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Legalism deals with the area between political theory and jurisprudence. Its aim is to bridge the intellectual gulf separating jurisprudence from other kinds of social theory by explaining why, in the view of historians and political theorists, legalism has fallen short in its approach to both morals and politics.

Amazon.com: Legalism: Law, Morals, and Political Trials ...

The politics of global legalism is unique in a number of respects. The lack of a global sovereign or centralised authority means that legal and political relations are paradigmatically anarchic and horizontal, rather than hierarchical and vertical as is the case within states (Ku and

The Politics of Global Legalism and Human Security

In the 1960s, the political philosopher Judith Shklar defined 'legalism' as a particular moral outlook in which right or wrong is defined entirely by what is lawful or within the rules. Twitter is...

No, the government is not attacking the rule of law - spiked

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The Politics Of Legalism Law Courts And Politics

Across the globe, law in all its variety is becoming more central to politics, public policy, and everyday life. For over four decades, Robert A. Kagan has been a leading scholar of the causes and consequences of the march of law that is characteristic of late 20th and early 21st century governance.

Varieties of Legal Order: The Politics of Adversarial and ...

The three main precepts of these Legalist philosophers are the strict application of widely publicized laws (fa), the application of such management techniques (shu) as accountability (xingming) and "showing nothing" (wuxian), and the manipulation of political purchase (shi). The Legalists believed that political institutions should be modeled in response to the realities of human behaviour and that human beings are inherently selfish and short-sighted.

Legalism | Chinese philosophy | Britannica

legalism is the unintended product of "something old and something new," our eighteenth century constitutional system that disburses political power in order to limit it; and our post-1932 demand for "total justice"--his shorthand for a political culture that "expects

Adversarial Legalism and the Civil Rights State - Berkeley Law

Legalism may refer to: Legalism (Chinese philosophy), Chinese political philosophy based on the idea that a highly efficient and powerful... Legalism (Western philosophy), a concept in Western jurisprudence Legalism (theology), a sometimes pejorative term relating to a number of concepts in the ...

Legalism - Wikipedia

Kagan notes that while adversarial legalism has many virtues, its costs and unpredictability often alienate citizens from the law and frustrate the quest for justice. This insightful study deepens our understanding of law and its relationship to politics in America and raises valuable questions about the future of the American legal system.

Adversarial Legalism — Robert A. Kagan | Harvard ...

In terms of remedy, the most legalistic pacts provide rulings with direct effect in national law, but the presence or absence of sanctions--though still significant--is a less meaningful indicator of legalism, with unilateral measures always available to states seeking to enforce third-party rulings in the decentralized international system.

The Politics of Dispute Settlement Design: Explaining ...

The politics of global legalism is unique in a number of respects. The lack of a global sovereign or centralised authority means that legal and political relations are paradigmatically anarchic and horizontal, rather than hierarchical and vertical as is the case within states (Ku and Diehl 1998, 6; Cassese 2001, 5).

The Politics of Global Legalism and Human Security ...

Legalism or Fajia (Chinese: 法家; pinyin: Fǎjiā) is one of Sima Tan's six classical schools of thought in Chinese philosophy. Literally meaning "house of administrative methods" or "standards/law" (fa),: 93 the Fa "school" represents several branches of what have been termed realist statesmen,: 90: 17 or "men of methods" (法家; fǎshù zhī shì), who played foundational roles in ...

Legalism (Chinese philosophy) - Wikipedia

The broad questions presented on its pages are fundamental to a proper conception of the tasks of legal philosophy... In particular, her analysis of legalism is a fully convincing explanation of the connection between law, and ethics and politics; and a demonstration of the need for law to come forth from its not-so-splendid solitude...

Legalism — Judith N. Shklar | Harvard University Press

the judging of conduct in terms of adherence to precise laws. (initial capital letter) (in Chinese philosophy) the principles and practices of a school of political theorists advocating strict legal control over all activities, a system of rewards and punishments uniform for all classes, and an absolute monarchy.

Legalism | Definition of Legalism at Dictionary.com

A philosophy of focusing on the text of written law to the exclusion of the intent of law, elevating strict adherence to law over justice, mercy, grace and common sense. A legal axiom; a statement couched as a proverb expressing a rule of law.

Law vs Legalism - What's the difference? | WikiDiff

From her 1964 book on Legalism to her 1987 essay on "Political Theory and the Rule of Law", Shklar develops a contextualist analysis of law that situates it within socio-historical and cultural conditions, while seeking to avoid the normative scepticism to which such contextualism might lead.

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