



CIVIL LAW SYSTEM

Concept, Development and Sources of Socialist Law

Concept of Socialist law system

- The concept of socialist law expresses the **ideological legacy of Marxism**. Marxist philosophy is **Dialectical Materialism**. It emphasize on contradiction and motion which is especially based on Newton's third law of motion (rule of action and reaction). This philosophy argues that the society is also in motion from the history. So, Marxist philosophy has methodology of **Historical Materialism**. It explains the society's development through several stages like Primitive Communism - Slavery – Feudalism – Capitalism – Socialism – Stateless Communism. All of the stages have **two rival classes** and the struggle between them results the transformation. Marxism promotes the working class (proletariat) as the driving force of the society. So, Marxism empowers the working class by the theory of **Dictatorship of the Proletariat** because Marxism assumes that the state power is dictatorship itself. So law, according to Marxism, is an **instrument of class struggle, dictatorship and state power**. Socialist Law is an instrument of the dictatorship of the proletariat and the socialist state power till the withering out of it. Socialist Law is based on Marxist economic ideology. Policy of **planned economic development** is effective.

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- Socialist law or Soviet law denotes a general type of legal system which has been used in communist and formerly communist states. It is based on the **Civil Law system, with major modifications** and additions from Marxist-Leninist ideology. For example, private

Concept Of Socialist Law

Christine Sypnowich



Concept Of Socialist Law:

The Concept of Socialist Law Christine Sypnowich, 1990 This book seeks to remedy the contempt for law prominent in socialist writings While political thinkers on the left are indisputably concerned with justice they dismiss those legal institutions which in liberal capitalist societies have ensured some minimum measure of justice in citizens lives Marxists in particular have tended to reduce law to a capitalist apparatus necessary to mediate conflict between egoistic wills or social classes The book argues against this doctrine by showing that however ideal a society socialists envisage legal institutions would be necessary to fairly adjudicate conflict between private and public interests Each chapter takes up an issue in liberal jurisprudence to see how it would fare in a socialist theory which takes a constructive approach to law The rule of law natural and legal rights obligations and the sources of law are among the subjects covered The book concludes that a socialist concept of law would enrich not only debates about the nature of socialism but also debates about community and justice which preoccupy mainstream political theory and jurisprudence

Socialist Law in Socialist East Asia Hualing Fu, John Gillespie, Penelope Nicholson, William Partlett, 2018-07-05 A fresh perspective on socialist law as practiced in China and Vietnam two major socialist states

Socialism and the Law Association for Legal and Social Philosophy (Great Britain). Conference, 1992 Aus dem Inhalt Raymond Plant The Austin Lecture Socialism End States and the Law Chris Bertram Would a socialist society be able to dispense with law Andrew Vincent Socialism Law and the State Tradition Elizabeth Kingdom Socialism State and Law Response to Andrew Vincent David Feldman The Left Judicial Review and Theories of the Constitution Hugh Collins Social Market and the Law of Contract Michael Luntley The Long Aim of the Law Response to Hugh Collins Christine Sypnowich Rights and Community Feminism and Social Justice Roger Brownsword A Synthesis of Rights and Community in a different register Response to Christine Sypnowich Bibliography

The Emancipation of Soviet Law Ferdinand J.M. Feldbrugge, 2023-08-28 The political economic and social reforms resulting from Gorbachev's perestroika have become more radical and comprehensive throughout the years Increasingly in their implementation a central role has been accorded to law The construction of a viable democratic system the establishment of an economy in which market factors are decisive the readmittance of a pluralistic civil society all of them presuppose in the eyes of the present Soviet leadership the creation of a reliable legal foundation Legislative activity in the Soviet Union during the past few years has therefore been hectic At the same time while law was being used as an instrument of change the character of Soviet law itself was deeply affected From being the obedient servant of a totalitarian master law is becoming the core element of a new order in which its supremacy is accepted as the starting point for redesigning all the major sectors of social life In this volume a number of leading Western experts consider the practical effect of this emancipatory process on the most important branches of Soviet law and investigate its philosophical dimensions

Legal Impediments to Effective Rural Land Relations in Eastern Europe and Central Asia Roy L. Prosterman, Timothy M. Hanstad, 1999-01-01

Excessive concentration of land ownership as is feared by many transition governments has not been a feature of land markets where they have been allowed to function relatively freely and where land has been allocated in kind to households and individuals The World Bank has long been active in the Europe and Central Asia region in monitoring and evaluating land reform developments and supporting the development of land markets Bank efforts to date have made a significant impact in our client countries and studies produced by the Bank have been used as impartial references on this subject by both international organizations and the countries themselves This report was developed as a result of these efforts It focuses on The principal issues faced by the transition economies of Eastern Europe and the Former Soviet Union The potential approaches for resolving specific problem issues *The Mongolian Legal System* William Elliott Butler,1982-07-20

