

GETTING JUSTICE ^{AND} GETTING EVEN

LEGAL CONSCIOUSNESS
AMONG WORKING-CLASS
AMERICANS

SALLY ENGLE MERRY



Getting Justice And Getting Even

Simon Halliday, Patrick Schmidt



Getting Justice And Getting Even:

Getting Justice and Getting Even Sally Engle Merry, 1990-05-15 Ordinary Americans often bring family and neighborhood problems to court seeking justice or revenge The litigants in these local squabbles encounter law at its boundaries in the corridors of busy city courthouses in the offices of court clerks and in the church parlors used by mediation programs Getting Justice and Getting Even concerns the legal consciousness of working class Americans and their experiences with court and mediation Following cases into and through the courts Sally Engle Merry provides an ethnographic study of local law and of the people who use it in a New England city The litigants primarily white native born and working class go to court because as part of mainstream America they feel entitled to use its legal system Although neither powerful nor highly educated they expect the law s support when they face intolerable infringements of their rights privacy and safety Yet as personal problems enter the legal system and move through mediation sessions clerk s hearings and prosecutor s conferences the citizen plaintiff rapidly loses control of the process Court officials and mediators interpret and characterize the meaning of these experiences reframing and categorizing them in different discourses Some plaintiffs yield to these interpretations but others resist struggling to assert their own version of the problem Ultimately Merry exposes the paradox of legal entitlement While going to court allows an individual to dominate domestic relationships the litigant must increasingly yield control of the situation to the court that supplies that power

Pakistan's Experience with Formal Law Osama Siddique, 2013-06-20 This book explores the complex relationship between colonial law and the reform of legal systems in postcolonial states

Getting Even Charles K. B. Barton, 1999 The author of this text aims to show that revenge is a required form of justice that should be incorporated into the criminal justice system He argues that the current system disempowers those who are victims of crime the accused and their respective communities

Getting Even Evelyn Murphy, E.J. Graff, 2006-10-10 In a book sure to explode into public debate Getting Even reveals why the wage gap between men and women is not going away on its own

Research Methods in Law Dawn Watkins, Mandy Burton, 2025-07-31 Explaining in clear terms some of the main methodological approaches to legal research Research Methods in Law is written by specialists in their fields researching in a variety of jurisdictions Covering a range of topics including feminist approaches economic analysis of the law and socio legal studies each contributor addresses the topic of lay decision makers in the legal system from their particular methodological perspective This focus on one main topic allows the reader to draw comparisons between methods with relative ease This third edition has been fully updated and includes bullet point summaries at the start of each chapter There are also two new chapters covering biographical approaches and creative approaches The broad range of contributors makes Research Methods in Law well suited to an international audience and it is ideal reading for PhD students in law undergraduate dissertation students in law LL M Research students and early year researchers

The Complexity of Human Rights Philip Alston, 2024-02-08 This book provides the first systematic assessment from a human rights law

perspective of the landmark contributions of the renowned legal anthropologist Sally Engle Merry What impact does over simplification have on human rights debates The understandable tendency to present them as a single universal and immutable concept ignores their complexity and by extension only serves to weaken them Merry and her colleagues transformed human rights thinking by highlighting the process of vernacularization which sees rights discourse as being unavoidably dependent upon translation and interpretation She also warned of the pitfalls of excessive reliance upon statistical and other indicators through the process of quantification Here the leading voices in the field assess the significance of these contributions

Conducting Law and Society Research Simon Halliday, Patrick Schmidt, 2009-05-25 This book provides students and scholars with a candid look at how empirical research projects actually happen Focusing on the interdisciplinary Law and Society field more than twenty interviews with authors of classic projects from sociology anthropology psychology political science law and history the chapters are unique in their honesty They help readers to understand the choices challenges and uncertainty that go into even some of the best research projects

Performing Power in Zimbabwe Susanne Verheul, 2021-09-09 Focusing on political trials in Zimbabwe's Magistrates Courts between 2000 and 2012 Susanne Verheul explores why the judiciary have remained a central site of contestation in post independence Zimbabwe Drawing on rich court observations and in depth interviews this book foregrounds law's potential to reproduce or transform social and political power through the narrative material and sensory dimensions of courtroom performances Instead of viewing appeals to law as acts of resistance by marginalised orders for inclusion in dominant modes of rule Susanne Verheul argues that it was not recognition by but of this formal rule bound ordering and the form of citizenship it stood for that was at stake in performative legal engagements In this manner law was much more than a mere instrument Law was a site in which competing conceptions of political authority were given expression and in which people's understandings of themselves as citizens were formed and performed

Getting Even Jeffrie G. Murphy, 2003 In this short book the author proposes that vindictive emotions anger resentment and the desire for revenge actually deserve a more legitimate place in our emotional social and legal lives than we currently recognize while forgiveness deserves to be more selectively granted

