

The *public-private* divide:

Public:

- Higher biodiversity in the summer
- More habitat specialists
- More ecologically rare species

Private:

- Higher bird abundance in winter
- More urban-tolerant species
- More resident generalist species

In winter, public parks and private yards had similar levels of diversity but harbored **distinct bird communities**.



Public Private Divide

Beverley Clough



Public Private Divide:

Common Values and the Public-Private Divide Dawn Oliver, 1999-08 This text is a study of the public private law divide in the common law tradition Its starting point is that substantive duties of legality fairness and rationality are imposed by the common law on bodies discharging public functions but not always on bodies discharging private functions **New Perspectives on the Public-private Divide** Law Commission of Canada, 2003 The separation between public and private spheres has structured much of our thinking about human organizations Scholars from nearly all disciplines use the notion of a public private divide as a means to order knowledge and better understand the mechanisms that govern and shape human behaviour and institutions In legal and socio legal analysis the distinction informs the differences between state and non state actors and between public good and private property This rich collection of essays explores how the public private divide influences challenges and interacts with law and law reform Through various case studies the contributors reflect on this complex dichotomy s role in structuring the socio legal environment for the personal social economic and governance relationships of citizens They demonstrate that while the split between the public and the private is a useful way to understand the world it is always only an ideological construct and as such open to challenge Of primary interest to legal thinkers and practitioners this volume will also hold sway with sociologists historians and political scientists with an interest in the nature of the public private distinction and its role in law and society **Outsourcing War** Amy E. Eckert, 2016-02-19 Recent decades have seen an increasing reliance on private military contractors PMCs to provide logistical services training maintenance and combat troops In *Outsourcing War* Amy E Eckert examines the ethical implications involved in the widespread use of PMCs and in particular questions whether they can fit within customary ways of understanding the ethical prosecution of warfare Her concern is with the ius in bello right conduct in war strand of just war theory Just war theorizing is generally built on the assumption that states and states alone wield a monopoly on the legitimate use of force Who holds responsibility for the actions of PMCs What ethical standards might they be required to observe How might deviations from such standards be punished The privatization of warfare poses significant challenges because of its reliance on a statist view of the world Eckert argues that the tradition of just war theory which predates the international system of states can evolve to apply to this changing world order With an eye toward the practical problems of military command Eckert delves into particular cases where PMCs have played an active role in armed conflict and derives from those cases the modifications necessary to apply just principles to new agents in the landscape of war [Transnational Law](#) Miguel Maduro, Kaarlo Tuori, Suvi Sankari, 2014-05 This book examines the effects of law s de nationalisation by placing European law in the context of transnational law **The Spaces of Mental Capacity Law** Beverley Clough, 2021-10-21 This book explores the conceptual spaces and socio legal context which mental capacity laws inhabit It will be seen that these norms are created and reproduced through the binaries that pervade mental capacity laws in liberal legal jurisdictions such as capacity

incapacity autonomy paternalism empowerment protection carer cared for disabled non disabled public private Whilst on one level the book demonstrates the pervasive reach of laws questioning individuals mental capacity within and beyond the medical context which it is most commonly associated with at a deeper and perhaps more important level it challenges the underlying norms and assumptions underpinning the very idea of mental capacity and reflects outwards on the transformative potential of these realisations for other areas of law In doing so whilst the book offers lessons for mental capacity law scholarship in terms of reform efforts at both domestic and international levels it also offers ways to develop our understandings of a range of linked legal policy and theoretical concepts In so doing it offers new critical vantage points for both legal critique and conceptual change beyond mental capacity law The book will be of interest to researchers in mental capacity law disability law and socio legal studies as well as critical geographers and disability studies scholars

Business, Human Rights, and the Law Maciej Gajos, 2013 This book explores how the rules of international responsibility can be applied to cases of human rights violations involving multinational corporations The work invites readers to reflect on why international law fails in the context of business related human rights abuses and at the same time how its potential can be harnessed to restore its adequacy in relation to this issue It proposes a model of international responsibility that seeks to close accountability gaps related to corporate activities Since the model addresses such issues as who bears responsibility for what where it is determined and by whom as well as what its consequences are it offers a holistic perspective on the problem of business related human rights abuses This approach translates into a comprehensive mapping of the relevant sources of norms that govern the conduct of actors contributing to abuses and the available grievance mechanisms The book engages with the recent developments in the field such as the adoption of mandatory human rights due diligence laws in a number of states and the EU as well as the ongoing business and human rights treaty negotiating process at the UN level It also offers an overview of salient cases in this area before both international and domestic courts and tribunals The study will be of interest to academics researchers and policy makers working in the areas of international human rights law business and human rights and law and society

