

Great Debates In Land Law Palgrave Great Debates In Law

The second edition of *Land Law: Text, Cases, and Materials* offers a stimulating and thought-provoking guide to land law. With insightful commentary and carefully selected primary and secondary material this book provides the resources necessary for a thorough study of land law.

WINNER OF: Frantz Fanon Outstanding Book from the Caribbean Philosophical Association Canadian Political Science Association's C.B. MacPherson Prize Studies in Political Economy Book Prize Over the past forty years, recognition has become the dominant mode of negotiation and decolonization between the nation-state and Indigenous nations in North America. The term "recognition" shapes debates over Indigenous cultural distinctiveness, Indigenous rights to land and self-government, and Indigenous peoples' right to benefit from the development of their lands and resources. In a work of critically engaged political theory, Glen Sean Coulthard challenges recognition as a method of organizing difference and identity in liberal politics, questioning the assumption that contemporary difference and past histories of destructive colonialism between the state and Indigenous peoples can be reconciled through a process of acknowledgment. Beyond this, Coulthard examines an alternative politics—one that seeks to revalue, reconstruct, and redeploy Indigenous cultural practices based on self-recognition rather than on seeking appreciation from the very agents of colonialism. Coulthard demonstrates how a "place-based" modification of Karl Marx's theory of "primitive accumulation" throws light on Indigenous–state relations in settler-colonial contexts and how Frantz Fanon's critique of colonial recognition shows that this relationship reproduces itself over time. This framework strengthens his exploration of the ways that the politics of recognition has come to serve the interests of settler-colonial power. In addressing the core tenets of Indigenous resistance movements, like Red Power and Idle No More, Coulthard offers fresh insights into the politics of active decolonization.

An engaging introduction to the more advanced writings on property law, designed to provide the additional insights necessary to excel in the study of the subject.

A history of the American Constitution's formative decades from a preeminent legal scholar When the US Constitution won popular approval in 1788, it was the culmination of thirty years of passionate argument over the nature of government. But ratification hardly ended the conversation. For the next half century, ordinary Americans and statesmen alike continued to wrestle with weighty questions in the halls of government and in the pages of newspapers. Should the nation's borders be expanded? Should America allow slavery to spread westward? What rights should Indian nations hold? What was the proper role of the judicial branch? In *The Words that Made Us*, Akhil Reed Amar unites history and

law in a vivid narrative of the biggest constitutional questions early Americans confronted, and he expertly assesses the answers they offered. His account of the document's origins and consolidation is a guide for anyone seeking to properly understand America's Constitution today.

A riveting, deeply personal account of history in the making—from the president who inspired us to believe in the power of democracy #1 NEW YORK TIMES BESTSELLER • NAACP IMAGE AWARD NOMINEE • NAMED ONE OF THE TEN BEST BOOKS OF THE YEAR BY THE NEW YORK TIMES BOOK REVIEW NAMED ONE OF THE BEST BOOKS OF THE YEAR BY The Washington Post • Jennifer Szalai, The New York Times • NPR • The Guardian • Marie Claire In the stirring, highly anticipated first volume of his presidential memoirs, Barack Obama tells the story of his improbable odyssey from young man searching for his identity to leader of the free world, describing in strikingly personal detail both his political education and the landmark moments of the first term of his historic presidency—a time of dramatic transformation and turmoil. Obama takes readers on a compelling journey from his earliest political aspirations to the pivotal Iowa caucus victory that demonstrated the power of grassroots activism to the watershed night of November 4, 2008, when he was elected 44th president of the United States, becoming the first African American to hold the nation's highest office. Reflecting on the presidency, he offers a unique and thoughtful exploration of both the awesome reach and the limits of presidential power, as well as singular insights into the dynamics of U.S. partisan politics and international diplomacy. Obama brings readers inside the Oval Office and the White House Situation Room, and to Moscow, Cairo, Beijing, and points beyond. We are privy to his thoughts as he assembles his cabinet, wrestles with a global financial crisis, takes the measure of Vladimir Putin, overcomes seemingly insurmountable odds to secure passage of the Affordable Care Act, clashes with generals about U.S. strategy in Afghanistan, tackles Wall Street reform, responds to the devastating Deepwater Horizon blowout, and authorizes Operation Neptune's Spear, which leads to the death of Osama bin Laden. A Promised Land is extraordinarily intimate and introspective—the story of one man's bet with history, the faith of a community organizer tested on the world stage. Obama is candid about the balancing act of running for office as a Black American, bearing the expectations of a generation buoyed by messages of “hope and change,” and meeting the moral challenges of high-stakes decision-making. He is frank about the forces that opposed him at home and abroad, open about how living in the White House affected his wife and daughters, and unafraid to reveal self-doubt and disappointment. Yet he never wavers from his belief that inside the great, ongoing American experiment, progress is always possible. This beautifully written and powerful book captures Barack Obama's conviction that democracy is not a gift from on high but something founded on empathy and common understanding and built together, day by day. Tyler Cowen's controversial New York Times bestseller—the book heard round the world that ignited a firestorm of

