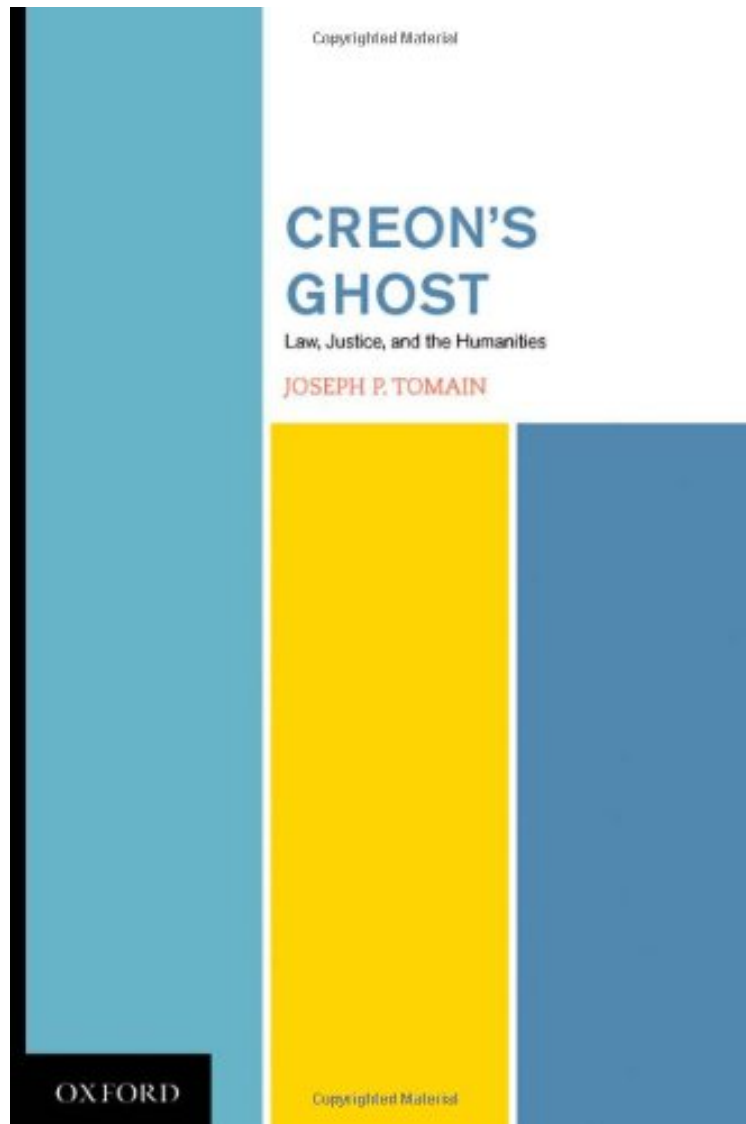


(Ebook pdf) Creon's Ghost Law Justice and the Humanities

Creon's Ghost Law Justice and the Humanities

Tomain

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Tomain : Creon's Ghost Law Justice and the Humanities before purchasing it in order to gage whether or not it would be worth my time, and all praised Creon's Ghost Law Justice and the Humanities:

2 of 3 people found the following review helpful. Too ExpensveBy WDDFCJI have been a Judge for 18 years and this looks like a very interesting book. It got a good review in the March, 2011 issue of Law and Society Review. However, it is priced so that it will be purchased only by law libraries. In this age of on-demand and electronic publishing, I have no clue why this book is priced at \$85. Maybe the publisher could re-read Adam Smith and David Ricardo and reconsider their pricing policy.

Creon's Ghost examines the enduring problem of the relationship between man's law and a "higher" law from the perspective of core humanities texts and through discussion of hotly debated contemporary legal conundrums. Today, such issues as intelligent design in school curricula, same-sex marriage, and faith-based government grants are all examples of the interaction between man's law and some other set of moral principles. As these debates are considered in this book, the author uses texts such as Antigone and Plato's Republic and pairs them with the most important jurisprudence texts of the 20th century to explore different approaches to the contemporary conflict or court ruling under consideration. Creon's Ghost demonstrates that the humanities can both illuminate our understanding of contemporary problems and that "classic" texts can be read alongside jurisprudential texts, thus enriching our understanding of and appreciation for law.

