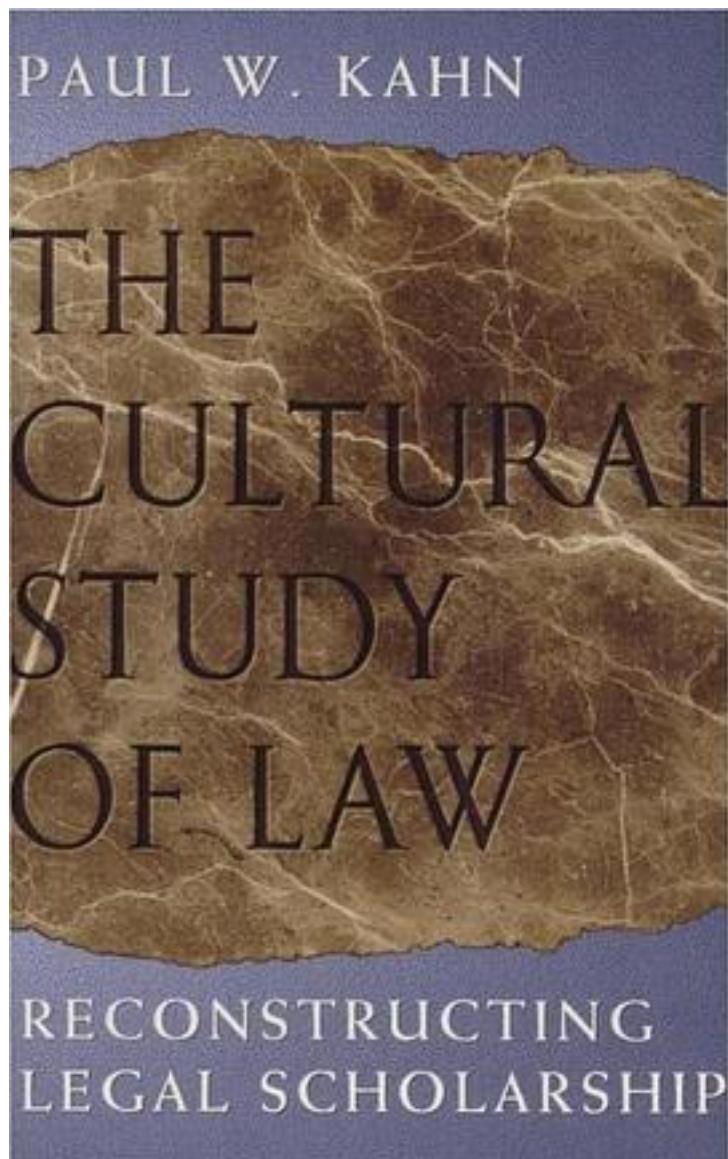


The Cultural Study of Law



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著者:Paul W. Kahn

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Belief in the rule of law characterizes our society, our political order, and even our identity as citizens. The Cultural Study of Law is the first full examination of what it means to conduct a modern intellectual inquiry into the culture of law. Paul Kahn outlines the tools necessary for such an inquiry by analyzing the concepts of time, space, citizen, judge, sovereignty, and theory within the culture of law's rule. Charting the way for the development of a new intellectual discipline, Paul Kahn advocates an approach that stands outside law's normative framework and looks at law as a way of life rather than as a set of rules.

作者介绍:

Legal scholarship, Yale Law School professor Kahn argues, has no real theory of the rule of law because it takes the rule of law as a given and then proposes some sort of reform. Kahn argues that "the culture of law's rule needs to be studied in the same way as other cultures"; this book suggests how this can be done. In an approach blending Socratic dialogue and cultural anthropology, Kahn suggests a suspension of disbelief to permit study of how the notion of the rule of law structures other beliefs: about time and space, about the self, about free choice, about subject and object. "Standing within the law," he urges, "we are always in danger of allowing law to fill our entire vision." By stepping outside the "givens" of the law, readers may better understand the unspoken values on which the rule of law rests. Appropriate for larger social science collections where theoretical works circulate. Mary Carroll --This text refers to the Hardcover edition.

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标签

美国宪法

文化研究

W.Kahn

法理学与比较法

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评论

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书评

《法律的文化研究》中文版序

《法律的文化研究》中译本的出版是一个很好的机会，使我可以回应本书在美国法学界引发的一些争议，并回顾我在这份发表于20年前的宣言中提倡的学术事业的发展历程。我主张法律的文化研究应当采取一种“规范性中立”(normative neutrality)的立场...

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