debate and redefined the nature of America's economic malaise. America has been through the biggest financial crisis since the great Depression, unemployment numbers are frightening, media wages have been flat since the 1970s, and it is common to expect that things will get worse before they get better. Certainly, the multidecade stagnation is not yet over. How will we get out of this mess? One political party tries to increase government spending even when we have no good plan for paying for ballooning programs like Medicare and Social Security. The other party seems to think tax cuts will raise revenue and has a record of creating bigger fiscal disasters than the first. Where does this madness come from? As Cowen argues, our economy has enjoyed low-hanging fruit since the seventeenth century: free land, immigrant labor, and powerful new technologies. But during the last forty years, the low-hanging fruit started disappearing, and we started pretending it was still there. We have failed to recognize that we are at a technological plateau. The fruit trees are barer than we want to believe. That's it. That is what has gone wrong and that is why our politics is crazy. In *The Great Stagnation*, Cowen reveals the underlying causes of our past prosperity and how we will generate it again. This is a passionate call for a new respect of scientific innovations that benefit not only the powerful elites, but humanity as a whole.

Great Debates in Land Law Macmillan International Higher Education

New York Times Bestseller In the most ambitious one-volume American history in decades, award-winning historian and New Yorker writer Jill Lepore offers a magisterial account of the origins and rise of a divided nation, an urgently needed reckoning with the beauty and tragedy of American history. Written in elegiac prose, Lepore's groundbreaking investigation places truth itself—a devotion to facts, proof, and evidence—at the center of the nation's history. The American experiment rests on three ideas—"these truths," Jefferson called them—political equality, natural rights, and the sovereignty of the people. And it rests, too, on a fearless dedication to inquiry, Lepore argues, because self-government depends on it. But has the nation, and democracy itself, delivered on that promise? *These Truths* tells this uniquely American story, beginning in 1492, asking whether the course of events over more than five centuries has proven the nation's truths, or belied them. To answer that question, Lepore traces the intertwined histories of American politics, law, journalism, and technology, from the colonial town meeting to the nineteenth-century party machine, from talk radio to twenty-first-century Internet polls, from Magna Carta to the Patriot Act, from the printing press to Facebook News. Along the way, Lepore's sovereign chronicle is filled with arresting sketches of both well-known and lesser-known Americans, from a parade of presidents and a rogues' gallery of political mischief makers to the intrepid leaders of protest movements, including Frederick Douglass, the famed abolitionist orator; William Jennings Bryan, the three-time presidential candidate and ultimately tragic populist; Pauli Murray, the visionary civil rights strategist; and Phyllis Schlafly, the uncredited architect of modern conservatism. Americans are descended from slaves and slave owners, from conquerors and the conquered, from immigrants and from people who have fought to end immigration. "A nation born in contradiction will fight forever over the meaning of its history," Lepore writes, but engaging in that struggle by studying the past is part of the work of citizenship. "The past is an inheritance, a gift and a burden," *These Truths* observes. "It can't be shirked. There's nothing for it but to get to know it."

