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The Use of Legal Procedure for Political Ends



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Lawfare Jaume Castan Pinos, Mark Friis Hau, 2022-09-19 This book develops a new conceptualisation of lawfare that recognises the polysemantic nature of the term Drawing on theoretical developments from legal anthropology international relations and social theory the book scrutinises the multiple dimensions of this phenomenon It illustrates the multifaceted character of lawfare with a wide range of historical and contemporary cases from across the globe and analyses the implications of actors pursuing political objectives through legal means This includes the use of lawfare by states as a legal instrument to accomplish geopolitical objectives domestic lawfare or the use of legal instruments to undermine internal opposition and state lawfare used by governments to protect the state from internal territorial secessionist challenges Finally the book shows that lawfare is not exclusively a tool for hegemonic actors as it can also be used by civil society actors that aim to uphold their rights through legal instruments in asymmetric lawfare This book contributes to new developments in lawfare without shying away from controversy acknowledging its sometimes brutal efficacy as well as its potential pitfalls The book will appeal to scholars and students of law international relations political science anthropology and sociology

Free Justice Sara Mayeux, 2020-04-28 Every day in courtrooms around the United States thousands of criminal defendants are represented by public defenders lawyers provided by the government for those who cannot afford private counsel Though often taken for granted the modern American public defender has a surprisingly contentious history one that offers insights not only about the carceral state but also about the contours and compromises of twentieth century liberalism First gaining appeal amidst the Progressive Era fervor for court reform the public defender idea was swiftly quashed by elite corporate lawyers who believed the legal profession should remain independent from the state Public defenders took hold in some localities but not yet as a nationwide standard By the 1960s views had shifted Gideon v Wainwright enshrined the right to counsel into law and the legal profession mobilized to expand the ranks of public defenders nationwide Yet within a few years lawyers had already diagnosed a crisis of underfunded overworked defenders providing inadequate representation a crisis that persists today This book shows how these conditions often attributed to recent fiscal emergencies have deep roots and it chronicles the intertwined histories of constitutional doctrine big philanthropy professional in fighting and Cold War culture that made public defenders ubiquitous but embattled figures in American courtrooms

Negotiating Retributive and Restorative Justice in Conflict Transformation Efforts Paul Bukuluki, 2011

The Emergence of Historical Forensic Expertise Vladimir Petrović, 2016-10-26 This book scrutinizes the emergence of historians participating as expert witnesses in historical forensic contribution in some of the most important national and international legal ventures of the last century It aims to advance the debate from discussions on whether historians should testify or not toward nuanced understanding of the history of the practice and making the best out of its performance in the future

Ethiopian Elites' Political Cultures: a critical juncture Solomon Hailemariam PhD, 2025-05-09 Recurrent ethnic conflicts have been seen in

Ethiopia especially during the last three decades since the introduction of a governance structure of ethnic federalism in 1991 Attempts to bring political stability to the country have not been successful as competing political cultures constantly struggle for hegemony Political constituencies have fragmented based on sub national political cultures This book shows the influence of Amhara Oromo and Tigrayan political cultures in Ethiopia and their contribution to the recurrent ethnic conflict in the country The book used the concepts of political culture and neo patrimonialism as analytical tools to understand the differences among and between the educated people from these ethnic groups The findings show that members of each ethnic group are deeply entrenched in their own culture with clear distrust of the political motives of other ethnicities Beyond the disagreements on political history the educated elites accuse each other when it comes to the many challenges faced by the country They accuse each other of state capture corruption inciting ethnic conflicts malpractice poor governance misguided policies divide and rule practices and misappropriation of the nation s economic wealth The elites themselves do not shoulder responsibility for any failure in the country and do not show any interest in understanding other points of view do not show sincere respect for the other s value but claim privileged political positions in present day Ethiopia for past accomplishments

