

Unequal Justice: Lawyers and Social Change in Modern America

Auerbach, Jerold S.

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Unequal Justice Lawyers And Social Change In Modern America

Dalia Tsuk Mitchell



Unequal Justice Lawyers And Social Change In Modern America:

Unequal Justice Jerold S. Auerbach, 1977-02-03 Auerbach here focuses on the elite nature of the profession examining its emphasis on serving business interests and its attempts to exclude participation by minorities New Directions in the Study of Justice, Law, and Social Control School of Justice Studies, 2013-11-11 The publication of this anthology culminates what began as a Visiting Distinguished Scholars Lecture Series sponsored by the School of Justice Studies When Dr John M Johnson was awarded the Arizona State University Graduate College's Distinguished Research Award for 1986-1987 the School faculty voted to use the accompanying stipend to bring several scholars to campus Each visiting scholar was commissioned to present an original paper on contemporary issues in justice and to meet with graduate students and faculty during a week long visit to campus This collection of essays promotes wide ranging conceptions of justice As first conceived we sought to bring an interdisciplinary perspective to the study of justice as a way of intellectually extending the current focus of research and teaching As it developed the collection permitted us to reflect on our own instructional program in law and the social sciences and to promote a conception of social conflict and control which includes social political economic and legal controls **Legal Culture And The Legal Profession** Lawrence M Friedman, 2021-10-28 Distinguished scholars in law and the social sciences examine the state of American legal culture particularly adversarial legalism in light of the criticisms of the current anti lawyer movement They assess the strengths and weaknesses of this culture its impact on the broader society and its recent spread to other countries The American legal system is under heavy attack for the impact it is supposed to have on American culture and society generally A common complaint of the anti lawyer movement is that under the influence of lawyers we have become a litigious society in the process undermining traditional American values such as self reliance and responsibility In this volume a group of distinguished scholars in law and the social sciences explores these questions Neither an apology for lawyers nor a critique Legal Culture and the Legal Profession examines the successes and the problems of the U S legal system its impact on the broader culture and the spread of American legal culture abroad

Crossing Boundaries Austin Sarat, 1998-09-02 Perhaps no idea is more emblematic of the field of law and society than crossing boundaries From the founding of the Law and Society Association in the early 1960s participating scholars aspired to create a field that crossed boundaries in at least two senses by undertaking research that questioned and often bridged traditional methodological and disciplinary divisions and by using nontraditional approaches to explore the interconnections between law and its social context These essays reflect both aspirations *Educating for Justice* Jeremy Cooper, Louise C. Trubek, 2018-12-17 Published in 1997 an edited collection of essays by a group of international public interest scholars and activists that examines the role and function of the law school in developing transmitting and understanding the use of law to bring about social change to the advantage of subordinated people The book traces this influence from the early days of the law school and its induction of legal principles and client responsibilities through training for practices in a variety of settings

including teaching social action research client empowerment programs to the outer limits of law school in community legal education and awareness An important and pioneering series of international case studies

Something to Believe In Stuart Scheingold, Austin Sarat, 2004-09-13 Lawyers in the United States are frequently described as hired guns willing to fight for any client and advance any interest Claiming that their own beliefs are irrelevant to their work they view lawyering as a technical activity not a moral or political one But there are others those the authors call cause lawyers who refuse to put aside their own convictions while they do their legal work This deviant strain of lawyering is as significant as it is controversial both in the legal profession and in the world of politics It challenges mainstream ideas of what lawyers should do and of how they should behave Human rights lawyers feminist lawyers right to life lawyers civil rights and civil liberties lawyers anti death penalty lawyers environmental lawyers property rights lawyers anti poverty lawyers cause lawyers go by many names serving many causes Something to Believe In explores the work that cause lawyers do the role of moral and political commitment in their practice their relationships to the organized legal profession and the contributions they make to democratic politics

