

# **SHADOW JUSTICE**

**The Ideology and  
Institutionalization of  
Alternatives to Court**

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**CHRISTINE B. HARRINGTON**

# Shadow Justice The Ideology And Institutionalization Of Alternatives To Court

**Christine B. Harrington**



## **Shadow Justice The Ideology And Institutionalization Of Alternatives To Court:**

**Shadow Justice** Christin Harrington, 1985-11-19 This first critical examination of informal dispute processing links the institutionalization of alternatives to the court process and the ideology of informalism with the evolution of the American court system The author connects dispute processing reform to the broader social and political context in which it developed including the rise of judicial management in the Progressive period and the reconstruction of court unification in the 1970s Harrington defines legal resources and their distribution in alternative dispute resolution policy before focusing on the institutionalization of this reform in a case study of a federally sponsored Neighborhood Justice Center In conclusion Harrington finds that the symbols of informalism and its institutions are a mere shadow of conventional legal practices

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**Consciousness and Ideology** Patricia Ewick, 2017-05-15 In this volume of essays by leading socio legal scholars the dual concepts of consciousness and ideology are examined and used to expose law's presence and power in social life Rejecting the association between ideology and concealment each essay explores the ways in which ideology and consciousness artfully produce truth creating both power and the grounds of its resistance The rich empirical studies included in this volume are crucial to our understanding of law consciousness and ideology

*International Dispute Resolution and the Public Policy Exception* Farshad Ghodoosi, 2016-06-10 Despite the unprecedented growth of arbitration and other means of ADR in treaties and transnational contracts in recent years there remains no clearly defined mechanism for control of the system One of the oldest yet largely marginalized concepts in law is the public policy exception This doctrine grants discretion to courts to set aside private legal arrangements including arbitration which might be considered harmful to the public The exceptional and vague nature of the doctrine along with the strong push of actors in dispute resolution has transformed it in certain jurisdictions to a toothless doctrine At the international level the notion of transnational public policy has been devised in order to capture norms that are truly transnational and amenable for application in cross border litigations Yet despite the importance of this discussion a safety valve and a control mechanism for today's international and domestic international dispute resolution no major study has ventured to review and analyze it This book provides a historical theoretical and practical background on public policy in

dispute resolution with a focus on cross border and transnational disputes Farshad Ghodoosi argues that courts should adopt a more systemic approach to public policy while rejecting notions such as transnational public policy which limits the application of those norms with mandatory nature Contrary to the current trend the book invites the reader to re conceptualize the role of public policy and transnational dispute resolution in order to have more sustainable fair and efficient mechanisms for resolving disputes outside of national courts The book sheds light on one of the most important yet often neglected control mechanisms of today s international dispute resolution and will be of particular interest to students and academics in the fields of International Investment Law International Trade Law Business and Economics

*Contemplating Courts* Lee Epstein,1995-01-01 Seventeen thought provoking essays in this sophisticated yet accessible reader demonstrate how political scientists conduct research on law courts and the judicial process and at the same time answer interesting substantive questions Illustrating the breadth and depth of judicial politics studies the essays convey to students the array of contemporary thinking both theoretical and methodological at work in the field The book s five parts cover subjects taught in most judicial politics courses Because each chapter stands alone instructors have the flexibility of assigning less than the whole book or chapters in a different order Topics examined range from information used by voters electing judges to the credibility of victims of sexualized violence Accessible to both undergraduate and graduate students *Contemplating Courts* offers fascinating views into both the law and courts field and the research process itself Epstein provides in the first chapter an overview of the key elements of judicial process research and defines key terms Technical notes and methodology appendices offer students additional guidance

**Zivilprozessrechtsdogmatik und Verfahrenssoziologie** Joachim Goebel,1994 F r diesen Titel ist noch kein Beschreibungstext vorhanden **Foundations of Dispute Resolution** Carrie Menkel-Meadow,2017-05-15 This volume brings together leading research articles in to the theory research findings and applications of modern dispute resolution The articles relate to a wide variety of settings and cover the primary processes of negotiation mediation and arbitration as well as exploring combinations and hybridization of those processes Also included are articles on the search for value added or pie expanding creative solutions the choosing of strategies based on game theory economics and social and cognitive psychology how foundational theories have been altered or modified depending on contexts and numbers of parties and issues and what issues are raised by the privatization of justice The articles span both the science and art of dispute resolution consider the relationship of peace to justice and include both empirical descriptive and normative prescriptive assessments of how these processes of dispute resolution function Mediation Carrie Menkel-Meadow,2018-05-08 This title was first published in 2001 This volume of essays explores the theoretical and jurisprudential bases of mediated forms of dispute resolution from legal anthropological sociological psychological and political sources It also presents ongoing disputes about the field itself including its threat to conventional litigation and justice seeking adjudication and its promise in providing more humane and tailored solutions to

human problems      **American Journal of Criminal Law** ,1985      *Asia-Pacific Legal Development* Gerry Ferguson,2011-11-01 In this age of globalization many legal experts see evidence of swift global movement toward an eventual single world legal system Yet the trend to political and economic integration in some parts of the world is matched by the trend to disintegration in others where strong cultural and political resistance to external influences exists Asia Pacific Legal Development traces current and prospective developments in several legal systems of the Asia Pacific region to make sense of these trends and counter trends The contributing authors represent a wide variety of specialist expertise both public and private and together they encompass the three sectors that constitute a modern system of formal law the economic the behavioural and the civic Taking into account the opinions and perspectives of both indigenous and non indigenous experts on topics ranging from prostitution to constitutional law the book surveys how several ASEAN nations as well as Canada Australia and New Zealand are confronting social economic and legal change In the first three parts chapters are grouped along general sectoral lines to cover economic civic and behavioural themes while in the fourth cross sectoral contexts are addressed With the introduction and concluding chapter the editors provide an overall integrating framework as well as provocative insights into trends in legal development in the Asia Pacific region and on comparative legal research and writing in general Asia Pacific Legal Development is not only an exemplary model for cooperative and comparative legal research and scholarly pluralism but also a rich study of the increasingly relevant issue of convergence and divergence of legal systems with a unique Asian focus      **America's Courts and the Criminal Justice System** David W. Neubauer,1996 This Fifth Edition of America s Courts and the Criminal Justice System provides readers with a fascinating overview of how this nation s court system actually works to administer justice Exploring a range of criminal cases from the points of arrest prosecution and appeal author David W Neubauer takes readers through all stages of court processes Cutting through the legalese he explains legal concepts and court structures and illustrates the working dynamics that occur within the court system As a result readers learn to see how and why various outcomes such as the setting of bail sentencing and so on are actually determined Taking an objective stance Neubauer views the problems and solutions inherent within our courts and criminal justice system He puts public sentiment concerning crime and just punishment on the stand and evaluates current proposals for reforming our criminal court system      *Journal of Legal Pluralism and Unofficial Law* ,1996      *The Legal Studies Forum* ,1987      **America's Courts & the Criminal Justice System** David W. Neubauer,1992 A comprehensive text on the American courts and the criminal justice system      *Courts, Politics, and the Judicial Process* Christopher E. Smith,1997 This reorganized and updated text provides a comprehensive examination of the American judicial system by describing and analyzing political influences on courts structure procedures decision making processes and consequences for society Professor Smith focuses on courts rather than on law because of the recognition that the content of law often depends on the composition of the judiciary citizens access to the judicial process and judicial decision making procedures This

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