Beyond Shelter after Disaster: Practice, Process and Possibilities David Sanderson, Jeni Burnell, 2013-09-13 Providing shelter after a disaster is recognised as one of the most complex areas of humanitarian relief and recovery Some aid agencies have stopped providing shelter altogether after bad experiences while those that do quickly become engaged in challenges that go far beyond the provision of structures alone Yet with the number and severity of disasters set to increase due to climate change and rapid urban growth the need for approaches that work has never been greater This book explores the issues in three parts The first Practice looks at lessons from past efforts Part two Process proposes practical and effective people centred approaches Part three considers currently neglected issues such as disability human rights and urban oriented approaches Through practical case studies and academic research Beyond Shelter after Disaster critiques past methods and explores future options for improving practice in one of the most complex areas of post disaster relief and recovery This book was originally published as a special issue in Environmental Hazards Human and Policy Dimensions

Public Health Nursing: Practicing Population-Based Care Marie Truglio-Londrigan, Sandra B. Lewenson, 2017-07-05 Public Health Nursing Practicing Population Based Care Third Edition is a comprehensive resource for students and faculty interested in public health nursing and education

Child Soldiers and Restorative Justice Jean Chrysostome K. Kiyala, 2018-07-18 This book investigates how while children used as soldiers are primarily perceived as victims of offences against international law they also commit war atrocities In the aftermath of armed conflict the mainstream justice system targets warlords internationally armed groups and militias commanders who abduct and enrol children as combatants leaving child perpetrators not being held accountable for their alleged gross human rights violations Attempts to prosecute child soldiers through the mainstream justice system have resulted in child rights abuses Where no

accountability measures have been taken demobilised young soldiers have experienced rejection and eventually some have returned to soldiering This research provides evidence of the potential of restorative justice peacemaking circles and locally based jurisprudence specifically the Baraza to hold former child soldiers accountable and facilitate their reintegration into society

The American Election 2012 R. Holder,P. Josephson,2016-01-13 Elections capture a sense of national identity and imply a future direction for the nation The book seeks to unravel how elections and policies act together dynamically by analyzing parties strategies foreign and domestic policies and the role of religion in political dialogue

The Past Can't Heal Us Lea David,2020-07-16 Lea David exposes the dangers and pitfalls of mandating memory in the name of human rights in conflict and post conflict settings

Negotiating Peace Renée Jeffery,2021-03-18 A study of how and why amnesties for human rights violations remain a prevalent feature of peace processes in Asia

Transitional Justice in Peacebuilding Djeyhoun Ostowar,2020-11-22 This book explores the role of actors in determining transitional justice in peacebuilding contexts In recent decades transitional justice mechanisms and processes have been introduced to a variety of settings becoming widely regarded as essential elements in the peacebuilding toolbox While it has increasingly been suggested that transitional justice is imposed by neo imperial actors with little regard for the needs and cultures of local populations evidence suggests that dismissing these policies as neo imperial or neo liberal impositions would result in grossly overlooking their dynamics which involve a whole range of relevant actors operating at multiple levels This book interrogates this theme through empirical analysis of three sites of peacebuilding that have seen extensive international involvement Kosovo East Timor and Afghanistan It proposes a novel framework for analysing and approaching transitional justice in peacebuilding that disaggregates three broad sets of actors operating at different levels in relevant processes external actors international and regional levels transitional justice promoters local national international and transnational levels and transitional regimes national and local levels The book argues that transitional justice in peacebuilding must be conceived of as actor contingent and malleable due to the significance of agency and inter actions of key categories of actors throughout peacebuilding transition This book will be of interest to students and practitioners of transitional justice peacebuilding law and International Relations