Institutional Racism and Restorative Justice Diane Carpenter Emling, 2024-08-01 Invisible intractable and deadly such is the nature of institutional racism But are there mitigating actions that society could take against it Diane Carpenter Emling explores this question in *Institutional Racism and Restorative Justice* Oppression and Privilege in America Moving beyond the immediate sources and consequences of prejudice racism and inequality to thoroughly assess approaches to restorative justice Emling details America's complex history of racism demonstrating how it becomes embedded in society through land ownership housing education health care employment public services and criminal justice For each of these issues she suggests actions to restore justice But societies don't operate institution by institution and extraordinary changes will be necessary to address systemic racism Directed at college undergraduate students Emling's book offers a valuable

contribution for teaching courses in African American studies sociology economics politics and American history Written in a comprehensive and accessible style this book offers a much needed perspective in the literature on institutional racism This new edition includes important accounts and analysis of the political and social upheavals following the George Floyd killing and subsequent demonstrations the cultural battle over Critical Race Theory and the foregrounding of race in American politics and institutions

The Consumption of Justice Daniel Lord Smail, 2013-04-15 In the thirteenth and fourteenth centuries the ideas and practices of justice in Europe underwent significant change as procedures were transformed and criminal and civil caseloads grew apace Drawing on the rich judicial records of Marseille from the years 1264 to 1423 especially records of civil litigation this book approaches the courts of law from the perspective of the users of the courts the consumers of justice and explains why men and women chose to invest resources in the law Daniel Lord Smail shows that the courts were quickly adopted as a public stage on which litigants could take revenge on their enemies Even as the new legal system served the interest of royal or communal authority it also provided the consumers of justice with a way to broadcast their hatreds and social sanctions to a wider audience and negotiate their own community standing in the process The emotions that had driven bloodfeuds and other forms of customary vengeance thus never went away and instead were fully incorporated into the new procedures

The Oxford Handbook of Justice in the Workplace Russell Cropanzano, Maureen L. Ambrose, 2015 Offering the most thorough discussion of organizational justice currently available *The Oxford Handbook of Justice in the Workplace* provides a comprehensive review of empirical and conceptual research addressing this vital topic

Appealing to Justice Kitty Calavita, Valerie Jenness, 2015 Having gained unique access to California prisoners and corrections officials and to thousands of prisoners written grievances and institutional responses Kitty Calavita and Valerie Jenness take us inside one of the most significant yet largely invisible institutions in the United States Drawing on sometimes startlingly candid interviews with prisoners and prison staff as well as on official records the authors walk us through the byzantine grievance process which begins with prisoners filing claims and ends after four levels of review with corrections officials usually denying requests for remedies *Appealing to Justice* is both an unprecedented study of disputing in an extremely asymmetrical setting and a rare glimpse of daily life inside this most closed of institutions Quoting extensively from their interviews with prisoners and officials the authors give voice to those who are almost never heard from These voices unsettle conventional wisdoms within the sociological literature for example about the reluctance of vulnerable and or stigmatized populations to name injuries and file claims and about the relentlessly adversarial subjectivities of prisoners and correctional officials and they do so with striking poignancy Ultimately *Appealing to Justice* reveals a system fraught with impediments and dilemmas which delivers neither justice nor efficiency nor constitutional conditions of confinement

Judicial Process and Judicial Policymaking G. Alan Tarr, 2019-06-04 An excellent introduction to judicial politics as a method of analysis the seventh edition of *Judicial Process and Judicial Policymaking* focuses on policy in the judicial process

Rather than limiting the text to coverage of the U S Supreme Court G Alan Tarr examines the judiciary as the third branch of government and weaves four major premises throughout the text 1 Courts in the United States have always played an important role in governing and their role has increased in recent decades 2 Judicial policymaking is a distinctive activity 3 Courts make policy in a variety of ways and 4 Courts may be the objects of public policy as well as creators New to the Seventh Edition New cases through the end of the Supreme Court s 2018 term New case studies on the Garland Gorsuch controversy plea negotiation of special relevance to the Trump administration and the litigation over Obamacare as well as brief coverage of the Kavanaugh confirmation Expanded coverage of the crisis in the legal profession sentencing with attention to the rise of mass incarceration and the issue of race constitutional interpretation and the rise of originalism and same sex marriage Updated tables and figures throughout A new online e Resource including edited cases a glossary of terms and resources for further learning This text is appropriate for all students of judicial process and policy

