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JAIR SANTANA

How Interpretation Makes

International Law Bloomsbury
Publishing

Our age is celebrated as the triumph of liberal democracy. Yet it is also marked by a narrowing of party differences, a decline in voter participation, a rise in nationalist and religious fundamentalisms and an explosion of popular protests that challenge technocratic governance and the power of markets in the name of democracy itself. This book seeks to make sense of this situation by critically engaging with the influential theory of 'the post-political' developed by Chantal Mouffe, Jacques Ranciere, Slavoj Žižek and others. Through a multi-dimensional and fiercely contested assessment of contemporary depoliticization, 'The Post-Political and Its Discontents' urges us to

confront the closure of our political horizons, and to re-imagine the possibility of emancipatory change.

Sociological Constitutionalism

Columbia University Press

The Cambridge Yearbook of European Legal Studies provides a forum for the scrutiny of significant issues in EU Law, the law of the European Convention on Human Rights, and Comparative Law with a 'European' dimension, and particularly those issues which have come to the fore during the year preceding publication. The contributions appearing in the collection are commissioned by the Centre for European Legal Studies (CELS) Cambridge, a research centre in the Law Faculty of the University of Cambridge specialising in European legal issues.

The papers presented are at the cutting edge of the fields which they address, and reflect the views of recognised experts drawn from the University world, legal practice, and the institutions of both the EU and its Member States. Inclusion of the comparative dimension brings a fresh perspective to the study of European law, and highlights the effects of globalisation of the law more generally, and the resulting cross fertilisation of norms and ideas that has occurred among previously sovereign and separate legal orders. The Cambridge Yearbook of European Legal Studies is an invaluable resource for those wishing to keep pace with legal developments in the fast moving world of European integration. INDIVIDUAL CHAPTERS Please click on the link below

to purchase individual chapters from Volume 14 through Ingenta Connect: www.ingentaconnect.com SUBSCRIPTION TO SERIES To place an annual online subscription or a print standing order through Hart Publishing please click on the link below. Please note that any customers who have a standing order for the printed volumes will now be entitled to free online access. www.hartjournals.co.uk/cyels/subs Editorial Advisory Board: Albertina Albors-Llorens, John Bell, Alan Dashwood, Simon Deakin, David Feldman, Richard Fentiman, Angus Johnston, John Spencer Founding Editors: Alan Dashwood and Angela Ward *The Triple Crisis of Western Capitalism* Springer "Poststructuralism and Critical Theory's

Second Generation" analyses the major themes and developments in a period that brought continental philosophy to the forefront of scholarship in a variety of humanities and social science disciplines and that set the agenda for philosophical thought on the continent and elsewhere from the 1960s to the present. Focusing on the years 1960-1984, the volume examines the major figures associated with poststructuralism and the second generation of critical theory, the two dominant movements that emerged in the 1960s: Althusser, Foucault, Deleuze, Derrida, Lyotard, Irigaray, and Habermas. Influential thinkers such as Serres, Bourdieu, and Rorty, who are not easily placed in "standard" histories of the period, are also covered. Beyond

this, thematic essays engage with issues as diverse as the Nietzschean legacy, the linguistic turn in continental thinking, the phenomenological inheritance of Gadamer and Ricoeur, the influence of psychoanalysis, the emergence of feminist thought and a philosophy of sexual difference, the renewal of the critical theory tradition, and the importation of continental philosophy into literary theory.

Core Europe and Greater Eurasia

Bloomsbury Publishing

EU external actions have deep constitutional and institutional implications for EU law and practices. The EU's competences in external relations have continuously increased, including with the entry into force of the Treaty of Lisbon. As a result, the EU has

become ever more active in external relations. This has in turn increased the internal constitutional and institutional effects of EU external actions. This book traces these legal effects and the broader constitutional implications, including potential integrative forces. EU external actions affect the power division between the EU and its Member States and between the different EU institutions; the unity and autonomy of the EU legal order; the role and position of Member States on the international plane; their autonomy; the relationship between national, international and EU law; and the ability of EU citizens to identify who is responsible for a particular action or policy, as well as their legitimate expectation that the EU takes action on their behalf. The

chapters demonstrate the interpretation of organizational principles, such as sincere cooperation, subsidiarity, primacy and coherence, changes in the context of external relations; how the choice of an external legal basis rather than an internal legal basis affects the powers of the Union and its Member States; what power shifts happen when policies are determined in international agreements, rather than in internal decision-making; and how EU participation in international dispute settlement mechanisms affects the autonomy and legitimacy of the EU.