Labour History ,2006

Criminal Resistance? Temitope B. Oriola,2016-05-13 Crude oil extraction in the Niger Delta region of Nigeria generates 96% of all foreign earnings and 85% of state revenues making it crucial to the survival of the Nigerian state Several generations of state neglect corruption and mismanagement have ensured that the Delta region is one of the most socio economically and politically deprived in the country By the late 1990s there was a frightening proliferation of armed gangs and insurgent groups Illegal oil bunkering pipeline vandalism disruption of oil production activities riots and demonstrations intensified and in 2003 insurgents began kidnapping oil workers at a frenetic pace In late 2005 an uber insurgent movement organization was formed in Nigeria Christened the Movement for the Emancipation of the Niger Delta MEND it operates as an amorphous multifaceted amalgam of insurgent groups with an

unprecedented clinical precision in execution of intents By focussing on kidnappings that are putatively connected to the struggle for emancipating the Niger Delta Oriola makes the case for analysing MEND as a social movement organization rather than a terrorist or criminal gang by showing how political processes shape kidnappings in the Delta The use of violent repertoires of contention has not garnered sufficient attention in the social movement literature despite the fact that that around the world many similar groups are adopting violent tactics without necessarily eschewing non violent techniques Based on multi actor research including interviews and focus group discussions with community members military authorities 42 ex insurgents directly involved in illegal oil bunkering and kidnapping and official email statements from Jomo Gbomo the spokesperson of MEND this book will be of interest to sociologists political scientists and peace and security studies scholars **The Oxford Handbook of Political Representation in Liberal Democracies** Robert

Rohrschneider, Jacques Thomassen, 2020-07-28 The Handbook of Political Representation in Liberal Democracies offers a state of the art assessment of the functioning of political representation in liberal democracies In 34 chapters the world's leading scholars on the various aspects of political representation address eight broad themes The concept and theories of political representation its history and the main requisites for its development elite orientations and behavior descriptive representation party government and representation non electoral forms of political participation and how they relate to political representation the challenges to representative democracy originating from the growing importance of non majoritarian institutions and social media the rise of populism and its consequences for the functioning of representative democracy the challenge caused by economic and political globalization what does it mean for the functioning of political representation at the national level and is it possible to develop institutions of representative democracy at a level above the state that meet the normative criteria of representative democracy and are supported by the people The various chapters offer a comprehensive review of the literature on the various aspects of political representation The main organizing principle of the Handbook is the chain of political representation the chain connecting the interests and policy preferences of the people to public policy via political parties parliament and government Most of the chapters assessing the functioning of the chain of political representation and its various links are based on original comparative political research Comparative research on political representation and its various subfields has developed dramatically over the last decades so that even ten years ago a Handbook like this would have looked totally different Iranian Identity and Cosmopolitanism Lucian Stone, 2014-07-31 Since cosmopolitanism has often been conceived as a tenet of Western civilization that emanates from its Enlightenment based origins in a humanist age of modernity Iranian Identity and Cosmopolitanism Spheres of Belonging advances a highly innovative gesture by contemplating the implications and relevance of the idea in a so called non Western cultural territory The particularities of the Iranian and Islamic context shed new light on advancements and obstacles to cosmopolitan praxis The volume provides four principle disciplinary assessments of cosmopolitanism philosophy political