"This book revisits an old and enduring problem--the conflict between the law of the state and higher law. It does so in a bracing and fresh way, using classic humanities texts, legal philosophy, and legal cases to illustrate how humans have engaged and are engaging in an ongoing struggle for justice. Tomain is a subtle and sophisticated reader and an expert practitioner of interdisciplinary study. As a result, he is able to call our attention to continuities and discontinuities in the ways societies have confronted the tension between what the state asks of us and what our moral scruples demand from us. In doing so he makes a truly valuable contribution to the literature." --Austin Sarat, Amherst College

"Creon's Ghost is like a great wave that carries its readers across centuries of argument about the relationship between our laws and our moral convictions. It is a thrilling and fascinating ride the whole way through. Joseph Tomain has a rare gift for bringing high theory to the lowly and difficult cases to which it should apply. Creon's Ghost haunts these arguments because, like Creon in condemning Antigone, no legal system can ever fully satisfy--or fully silence--our deepest moral intuitions and passions. The book is rich with analysis and detail, providing a full curriculum of theories and cases. It leaves its readers not with a simplifying and purportedly final theory but with a welcome sense of the tragic incompleteness of all our efforts to do justice." --Thomas Gerety, New York University School of Law

"Long concerned about legal education's pragmatic directions, Dean Joseph Tomain developed this exciting narrative mingling in one cohesive whole issues drawn from classical and contemporary jurisprudence, literature, and political theory. Beginning with Antigone, Tomain asks where Creon went astray in his rageful reductionistic legal positivist approach. This classical event sets the stage for the creative interplay of law, literature and political theory. Issues are developed historically from Plato, Aquinas, and Machiavelli on to Austin, Judge Holmes and into the twentieth century concluding with Stuart Hampshire's thoughtful account of reasoning and argument. Literary examples from A Man for All Seasons and Uncle Tom's Cabin, among others, add an enticing thrust to this readable analysis. A must read for everyone interested in transcending the pragmatic legal theory so common in contemporary legal education." --Anthony J. Lisska, Denison University

"Two essential questions, what is law? what is justice?, are at the core of every human society. These questions were first addressed in world literature by Sophocles in his Antigone, told through the story of Creon. In his own masterpiece, Creon's Ghost, Joseph Tomain reformulates and recreates the eternal conflict between law and justice. Within a deeply insightful process of exposition critically avoiding both orthodox legal and humanities analysis, Creon's Ghost reveals the truths of law and justice through a series of totally compelling and brilliantly interwoven conversations about texts taken from law, drama, literature, philosophy, theology, and poetry. Creon's Ghost is an indispensable contribution to the great conversation-- in law, in literature, and in the humanities--about what it means to be human." --Lawrence Joseph, St. John's University School of Law

"Creon's Ghost is learned, wise, and most of all challenging. It challenges us to confront a central question of any legal system: What is the relation between the limits of human law and the desire for justice under higher law? The book explores the responses to this challenge given in law, philosophy, and literature, from Plato and Aquinas to Holmes and Martin Luther King. Lawyers, humanists, and all thoughtful citizens will be engaged by its narrative and analysis and pressed to examine their own beliefs about law and justice." --Jay M. Feinman, Rutgers University School of Law, Camden

"This book is a worthy engagement with our concern for trying to achieve a modicum of justice in an unfair world, and with the extent to which legal institutions stifle or advance such natural efforts. Humans have never not been able to think about such matters; yet here, Dean Tomain manages to deepen and to complicate our all but inevitable yearning to create a stable response to these perennial dilemmas of the human fix. It is a masterful achievement." --Tom Eisele, University of Cincinnati

About the Author Joseph Tomain is Dean Emeritus and the Wilbert and Helen Ziegler Professor of Law at the University of Cincinnati College of Law. As the founder of the Justice Institute for the Legal Profession, Prof. Tomain has conducted innumerable seminars in law and the humanities as a part of post-J.D. education to lawyers, judges, and law teachers. The Justice Institute offers an annual seminar under the auspices of the Ohio State Supreme Court and provides programming in law and the humanities to various professional organizations throughout the country including: the Conference of Chief Justices which is comprised of the Chief Justices of the various state Supreme Courts; the American Judicature Society; the Ohio State Bar Association; the Tennessee Bar Association and to law firms and other bar associations.