Nationalism and Private Law in Europe
Springer

Der Band versammelt Beiträge zu aktuellen Herausforderungen der Europäischen Union, die im Kontext der

"Conference on European Democracy (EuDEM) 2015" in Wien von namhaften Autorinnen und Autoren verfasst worden sind. Sie fokussieren sich auf das Spannungsverhältnis von Nationalstaat und Europäischer Union und stellen Konfliktpunkte zu wichtigen Schwerpunktthemen wie Außenpolitik, Demokratie und Governance auf europäischer Ebene heraus. Die gesamte Konferenz wie auch die einzelnen Beiträge werden als Vermittlung zwischen Wissenschaft und Praxis einerseits sowie als Austausch von Politik, Recht und Verwaltung andererseits verstanden. Mit Beiträgen von: Alexander Balthasar, Sven Biscop, Alexandra Dancasiu, Klemens H. Fischer, Hendrik Hansen, David Jaklin, Markus Kornprobst, Joanna Kulesza, Hiroko Kudo,

Eva Lichtenberger, Edoardo Ongaro, Sofia Maria Satanakis, Werner Schroeder
The Horizontal Effect Revolution and the Question of Sovereignty Walter de Gruyter GmbH & Co KG
 Collective identity, the emotionally powerful sense of belonging to a group, is a crucial source of popular legitimacy for nations. However efforts since the 1990s to politically support European integration by using identity mechanisms borrowed from nationalism have had very limited success. European integration may require new, post-national approaches to the relationship between culture and politics. This controversial and timely volume poses the logical question: if identity doesn't effectively connect culture with European integration politics, what

does? The book brings together leading scholars from several of the disciplines that have developed concepts of culture and methods of cultural research. These expert interdisciplinary contributors apply a startling diversity of approaches to culture, linking it to facets of integration as varied as external policy, the democratic deficit, economic dynamism and the geography of integration. This book examines commonalities and connections within the European space, as well as representations of these in identity discourses. It will be useful for students and scholars of sociology, geography, anthropology, social psychology, political science and the history of European integration.

After the War? Springer Nature

Presents a series of distinct sociological inquiries into the formation of contemporary European law and society.

Reconsidering Europeanization

Barbara Budrich

Challenging the classic narrative that sovereign states make the law that constrains them, this book argues that treaties and other sources of international law form only the starting point of legal authority. Interpretation can shift the meaning of texts and, in its own way, make law. In the practice of interpretation actors debate the meaning of the written and customary laws, and so contribute to the making of new law. In such cases it is the actor's semantic authority that is key - the capacity for their interpretation to be accepted and become established as

new reference points for legal discourse. The book identifies the practice of interpretation as a significant space for international lawmaking, using the key examples of the UN High Commissioner for Refugees and the Appellate Body of the WTO to show how international institutions are able to shape and develop their constituent instruments by adding layers of interpretation, and moving the terms of discourse. The book applies developments in linguistics to the practice of international legal interpretation, building on semantic pragmatism to overcome traditional explanations of lawmaking and to offer a fresh account of how the practice of interpretation makes international law. It discusses the normative implications that arise from viewing interpretation in

this light, and the implications that the importance of semantic changes has for understanding the development of international law. The book tests the potential of international law and its doctrine to respond to semantic change, and ultimately ponders how semantic authority can be justified democratically in a normative pluriverse.

Good Governance Based on a Common Bedrock of Values - Providing Stability in Times of Crisis? Walter de Gruyter GmbH & Co KG

In this important compendium, one of the leading scholars of EU law and its legal framework, reflects on his previous writings in the context of current challenges the European project is facing. More than a simple restatement,

it offers an important theoretical comment at this defining time for EU law. The author offers a welcome counterbalance to what some perceive to be a surfeit of optimism when assessing the EU and its development. In so doing, Professor Joerges identifies three flaws in the current European ideology. Firstly, he points to the intellectual weakness of the “integration through law” ideology. Secondly, the book sets out the systematic neglect of “the economic” and its political dynamics. Finally, it addresses the complacency with respect to Europe's darker legacies. This is an important critical (and candid) assessment of Europe at its half century.