Eye for an Eye William Ian Miller, 2005-12-19 This book is a historical and philosophical meditation on paying back and buying back that is it is about retaliation and redemption It takes the law of the talion eye for an eye tooth for a tooth seriously In its biblical formulation that law states the value of my eye in terms of your eye the value of your teeth in terms of my teeth Eyes and teeth become units of valuation But the talion doesn t stop there It seems to demand that eyes teeth and lives are also to provide the means of payment Bodies and body parts it seems have a just claim to being not just money but the first and precisest of money substances In its highly original way the book offers a theory of justice not an airy theory though It is about getting even in a toughminded unsentimental but respectful way And finds that much of what we take to be justice honor and respect for persons requires at its core measuring and measuring up

Justice Flora Sapio, Susan Trevaskes, Sarah Biddulph, Elisa Nesossi, 2017-07-27 Claims about a pursuit of justice weave through all periods of China s modern history But what do authorities mean when they refer to justice and do Chinese citizens interpret justice in the same way as their leaders This book explores how certain ideas about justice have come to be dominant in Chinese polity and society and how some conceptions of justice have been rendered more powerful and legitimate than others This book s focus on how justice works incorporates a concern about the processes that lead to the making un making and re making of distinct conceptions of justice Investigating the processes and frameworks through which certain ideas about justice have come to the political and social forefront in China today this innovative work explains how these ideas are articulated through spoken performances and written expression by both the party state and its citizenry

The Demands of Justice Tamika Y. Nunley, 2023-03-09 Award winning historian Tamika Y Nunley has unearthed the stories of enslaved Black women charged by their owners with poisoning theft murder infanticide and arson While free Black and white people accused of capital crimes received a hearing trial and if convicted an opportunity to appeal none of these options were available to enslaved people Conviction was final and only the state or owners could spare their accused chattel of punishment by death For enslaved

women in Virginia clemency was not uncommon but Nunley shows why this act ultimately benefitted owners and punished the accused with sale outside of the state as the best possible outcome Demonstrating how crimes convictions and clemency functioned within a slave society that upheld the property interests of white Virginians Nunley reveals the frequency with which owners preferred to keep the accused in bondage which allowed them behind the veil of paternalism to continue to benefit from Black women s labor This so called clemency also sought to rob Black women of the power they exercised when they committed capital crimes The testimonies that Nunley has collected and analyzed offer compelling glimpses of the self identities forged by Black women as they attempted to resist enslavement and the limits of justice available to them in the antebellum courtroom

Justice and Power in Sociolegal Studies Bryant G. Garth,Austin Sarat,1998 Justice and Power in the Sociolegal Studies asks what interdisciplinary work in the law and society tradition tells us about the relationship of law and justice as well as the way power operates in and through law The fundamental concepts of justice and power provide points of departure for leading scholars to explore the various domains of socio legal research As they note the explicitness of the engagement with issues of power and the relative silence about or indirectness in taking on questions of justice found in most law and society research they ask how engagement with issues of power and silence about justice constituted law and society as a research field caught between a desire to have political impact and at the same time to maintain its scientific respectability

Voices from Criminal Justice Heith Copes,Mark Pogrebin,2016-11-25 Voices from Criminal Justice Second Edition gives students rich insight into the criminal justice system from the point of view of practitioners as well as outsiders citizens clients jurors probationers or inmates These qualitative and teachable articles cover all three components of the criminal justice system ensuring students will be better informed about the daily realities of criminal justice professionals in law enforcement courts and corrections At the same time the juxtaposition of insider and outsider views allows students to look beyond the actual content of the articles and develop their own views about the functions and flaws of the criminal justice system on a societal level This innovative reader now with seven new articles designed to stimulate discussions and promote critical thought is perfect for undergraduate criminal justice courses in the United States and has proven to be an effective companion or alternative to traditional introductory textbooks Voices from Criminal Justice Second Edition also offers a framework for more advanced students in special issues or capstone courses to synthesize information from earlier courses and develop their own view of American justice

Philosophical Foundations of the Law of Torts John Oberdiek,2014-02 This book offers a rich insight into the law of torts and cognate fields and will be of broad interest to those working in legal and moral philosophy It has contributions from all over the world and represents the state of the art in tort theory

Whispering the Strategies of Language: An Psychological Quest through **Getting Justice And Getting Even**

In a digitally-driven world wherever screens reign supreme and instant interaction drowns out the subtleties of language, the profound secrets and psychological subtleties hidden within words usually go unheard. Yet, situated within the pages of **Getting Justice And Getting Even** a fascinating literary treasure blinking with raw feelings, lies a fantastic quest waiting to be undertaken. Penned by an experienced wordsmith, this charming opus encourages readers on an introspective trip, gently unraveling the veiled truths and profound affect resonating within the cloth of every word. Within the mental depths of the emotional review, we shall embark upon a sincere exploration of the book is core styles, dissect its charming publishing style, and fail to the effective resonance it evokes heavy within the recesses of readers hearts.

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