Indonesia was founded on the ideal of the “Sovereignty of the People”, which suggests the pre-eminence of people’s rights to access, use and control land to support their livelihoods. Yet, many questions remain unresolved. How can the state ensure access to land for agriculture and housing while also supporting land acquisition for investment in industry and infrastructure? What is to be done about indigenous rights? Do registration and titling provide solutions? Is the land reform agenda — legislated but never implemented — still relevant? How should the land questions affecting Indonesia’s disappearing forests be resolved? The contributors to this volume assess progress on these issues through case studies from across the archipelago: from large-scale land acquisitions in Papua, to asset ownership in the villages of Sulawesi and Java, to tenure conflicts associated with the oil palm and mining booms in Kalimantan, Sulawesi and Sumatra. What are the prospects for the “people’s sovereignty” in regard to land?

How did Chicago, a city known for commerce, come to have such a splendid public waterfront—its most treasured asset? *Lakefront* reveals a story of social, political, and legal conflict in which private and public rights have clashed repeatedly over time, only to produce, as a kind of miracle, a generally happy ending. Joseph D. Kearney and Thomas W. Merrill study the lakefront's evolution from the middle of the nineteenth century to the twenty-first. Their findings have significance for understanding not only Chicago's history but also the law's part in determining the future of significant urban resources such as waterfronts. The Chicago lakefront is where the American public trust doctrine, holding certain public resources off limits to private development, was born. This book describes the circumstances that gave rise to the doctrine and its fluctuating importance over time, and reveals how it was resurrected in the later twentieth century to become the primary principle for mediating clashes between public and private lakefront rights. *Lakefront* compares the effectiveness of the public trust idea to other property doctrines, and assesses the role of the law as compared to more institutional developments, such as the emergence of sanitary commissions and park districts, in securing the protection of the lakefront for public uses. By charting its history, Kearney and Merrill demonstrate that the lakefront's current status is in part a product of individuals and events unique to Chicago. But technological changes, and a transformation in social values in favor of recreational and preservationist uses, also have been critical. Throughout, the law, while also in a state of continual change, has played at least a supporting role.

Explores the limits of law in changing unequal land relations in Kenya.

"In February 1965, novelist and 'poet of the Black Freedom Struggle' James Baldwin and political commentator and father of the modern American conservative movement William F. Buckley met in Cambridge Union to face-off in a televised debate. The topic was 'The American Dream is at the expense of the American Negro.' Buccola uses this momentous encounter as a lens through which to deepen our understanding of two of the most important public intellectuals in twentieth century American thought. The book begins by providing intellectual biographies of each debater. As Buckley reflected on the civil rights movement, he did so from the perspective of someone who thought the dominant norms and institutions in the United States were working quite well for most people and that they would eventually work well for African-Americans. From such a perspective, any ideology, personality, or movement that seems to threaten those dominant norms and institutions must be deemed a threat. Baldwin could not bring himself to adopt such a bird's eye point of view. Instead, he focused on the 'inner lives' of those involved on all sides of the struggle. Imagine what it must be like, he told the audience at Cambridge, to have the sense that your country has not 'pledged its allegiance to you?' Buccola weaves the intellectual biographies of these two larger-than-life personalities and their fabled debate with the dramatic history of the civil rights movement that includes a supporting cast of such figures as Robert Kennedy, Martin Luther King Jr., Malcolm X, Lorraine Hansberry, and George Wallace. Buccola shows that the subject of their debate

continues to have resonance in our own time as the social mobility of blacks remains limited and racial inequality persists"--

A new and retitled edition of *Great Debates in Property Law*, this is an engaging introduction to the more advanced writings on property law, designed to provide the additional insights necessary to excel in the study of the subject.

Includes new material on e-conveyancing, and the impact of the global financial crisis and austerity politics.