Asian Socialism & Legal Change John Gillespie,Pip Nicholson,2005-08-01 The immense process of economic and social transformation currently underway in China and Vietnam is well known and extensively documented However less attention has been devoted to the process of Chinese and Vietnamese legal change which is nonetheless critical for the future politics society and economy of these two countries In a unique comparative approach that brings together indigenous and international experts Asian Socialism and Legal Change analyzes recent developments in the legal sphere in China and Vietnam This book presents the diversity and dynamism of this process in China and Vietnam the impact of socialism constitutionalism and Confucianism on legal development responses to change among enterprises and educational and legal institutions conflicts between change led centrally and locally and international influences on domestic legal institutions Core socialist ideas continue to shape society but have been adapted to local contexts and needs in some areas more radically than in others This book is the first systematic analysis of legal change in transitional economies Information Engineering and Education Science Dawei Zheng,2015-04-30 This proceedings volume contains selected papers presented at the 2014 International Conference on Information Engineering and Education Science ICIEES 2014 held June 12 13 in Hong Kong China The objective of ICIEES 2014 was to provide a platform for researchers engineers academics as well as industry professionals from all over the world to **China's Legal Awakening** Carlos Wing-hung Lo,1995-07-01 After decades of

nihilistic rule under Mao Zedong can legal order be restored in China How successful is Deng Xiaoping s initiative in developing a socialist legal system Where is China on its road to the rule of law This book illustrates through the analysis of more than two hundred criminal cases selected from Minzhu yu fazhi Democracy and the Legal System in the period 1979 89 that the establishment of a formal criminal justice system and the development of an embryonic socialist theory of law in China reflect a genuine and widespread legal awakening A rudimentary legal culture has taken hold among Party leaders cadres judicial personnel intellectuals and the general public Nevertheless the contradiction between legal order and Party supremacy remains as demonstrated by the June Fourth incident in Beijing and the ensuing trials of the 1989 dissidents

The Transformation of Property Regimes and Transitional Justice in Central Eastern Europe Liviu

Damşa,2017-01-03 This volume examines the property transformations in post communist Central Eastern Europe CEE and focuses on the role of restitution and privatisation in such transformations It argues that the theorisation of restitution in post communist CEE is incomplete in the transitional justice scholarship and in the literature on correction of historical wrongs The book also argues that for a more complete theorisation of post communist restitution the transformations of property in post communist societies ought to be studied in a more holistic way The main legal vehicles used for such transformations privatisation and restitution should not be studied separately and in abstract but in their reciprocal relationship and in connection to the dimension of justice which each could achieve Finally the book integrates privatisation in a theory of post communist transformation of property *The Judiciary in Central and Eastern Europe* Zdenek

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McMillen,Andrew Watson,2003-12-16 Encompassing China s political and also social economic and cultural development since 1949 the dictionary is an up to date and comprehensive survey that will be of use to asian studies and politics students and teachers alike **Building the Rule of Law in China** Lin Li,2017-03-21 Building the Rule of Law in China explores the

idea that China needs a more globalized and diversified vision for the science of law presenting the need to think differently from the two major western mainstream legal cultures the Anglo American and the continental systems Other globalized universalized and diversified models and experiences in the rule of law from diverse civilizations have much to offer China Through learning from the strengths exhibited by systems in countries with a very developed and well organized rule of law and absorbing essential aspects from different countries China might be well positioned to promote the development of the rule of law in a robust and comprehensive manner This book explores the topic from several perspectives giving the reader an up to date resource on the ever evolving vision for the science of law in China Explores the situation of rule of law in China as it currently stands Presents a case that China must look beyond the two western systems of law for a more globalized vision Gives analysis on the contemporary situation and insight into the near future Presents a particular perspective on the rule of law in China by a scholar closely involved with its actual development Translates into English providing a new and valuable perspective to an English speaking readership *Socialist Legality and Indian Law* Pratap

Chandra Chunder,1984 Contemporary Political Theory J. C. Johari,1987 **The Chinese Road of the Rule of Law** Lin Li,2018-06-06 This book studies the practical experience and theoretical development of rule of law in China and provides fundamental theory for the construction of rule of law in contemporary China The author examines the rule of law by exploring the entire legal system and highlighting various aspects including the legislation law enforcement and supervision systems Readers will also discover the author s strong opinions on scientific legislation legal government judicial reform and

the culture of rule of law This highly readable book will appeal to both general readers and researchers interested in rule of law in China **Globalisation and Legal Theory** William Twining, 2000-03 The text makes the case for a revival of general jurisprudence in response to globalisation **Human Rights from a Comparative and International Law Perspective** Joan Church, Christian Schulze, Hennie Strydom, 2007 In terms of the South African Constitution of 1996 there is a general need for an introduction to comparative law and one that covers what is technically known as applied comparative law more particularly applied comparative law that involves a study of the bills of rights in other countries *The Limits of the Rule of Law in China* Karen G. Turner, James V. Feinerman, R. Kent Guy, 2000-02-01 In *The Limits of the Rule of Law in China* fourteen authors from different academic disciplines reflect on questions that have troubled Chinese and Western scholars of jurisprudence since classical times Using data from the early 19th century through the contemporary period they analyze how tension between formal laws and discretionary judgment is discussed and manifested in the Chinese context The contributions cover a wide range of topics from interpreting the rationale for and legacy of Qing practices of collective punishment confession at trial and bureaucratic supervision to assessing the political and cultural forces that continue to limit the authority of formal legal institutions in the People's Republic of China **Legal Consciousness** Jakob v. H. Holtermann, Mario Krešić, Marko Novak, 2025-04-29 This book is based on presentations and discussions at the special workshop The concept of Legal Consciousness held on July 7 2022 in Bucharest Romania as part of thirtieth biennial World Congress of the International Association for the Philosophy of Law and Social Philosophy IVR The workshop was focused on the importance of this concept for legal theory legal sociology and legal psychology psychology and law The book consists of fourteen contributions divided into four thematic parts elaborating the following topics concept of law methodology of legal sciences role of legal consciousness in legal theory and legal sociology adjudication constitutionalization modification of the legal system and the deliberate normative change

Concept Of Socialist Law Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has be apparent than ever. Its ability to stir emotions, provoke thought, and instigate transformation is truly remarkable. This extraordinary book, aptly titled "**Concept Of Socialist Law**," compiled by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect our existence. Throughout this critique, we will delve into the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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