and setting of their publication, and in their broader influence on the development of law worldwide. Introductory essays explore the development of Western legal traditions, especially the influence of the English common law, and of Roman and canon law on legal writers, and the borrowings and interaction between them. The book goes beyond the study of institutions and traditions of individual countries to chart a broader perspective on the transmission of legal concepts across legal, political, and geographical boundaries. Examining the branches of this genealogical tree of books makes clear their pervasive influence on modern legal systems, including attempts at rationalizing custom or creating new hybrid systems by transplanting Western legal concepts into other jurisdictions.

International crime and justice is an emerging field that covers international and transnational crimes that have not been the focus of mainstream criminology or criminal justice. This book examines the field from a global perspective. It provides an introduction to the nature of international and transnational crimes and the theoretical perspectives that assist in understanding the relationship between social change and the waxing and waning of the crime opportunities resulting from globalization, migration, and culture conflicts. Written by a team of world experts, it examines the central role of victim rights in the development of legal frameworks for the prevention and control of transnational and international crimes. It also discusses the challenges of delivering justice and obtaining international cooperation in efforts to deter, detect, and respond to these crimes.

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