As a changing climate threatens the whole country with deeper droughts and more furious floods that put ever more people and property at risk, Texas has become a bellwether state for water debates. Will there be enough water for everyone? Is there the will to take the steps necessary to defend ourselves against the sea? Is it in the nature of Americans to adapt to nature in flux? The most comprehensive—and comprehensible—book on contemporary water issues, *A Thirsty Land* delves deep into the challenges faced not just by Texas but by the nation as a whole, as we struggle to find a way to balance the changing forces of nature with our own ever-expanding needs. Part history, part science, part adventure story, and part travelogue, this book puts a human face on the struggle to master that most precious and capricious of resources, water. Seamus McGraw goes to the taproots, talking to farmers, ranchers, businesspeople, and citizen activists, as well as to politicians and government employees. Their stories provide chilling evidence that Texas—and indeed the nation—is not ready for the next devastating drought, the next catastrophic flood. Ultimately, however, *A Thirsty Land* delivers hope. This deep dive into one of the most vexing challenges facing Texas and the nation offers glimpses of the way forward in the untapped opportunities that water also presents.

The federal role in the management of nonfederal U.S. forests was once relatively simple: to assist in the prevention and control of wildfires. The administrative structure to carry out this role was similarly uncomplicated, with most programs under the aegis of the U.S. Department of Agriculture. In recent years, however, both the management and administrative landscapes have changed dramatically. Responsibility for the federal role in nonfederal forests has been expanded to include a number of cabinet departments and independent agencies, which must address critical issues such as reforestation, wetlands disruption, and biodiversity protection. With two-thirds of all U.S. forests on nonfederal lands, these issues are becoming increasingly more important. Now, a first-of-its-kind examination of the federal role in nonfederal forest management, *Forested Landscapes in Perspective* presents a comprehensive look at the current landscape and recommends improvements that best serve public and private interests. This timely volume includes an insightful description of the current situation and recent trends, followed by a thorough examination of major policy and program issues affecting nonfederal forests. Among these are emerging environmental concerns such as forest fragmentation and large-scale climate change, as well as issues of economic importance, such as the availability of timber supplies.

Thanks to these generous donors for making the publication of this book possible: David Lerman and Shelley Wallock; D. Walter Cohen, Wendy and Leonard Cooper; Rabbi Howard Gorin; Gittel and Alan Hilibrand; Marjorie and Jeffrey Major; Jeanette Lerman Neubauer and Joe Neubauer; Gayle and David Smith; and Harriet and Donald Young. Ever since Abraham's famous argument with God, Judaism has been full of debate. Moses and Korah, David and Nathan, Hillel and Shammai, the Vilna Gaon and the Ba'al Shem Tov, Spinoza and the Amsterdam Rabbis . . . the list goes on. Jews debate justice, authority, inclusion, spirituality, resistance, evolution, Zionism, and more. No wonder that Judaism cherishes the expression *machloket l'shem shamayim*, "an argument for the sake of heaven." In this concise but important survey, Rabbi Barry L. Schwartz presents the provocative and vibrant thesis that debate and disputation are not only encouraged within Judaism but reside at the very heart of Jewish history and theology. In his graceful, engaging, and creative prose, Schwartz presents an introduction to an intellectual history of Judaism through the art of argumentation. Beyond their historical importance, what makes these disputations so compelling is that nearly all of them, regardless of their epochs, are still being argued. Schwartz builds the case that the basis of Judaism is a series of unresolved rather than resolved arguments. Drawing on primary sources, and with a bit of poetic license, Schwartz reconstructs the real or imagined dialogue of ten great debates and then analyzes their significance and legacy. This parade of characters spanning three millennia of biblical, rabbinic, and modern disputation reflects the panorama of Jewish history with its monumental political, ethical, and spiritual challenges.

Great Debates in Law is an evolving series offering engaging and thoughtful introductions to the more advanced concepts, written by authors who are amongst the foremost thinkers in their field. They are designed to provide a cutting edge for students who are looking to gain additional insights with which to excel. The series looks to go beyond what is covered in the main textbooks, presenting the key tensions and questions underlying a subject, setting legal developments in their philosophical and cultural context and exploring the issues as matters of current debate. The text draws upon the work of leading figures to elucidate the concepts addressed, illustrating how a subject has developed in the way that it has, and why.