[Making Sense of the Public-private Divide](#) Alexander Richard Williams, 2013 **Can Law Challenge the Public/Private Divide? Women, Work, and Family** Susan B. Boyd, 2014 This article addresses the key elements of the public private divide which predominates in western societies such as Canada In particular its ideological effects in constructing gendered divisions between state regulation and family relations and between work and family are traced The history of the divide is outlined with attention to its differential operation according to race class and other social relations of power Efforts to shift the divide through law are traced and its intransigence is demonstrated by reference to socio economic studies Case studies of feminist efforts to shift the divide through litigation and through legislative reform are used to illustrate both the pervasiveness of the divide and the tension between short term and long term strategies to deal with its consequences It is concluded that although law alone cannot

shift the embedded nature of the public private divide and extra legal strategies are required neither can law be abandoned as a site of struggle

The Real Thing Christina Slade,2002 Television has been demonized as the cause of the moral decay of our society Its content is derided as vapid However what we watch on television is often philosophically complex This book examines news cartoons such as South Park advertisements and soap operas and identifies complex moral dilemmas and arguments in them It argues that we should apply analytical and philosophical skills directly to what we watch and shows how it can be done In the final chapter the way in which the news has been overtaken by the private lives of public figures is traced to a breakdown of the public private divide

Challenging the Public/private Divide Susan B. Boyd,1997-01-01 Feminist scholars in disciplines ranging from law to geography challenge our traditional notion of a public private divide in legal and public policy in Canada and internationally

Sexy Families for Sexy Citizens? Dagmar Mehtens,2011-07-04 Master s Thesis from the year 2004 in the subject Politics Topic Public International Law and Human Rights grade 9 0 University of Lisbon Faculty of Law Ius Gentium University of Coimbra course European Master s Programme in Human Rights and Democratisation language English abstract Over recent years sexual minorities have growingly gained attention in the human rights discourse This attention focuses on the de criminalisation and anti discrimination of lesbians gays and others However states and human rights instruments remain unwilling to view those belonging to these newly established minorities in their complexity as social individuals and citizens This makes it very difficult for sexual minorities to do things considered quite normal and essential for others such as living a family life and raising children Raising the topic of same sex families within a human rights discourse remains highly controversial Family however is more than a benevolent luxurious minority topic in modern welfare states The human family constitutes the foundation of the human rights regime and as such is a fundamental cross sectional institution and mechanism within liberal democratic societies Denying lesbians and gays the moral capacity of taking responsibility for partners and children assigns them an inferior second class status in society Framing this distinction with categorical justifications by according them a special minority status only supports hierarchical distinctions It needs to be questioned whether a specific heteronormative life long man wife conception of partnership can serve as the universal standard for marriage family and the conception of a good citizen and fully recognised member of society or whether it is not this concept of normality that needs to be questioned rather than the assumed specificities of excluded others

The Public/private Divide and the Limits of Constitutional Law Gavin William Anderson,1993 An Introduction to Law and Social Theory Reza Banakar,Max Travers,2002-08-20 Although most law schools recognise the value of introducing students to a broader sociological perspective on law this usually falls short of a full engagement with sociology as an academic discipline This book introduces a wide range of sociological traditions and how they can be used in investigating law and legal institutions The book is organised into six sections each with an introduction by the editors on classical sociology of law structural functionalism and systems theory critical approaches interpretive approaches

postmodernism and pluralism and globalisation and a conclusion that discusses the relationship between law and sociology Each of the chapters is written by a specialist who reviews the literature and discusses how the approach can be used in researching different topics CONTENTS Introduction Reza Banakar and Max Travers 1 CLASSICAL SOCIOLOGY AND LAW The Problematization of Law in Classical Social Theory Alan Hunt Sociological Jurisprudence Reza Banakar 2 STRUCTURAL FUNCTIONALISM AND SYSTEMS THEORY The Thick Description of Law An Introduction to Niklas Luhmann's Theory Klaus A Ziegert Jurgen Habermas and the Sociology of Law Bo Carlsson 3 CRITICAL APPROACHES Marxism and the Social Theory of Law Robert Fine Sharing the Paradigms CLS and the Sociology of Law Jiri Priban Feminist Legal Theory Ruth Fletcher A Race and Gendered Organisational Logic in Law Firms Jennifer Pierce Putting Gender and Sexuality on the Agenda Nico J Beger The Power of the Legal Field Mikael R Madsen and Yves Dezalay 4 INTERPRETIVE APPROACHES Symbolic Interactionism and Law Max Travers Ethnomethodology and Law Robert Dingwall 5 POSTMODERNISM Foucault and Law Gary Wickham Postmodernism and Common Law Shaun McVeigh 6 LEGAL PLURALISM Anne Griffiths Globalisation and Law John Flood Comparative Sociology of Law David Nelken CONCLUSIONS Law and Sociology Reza Banakar and Max Travers