Architect of Justice Dalia Tsuk Mitchell, 2018-05-31 A major figure in American legal history during the first half of the twentieth century Felix Solomon Cohen 1907 1953 is best known for his realist view of the law and his efforts to grant Native Americans more control over their own cultural political and economic affairs A second generation Jewish American Cohen was born in Manhattan where he attended the College of the City of New York before receiving a Ph D in philosophy from Harvard University and a law degree from Columbia University Between 1933 and 1948 he served in the Solicitor s Office of the Department of the Interior where he made lasting contributions to federal Indian law drafting the Indian Reorganization Act of 1934 the Indian Claims Commission Act of 1946 and as head of the Indian Law Survey authoring The Handbook of Federal Indian Law 1941 which promoted the protection of tribal rights and continues to serve as the basis for developments in federal Indian law In Architect of Justice Dalia Tsuk Mitchell provides the first intellectual biography of Cohen whose career and legal philosophy she depicts as being inextricably bound to debates about the place of political social and cultural groups within American democracy Cohen was she finds deeply influenced by his own experiences as a Jewish American and discussions within the Jewish community about assimilation and cultural pluralism as well the persecution of European Jews before and during World War II Dalia Tsuk Mitchell uses Cohen s scholarship and legal work to construct a history of legal pluralism a tradition in American legal and political thought that has immense relevance to contemporary debates and that has never been examined before She traces the many ways in which legal pluralism informed New Deal policymaking and demonstrates the importance of Cohen s work on behalf of Native Americans in this context thus bringing federal Indian law from the margins of American legal history to its center By following the development of legal pluralism in Cohen s writings Architect of Justice demonstrates a largely unrecognized continuity in American legal thought between the Progressive Era and ongoing debates about multiculturalism and minority rights today A landmark work in

American legal history this biography also makes clear the major contribution Felix S Cohen made to America's legal and political landscape through his scholarship and his service to the American government **Law and Society** Steven Vago, Steven E. Barkan, 2017-09-22 In the 11th edition of Law and Society Steven E Barkan preserves Dr Vago's voice while making this classic text more accessible for today's students Each chapter now includes an outline learning objectives key terms and chapter summaries A new epilogue chapter examines law and inequality in the United States as it moves into the third decade of this century The 11th edition reflects new developments in law and society literature as well as recent real life events with legal relevance for the United States and other nations Law and Society is for one semester undergraduate courses in Law and Society Sociology of Law Introduction to Law and a variety of criminal justice courses offered in departments of Sociology Criminal Justice and Political Science Language: Social Psychological Perspectives H. Giles, W. P. Robinson, P. Smith, 2014-06-28 Provides a comprehensive review of the relationships between language and social behaviour The papers will be of interest not only to psychologists concerned with language and social behaviour but also to linguists sociologists and social workers anthropologists and psychiatrists Tort Reform, Plaintiffs' Lawyers, and Access to Justice Stephen Daniels, Joanne Martin, 2015-06-05 Tort reform is a favorite cause for many business leaders and right leaning politicians who contend that out of control lawsuits throttle growth and inflate costs particularly in healthcare Less is said about how such reforms might affect the ability of individuals to recover damages for injuries suffered through another party's negligence On that count Texas where efforts at tort reform have been energetic and successful provides an opportunity to appraise the outcome for plaintiffs and their lawyers an opportunity that Stephen Daniels and Joanne Martin take full advantage of in this timely and provocative work Because much of the action on tort reform takes place on the state level a look at the experience of Texas a large and important state with a very active plaintiff's bar is especially instructive Plaintiffs lawyers work on a contingency fee basis collecting compensation for themselves as a percentage only if they win Reduce lawyers ability to use contingency fees as compensation as tort reform inevitably does and you reduce their economic incentive to do this work Daniels and Martin's study bears this out Drawing on over 20 years of research extensive surveys and interviews the authors explore the impact the tort reform movement in Texas has had on the ability of plaintiffs to obtain judgments in short on private citizens meaningful access to the full power of the law In the course of their analysis the authors explain the history and economics behind the workings of the plaintiffs bar They explore how lawyers select cases and clients as well as the referral process that moves cases among lawyers and allows for specialization They also examine the effects of medical malpractice reforms on plaintiffs lawyers reforms that often close the courthouse doors to certain types of people tort reform's hidden victims Plaintiffs lawyers are the civil justice system's gatekeepers providing meaningful access to the rights the law provides Daniels and Martin's thorough and fair minded work offers a unique and sobering perspective on how tort reform can curtail this access and thus the legal rights of American citizens

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