Medical Law: Text, Cases, and Materials offers all of the explanation, commentary, and extracts from cases and key materials that students need to gain a thorough understanding of this complex topic. Key case extracts provide the legal context, facts, and background; extracts from materials provide differing ethical perspectives and outline current debates; and the author's insightful commentary ensures that readers understand the facts of the cases and can navigate the ethical landscape to form their own understanding of medical law. Online resource centre Online updates to the law are provided alongside a searchable glossary of medical and legal terms.

Where To Download Great Debates In Land Law Palgrave Great Debates In Law

An engaging introduction to the more advanced writings on criminal law, designed to provide the additional insights necessary to excel in the study of the subject.

What are our obligations to others as people in a free society? Should government tax the rich to help the poor? Is the free market fair? Is it sometimes wrong to tell the truth? Is killing sometimes morally required? Is it possible, or desirable, to legislate morality? Do individual rights and the common good conflict? Michael J. Sandel's "Justice" course is one of the most popular and influential at Harvard. Up to a thousand students pack the campus theater to hear Sandel relate the big questions of political philosophy to the most vexing issues of the day, and this fall, public television will air a series based on the course. Justice offers readers the same exhilarating journey that captivates Harvard students. This book is a searching, lyrical exploration of the meaning of justice, one that invites readers of all political persuasions to consider familiar controversies in fresh and illuminating ways. Affirmative action, same-sex marriage, physician-assisted suicide, abortion, national service, patriotism and dissent, the moral limits of markets—Sandel dramatizes the challenge of thinking through these conflicts, and shows how a surer grasp of philosophy can help us make sense of politics, morality, and our own convictions as well. Justice is lively, thought-provoking, and wise—an essential new addition to the small shelf of books that speak convincingly to the hard questions of our civic life. An engaging introduction to some of the more advanced concepts in Equity and Trusts, providing a cutting edge for students who are looking to gain additional insights with which to excel. Illuminated throughout with discussion of the specific issues which reveal the practical significance of different theoretical positions.

This book introduces students to the great debates in EU law. Rather than simply presenting traditional approaches that provide descriptions (often in historical order) of substantive and constitutional elements of Union law, this book clusters material around these debates in an engaging and lively way. By offering concise analyses of core dilemmas and tensions in EU law, the book provides a different kind of introduction, one that helps students place the discussions within a broader context and narrative. The authors have found in their teaching that students often struggle with individual aspects and materials without understanding broader narratives, which are traditionally developed in monographs or journal articles that are beyond the reach of undergraduate readers.

Land Law: Text, Cases, and Materials offers a comprehensive, critical, and case-focused approach to the subject, combining insightful author commentary with carefully selected extracts to fully support students.

Since Justin Trudeau's election in 2015, Canada has been hailed internationally as embarking on a truly progressive, post-postcolonial era—including an improved relationship between the state and its Indigenous peoples. Shiri Pasternak corrects this misconception, showing that colonialism is very much alive in Canada. From the perspective of Indigenous law and jurisdiction, she tells the story of the Algonquins of Barriere Lake, in western Quebec, and their tireless resistance to federal land claims policy. Grounded Authority chronicles the band's ongoing attempts to restore full governance over its lands and natural resources through an agreement signed by settler governments almost three decades ago—an agreement the state refuses to fully implement. Pasternak argues that the state's aversion to recognizing Algonquin jurisdiction stems from its goal of perfecting its sovereignty by replacing the inherent jurisdiction of Indigenous peoples with its own, delegated authority. From police brutality and fabricated sexual abuse cases to an intervention into and overthrow of a customary government, Pasternak provides a compelling, richly detailed account of rarely documented coercive mechanisms employed to force Indigenous communities into compliance with federal policy. A rigorous account of the incredible struggle fought by the Algonquins to maintain responsibility over their territory, Grounded Authority provides a powerful alternative model to one nation's land claims policy and a vital

contribution to current debates in the study of colonialism and Indigenous peoples in North America and globally.