Glocal Public Philosophy Oxford University Press, USA

This pertinent and highly original volume explores how ideas of Europe and processes of continental political, socio-economic, and cultural integration have been intertwined since the nineteenth century. Applying a wider definition of Europeanization in the sense of “becoming European”, it will pay equal attention to counter-processes of disentanglement and disintegration that have accompanied, slowed down, or displaced such trends and developments. By focusing on the practices, agents, and experience of Europeanization, the volume strives to bring together the history of ideas and the history of human actions and conduct, two approaches that are usually treated separately in the field of European studies.

Poststructuralism and Critical Theory's
Second Generation Routledge

This book shines new light on the political system of the European Union (EU) by focusing on civic resources as a keystone of the EU's ability to sustain. Less-tangible resources such as trust, solidarity, mutual recognition and citizens' social and political participation have been, until now, largely ignored in the research on European integration. Due to the fundamental changes to the EU in recent years and the challenges ahead, European citizens have become increasingly critical of a long-lasting unification process in Europe. This volume theoretically and empirically examines how the European citizens themselves may contribute to the long-term effectiveness, legitimacy and

endurance of the EU. This book aims to examine the issues associated with the utilization of civic resources by the EU, and the ability of European citizens to develop transnational civic resources. Expert contributors in the field develop a framework to understand and explore the potential of citizens in the uncertain future of the EU. *Civic Resources and the Future of the European Union* will be of interest to students and scholars of European Politics and European Union Studies.

Law in Transition Edinburgh University Press

'Glocal Public Philosophy' means a practical philosophy that deals with universal public issues from the particular public world or place where each individual lives and acts. Taking

historical changes of the nature of public philosophy, as well as of academic situations from the 19th century onwards into consideration, the author tries to develop this idea in view of contemporary philosophies both in Western countries and in Japan. This book provides, not only new knowledge about modern Japanese public philosophies, but also inspiration for a new role of philosophy for the realization of a more peaceful and just societies. (Series: Philosophy in International Context / Philosophie im internationalen Kontext. Studies / Abhandlungen, Vol. 9) [Subject: Philosophy]
Conflict and Transformation Oxford University Press
What's Critical About Critical Realism?: Essays in Reconstructive Social Theory

draws together 4 major articles that are situated at the intersection of philosophy and sociology. Preceded by a general presentation of Bhaskar's work, critical realism is used to reconstruct the generative structuralism of Pierre Bourdieu, warn about the dangers of biocapitalism, theorize about social movements and explore the hermeneutics of internal conversations. Together, the essays form a logical sequence that starts with a search for a solid conception of social structure through a realist critique of Bourdieu's rationalist epistemology, proceeds to an ideology critique of posthumanism through an investigation of Actor-Network Theory, extends critical realism to social movements through an investigation of the constitution of

collective subjectivities and engages in a sustained dialogue with Margaret Archer through an attempt to reconnect hermeneutics and pragmatism to critical realism. The result is an ongoing dialogue between British critical realism, French historical epistemology, German critical theory and American pragmatism. As suits a collection of essays in social theory, this book will address a broad audience of sociologists, philosophers, social psychologists and anthropologists who are interested in contemporary social theory at the cutting edge. Academics and advanced students who relate to critical realism and critical theory, epistemology and philosophy of the social sciences, hermeneutics and pragmatism, or anyone else who follows the work of Roy

Bhaskar, Pierre Bourdieu, Bruno Latour or Margaret Archer will find a keen interest in some of the theoretical questions the book raises.

German Cosmopolitan Social Thought and the Idea of the West Routledge

The Justification of Europe offers an engaging new interpretation of the European Union, combining normative and positive approaches in an innovative way.

Treaty on the Functioning of the European Union - A Commentary

Bloomsbury Publishing

Tillmann C. Lauk discusses law-making at the European level and argues that problems with EU legislation, banking regulation and currency debasement are due to a lack of democratic control. He insists on the need for radical reform

both of banking and of international money and makes an important contribution to the debate on the future of finance.