Ethics Codes, Corporations, and the Challenge of Globalization Wesley Cragg, 2005 Examines the reasons for the emergence of ethical codes and the phenomenon of self regulation within the context of globalization and looks at the role of national governments international government institutions and other international organisations in shaping and enforcing them Discusses the implications of these developments for corporate governance and the changing roles of national and international institutions in the regulation of international commerce

The Boundaries of EC Competition Law Okeoghene Odudu, 2006 This monograph addresses two problems surrounding the interpretation and application of Article 81 of the EC Treaty what is competition and how does Article 81 ensure that competition is protected After over 40 years of application and a period of modernisation decentralisation and reflection it is possible to understand Article 81 and what it seeks to achieve The monograph's aim is to reveal the intellectual order and rational structure underlying the law so as to enable the reader to understand Article 81 in a clear and rigorous manner This is done by breaking Article 81 down into its constituent elements and examining the function that each element serves Arguing that jurisdiction rests on a public private distinction both the substantive and the justificatory rules are cast to generate obligations appropriate for private actors to perform Actors and activities falling within the scope of Article 81 are subject to the substantive element prohibiting contrived reductions in output Since output reduction can co exist with cost reduction innovation and that these latter features are desirable cost reduction and innovation operate to justify infringement of the substantive obligation Thus this monograph argues that output cost and innovation are the only legitimate issues in an Article 81 analysis It is in this sense that the monograph is concerned with the boundaries of Article 81 EC

Governing Out of Order Davina Cooper, 1998 Davina Cooper explores the character of governance at the end of the 20th century She examines the identity of the nation

state and its relationship to the wider community and considers the boundaries of the way we are governed **Symposium**, 2007 **Agrarianism and the Good Society** Eric T. Freyfogle, 2007-03-02 Every society expresses its fundamental values and hopes in the ways it inhabits its landscapes In this literate and wide ranging exploration Eric T Freyfogle raises difficult questions about America s core values while illuminating the social origins of urban sprawl dwindling wildlife habitats and over engineered rivers These and other land use crises he contends arise mostly because of cultural attitudes that made sense on the American frontier but now threaten the land s ecological fabric To support and sustain healthy communities profound adjustments will be required Freyfogle s search leads him down unusual paths He probes Charles Frazier s novel Cold Mountain for insights on the healing power of nature and tests the wisdom in Wendell Berry s fiction He challenges journalists writing about environmental issues to get beyond well worn rhetoric and explain the true choices that Americans face In an imaginary job advertisement he issues a call for a national environmental leader identifying the skills and knowledge required taking note of cultural obstacles and looking critically at supposed allies Examining recent federal elections he largely blames the conservation cause and its inattention to cultural issues for the diminished status of the environment as a decisive issue Agrarianism and the Good Society identifies the social historical political and cultural obstacles to humans harmony with nature and advocates a new orientation one that begins with healthy land and that better reflects our utter dependence on it In all Agrarianism and the Good Society offers a critical yet hopeful guide for cultural change essential for anyone interested in the benefits and creative possibilities of responsible land use **The General Will is Citizenship** Jason Andrew Neidleman, 2001 The general will in this case comes from the writings by Jean Jacques Rousseau and refers to the will members of society have to be citizens Neidleman philosophy political science South Suburban College and DePaul U Chicago explores the development of this concept in Rousseau and its use by the writers and thinkers who influenced republican political thought including Benjamin Constant and Tocqueville Annotation copyrighted by Book News Inc Portland OR **Manuel Castells: From Marxism, France and The urban question to The city and the grassroots** Frank Webster, Basil Dimitriou, 2003-12-20 These volumes bring together major critical responses to and engagement with the work of Manuel Castells arguably the leading analyst of the current age His concept of the network society has influenced much recent social science and his ideas have been adopted in political and policy circles

The Enigmatic Realm of **Public Private Divide**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing lacking extraordinary. Within the captivating pages of **Public Private Divide** a literary masterpiece penned by way of a renowned author, readers set about a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting affect the hearts and minds of those that partake in its reading experience.

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