This book explores the role of theory and research in criminology. Adopting a unique and refreshing approach to criminological theory, this book focuses on the great debates in criminology from its inception as a field to the present day. It explores the debates that have motivated criminological thought, that have represented turning points in theoretical and empirical trajectories, that have offered mini-paradigm shifts, and that have moved the field forward. Coverage includes: Classical Debates, including the work of Lombroso, Durkheim and Sutherland, Sociological vs. psychological debates in criminology, Control theory and cultural deviance theory, Criminal career and trait-based theory, Theory testing in criminology, Critical theories in criminology, Debates on the state of criminology and criminal justice, Policy issues in criminology. Each chapter explores several key debates, summarizes key points, and offers a discussion of its current empirical status. This book is novel in emphasising the role of debate in criminology and offering an enlightening synthesis of theorists and their perspectives. It is essential reading for students taking courses on criminological theory and teachers of those theories. A companion website will include a sample syllabus, PowerPoint lecture slides, examples of assignments, and a test bank with sample exams for instructors, and video and website links, a glossary of important terms, audio content, and study guides for students.

Fifty years ago, the two leading German philosophers and sociologists since the Second World War, Jürgen Habermas and Niklas Luhmann, embarked on a sweeping and contentious debate that would continue for decades. Their coauthored 1971 book *Theory of Society or Social Technology* laid out their opposing positions on meaning, communication, consensus, and dissent—and ultimately the foundations of modern social thought. Habermas and Luhmann would elaborate their disagreement in the years to come in a controversy whose aftershocks divided social theorists by presenting what appeared to be two fundamentally divergent views of the nature of society and what systems theory was capable of explaining. This is the first book in English about one of the most important conflicts in social theory today. Gorm Harste analyzes the Habermas-Luhmann debate from its inception through Habermas's most recent works, exploring issues such as methodology, ideology, truth, history, and politics. He contextualizes their positions in terms of how each grappled with the legacy of Nazism and sought to provide grounding for an antitotalitarian politics. Harste follows the evolution of the debate, as the fundamental dispute over the normative and practical desirability of agreement and disagreement came to touch upon political questions including the rule of law, the separation of powers, human rights, individualization, and secularization. Ultimately, Harste emphasizes the convergence between Habermas and Luhmann—and the pressing need for social theorists to further unite these two formative accounts of contemporary society.

An engaging introduction to the more advanced writings on family law, designed to provide the additional insights necessary to excel in the study of the subject.

In the year 1000, the economy of the Middle East was at least as advanced as that of Europe. But by 1800, the region had fallen dramatically behind--in living standards, technology, and economic institutions. In short, the Middle East had failed to modernize economically as the West surged ahead. What caused this long divergence? And why does the Middle East remain drastically underdeveloped compared to the West? In *The Long Divergence*, one of the world's leading experts on Islamic economic institutions and the economy of the Middle East provides a new answer to these long-debated questions. Timur Kuran argues that what slowed the economic development of the Middle East was not colonialism or geography, still less Muslim attitudes or some incompatibility between Islam and capitalism. Rather, starting around the tenth century, Islamic legal institutions, which had benefitted the Middle Eastern economy in the early centuries of Islam, began to act as a drag on development by slowing or blocking the emergence of central features of modern economic life--including private capital accumulation,

corporations, large-scale production, and impersonal exchange. By the nineteenth century, modern economic institutions began to be transplanted to the Middle East, but its economy has not caught up. And there is no quick fix today. Low trust, rampant corruption, and weak civil societies--all characteristic of the region's economies today and all legacies of its economic history--will take generations to overcome. The Long Divergence opens up a frank and honest debate on a crucial issue that even some of the most ardent secularists in the Muslim world have hesitated to discuss.

Through an in-depth legal analysis by leading scholars, this book searches for the exact legal causes of land-related disputes in Asia within the histories, legal systems and social realities of the respective countries. It consists of four main parts: examining the relationship between law and development; land-taking in developmental stages; common ownership; and proposals for new approaches to land law and dispute resolution. With a combination of orthodox legal interpretations and the empirical approach of legal sociology, the contributors undertake an extensive comparative legal analysis across common and civil law traditions. Most importantly, they propose pathways forward for legal transformations in the pursuit of sustainable development in Asia. This book is vital contribution to the study of comparative law, and especially property law, in East and Southeast Asia.

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