Law and the Formation of Modern Europe Cambridge University Press

The book gathers the general report and the national reports presented at the XXth General Congress of the IACL, in Fukuoka (Japan), on the topic “Debating legal pluralism and constitutionalism: new trajectories for legal theory in the global age”. Discussing the major contemporary changes occurring in and problems faced by domestic legal systems in the global age, the book describes how and to what extent these trends affect domestic legal orderings and practices, and challenges the traditional theoretical lenses that are

offered to tackle them: constitutionalism and pluralism. Combining comparative law and comparative legal doctrine, and drawing on the national contributions, the general report concludes that most of the classic tools offered by legal doctrine are not appropriate to address most of today’s practical and theoretical global legal challenges, and as such, the book also offers new intellectual tools for the global age.

What's Critical About Critical Realism?

Cambridge University Press

European private law has hitherto tended to be conceptualised firmly around ideas of unity and harmony. Yet the discourse within other areas of European law, notably constitutional law scholarship, visibly adopts pluralist perspectives. This book seeks to bridge

the gap between 'public' and 'private' law by looking at European private law from various pluralist positions and by investigating old and new ways in which to understand legal pluralism in general. It fills a gap in the wide literature on legal pluralism, as the first book entirely dedicated to offering an insight into legal pluralism from the vantage point of the private law domain. The book addresses critically issues such as what pluralism really means in private law and what conceptions of pluralism it embodies, including discussion about the outer boundaries of any of the pluralist understandings. Contributions address comparative, critical, historical, theoretical and normative aspects. The book provides an opportunity to engage innovatively with problematic conceptual

issues which inform the work of European private law scholars, including the debate on the Common Frame of Reference Project of the European Commission.

The Justification of Europe OUP Oxford Harrington draws on neglected sources in early twentieth-century German social thought to address core questions in current social science.

In Whose Name? Walter de Gruyter GmbH & Co KG

The vast majority of all international judicial decisions have been issued since 1990. This increasing activity of international courts over the past two decades is one of the most significant developments within the international law. It has repercussions on all levels of governance and has challenged received

understandings of the nature and legitimacy of international courts. It was previously held that international courts are simply instruments of dispute settlement, whose activities are justified by the consent of the states that created them, and in whose name they decide. However, this understanding ignores other important judicial functions, underrates problems of legitimacy, and prevents a full assessment of how international adjudication functions, and the impact that it has demonstrably had. This book proposes a public law theory of international adjudication, which argues that international courts are multifunctional actors who exercise public authority and therefore require democratic legitimacy. It establishes this theory on the basis of three main

building blocks: multifunctionality, the notion of an international public authority, and democracy. The book aims to answer the core question of the legitimacy of international adjudication: in whose name do international courts decide? It lays out the specific problem of the legitimacy of international adjudication, and reconstructs the common critiques of international courts. It develops a concept of democracy for international courts that makes it possible to constructively show how their legitimacy is derived. It argues that ultimately international courts make their decisions, even if they do not know it, in the name of the peoples and the citizens of the international community.

States, Human Rights, and Distant Strangers Taylor & Francis

This book offers the first comprehensive political analysis of the Euro crisis that erupted in Greece in 2010 and subsequently threatened the very survival of the Euro area. It has left a profound mark on democratic politics all over Europe, changing public attitudes and voting preferences, institutional and societal norms, and deeply anchored political traditions. The contributors to this volume reveal the extent to which policymakers are torn between the pressures emanating from financial markets and the demands put forward by their own constituents; how they struggle to reconcile national preferences with wider European

interests; and how a polarized and politicized Union seeks to maintain some degree of cohesion. The emerging picture is that of a European Union under serious stress, transformed by new governance structures and a shifting balance of power. In response, the authors evaluate the prospects of a more legitimate and democratic Europe. They provide a rich and pluralist set of new analyses and proposals, aimed at understanding and navigating the myriad tensions which surround the EU in the aftermath of the crisis. If the European project is to regain the trust of its citizens, such considerations must take a central place in public debate.