science sociology and cultural studies including literary criticism The authors in this collection critically examine topics including the historical encounter between Iranian and Western thinkers and its impact on Iranian political ideals the tension between maintaining apolitical theology rooted in metaphysical assumptions and the prerequisite of secularism in cosmopolitan and democratic philosophies This highly innovative volume will be of interest to scholars and students of Middle Eastern and Iranian Studies Islamic Studies Globalization Political Science and Philosophy Parties, Partisanship and Political Theory Matteo Bonotti, Veit Bader, 2016-04-14 Political parties have only recently become a subject of investigation in normative political theory Parties have traditionally been studied by political scientists in their organizational features and in relation to the analysis of related topics such as party systems and electoral systems Little attention however was paid until recently to the normative assumptions that underlie partisanship and party politics Are parties desirable for democratic politics How should liberal democracies deal with extremist and or anti democratic parties Do religious parties undermine the secular distinction between religion and politics and is that bad for liberal democracies These are only some of the many questions that political theorists had left unanswered for a long time The papers in this collection aim to provide a twofold contribution to the normative analysis of partisanship On the one hand they aim to offer a first much needed state of the art of the existing research in this area Many of the contributors have already done extensive research on partisanship and their pieces partly reflect their research expertise and individual approaches to this topic On the other hand all pieces move beyond the authors existing work and represent significant additions to the normative literature on partisanship thus setting the standards for future research in this area This book was published as a special issue of Critical Review of International Social and Political Philosophy **Criminal Misconduct in Office** Jeremy Horder, 2018-03-02 Should the criminal law be used to deter and punish corruption in politics from employing family members at public expense to improper spending on elections lobbying and cronyism How did so many MPs avoid facing charges after the 2009 government expenses scandal In this book Jeremy Horder tackles these questions and more As well as offering the first treatment of the history philosophy and politics of the application of the offence of misconduct in office to Members of Parliament in England and Wales Horder explains how political corruption might be dealt with in future and how politicians could be held accountable for their actions so that they are deterred from betraying the public's trust Use of the criminal law should not be the sole or even the main way to remedy all corruption in politics Nevertheless for too long the offence of misconduct in a public office has had an ambiguous status in the political realm If we are to preserve the good health of government it must be seen as a constitutional fundamental A charge of misconduct provides a way in which corrupt conduct on the part of legislators can be punished with an appropriate label holding them to account for the misuse of power by reference to the standards of ordinary people When other civil law or regulatory means prove insufficient it should be possible for ordinary members of a jury and not for Parliamentarians or other officials to decide whether for example the expenditure of public

money on legislators private income and benefits amounts to a criminal abuse of the public's trust This book offers an authoritative and accessible account of a bottom up jury standards led as opposed to a top down officials applying their own standards approach to the role of the criminal law in constitutional contexts *The Ethics of Water* Cameron

Fioret,2023-06-01 In this global approach to climate change and freshwater access Cameron Fioret explores the harmful effects of water commodification Making use of deliberative democratic theory Fioret suggests tools that can change the balance of democratic decision making power by rethinking the governance of water more broadly Five main case studies including Detroit Cochabamba and Kerala span four continents to convey the global and local scope of normative water issues These examples draw on contemporary water justice movements to explore how anti water commodification struggles can utilize water recommoning practices to make water governance processes more deeply democratic Highlighting the ethical and sociopolitical ramifications of water injustice this study moves beyond the surface issue of distributional concerns To this end Fioret draws on research in democratic political theory and environmental philosophy to consider what right people have to water the putative harms of privatizing and commodifying water common ownership and legal protections alongside local and transnational political activism In navigating these pressing issues *The Ethics of Water* provides a searing analysis of water commodification and political domination today **Reclaiming Indigeneity and Democracy in India's**

Jharkhand Ipshita Basu,2024-02-02 Created in 2000 following a long standing regional movement Jharkhand the land of forests represents an important experiment in regional autonomy and self determination for indigenous communities in a postcolonial democracy Over two decades Jharkhand has experienced a volatile political environment as competing political groups have mobilised indigenous subaltern communities for different ends In *Reclaiming Indigeneity and Democracy in India's Jharkhand* Ipshita Basu contributes to scholarship on critical social justice and indigeneity by highlighting relations of justification as a central feature of group based claims making for social groups identifying with indigeneity in diverse ways Specifically the book focuses on reclaiming political recognition for Adivasis within the contemporary dynamics of majoritarian populism and the market economy Uniting perspectives from philosophy social justice politics democracy and public reasoning and culture studies identity and based on ethnographic and archival research the author indicates that when relations are at the epicentre of claims making expressive attachments determine political activism over the instrumental choices that groups are compelled to make in the context of large power differentials This book is a timely account of indigenous politics and is an attempt to foreground the complex political nature of social justice claims making in a democracy such as India

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