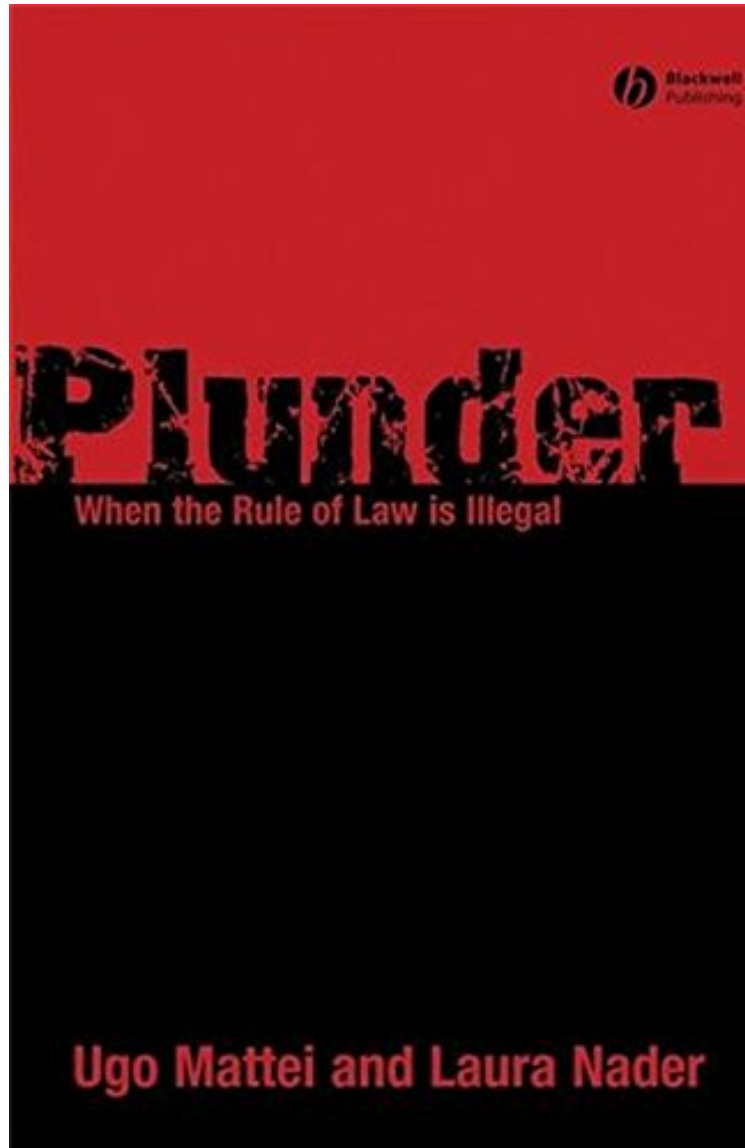


[Download] Plunder: When the Rule of Law is Illegal

Plunder: When the Rule of Law is Illegal

Ugo Mattei, Laura Nader
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Ugo Mattei, Laura Nader : Plunder: When the Rule of Law is Illegal before purchasing it in order to gage whether or not it would be worth my time, and all praised Plunder: When the Rule of Law is Illegal:

1 of 1 people found the following review helpful. this book is a good tool. RecommendedBy Miss KittyPragmatic, measured, and clearly written. A textbook for one of my classes (Anthropology of Law at UC Berkeley).If you're seeking data to bolster arguments about the decline of the legal state of the western world, this book is a good tool. Recommended.2 of 2 people found the following review helpful. The politics beneath the surfaceBy LuigiRIt does not

happen very often to come across a law book that is able to affect one's deepest beliefs about ideas so ingrained in a lawyer's mind, such as that of "rule of law". Plunder is one such book. This monograph is a powerful exposition of the political uses (and abuses) that have recently been made of the concept of "rule of law". The book's greatest merit, in this respect, is to connect a multiplicity of different strands, to draw a shockingly clear picture of the practices of extraction that have so often been embedded deep inside the "rule of law" agenda. As someone with an interest in "law economics", I was particularly struck by the discussion of the role of the "law economics" movement in providing scientific legitimacy to the neoliberal agenda pursued through the Washington Consensus. For this reason, I believe Ugo Mattei and Laura Nader's book to be a much-needed wake-up call to anyone with an academic interest in "law and economics", about the need to adopt a careful stance before embracing the mainstream. More generally, however, Plunder is also a great tool for gaining a critical understanding of global politics, and particularly of the biases and conflicts of interest embedded deep into the international economic institutions (such as the IMF or the World Bank), as well as of development issues. Last, but not least, the book is also very well-written and a wonderful read. This book should be compulsory reading for any graduate student wishing to go further in the study of law economics, or just for anyone wishing to take a peak to the "other side" of global economic development.

15 of 17 people found the following review helpful. *Plunder: A Conceptual Key to Present Crises* By Robert H. McLaughlin In their new book, Nader and Mattei confront readers with a paradox. How could the rule of law be illegal? If this question leaves you puzzled, or gives you doubt about the conceptual rigor of a book that offers a socio-legal interpretation of plunder, you will find the arguments even more compelling and persuasive for having held an initial skepticism. Nader and Mattei show--with a gaze that is global in scope yet remains sensitive to the individual experiences of ordinary people--how laws may be used to support structural inequality, to restrict access to resources and capital by defining the status and circumstances of individuals according to patterns of exclusion, and to map citizenship across people and corporate entities alike, in an undifferentiated way that erodes the concept and the rights bearing quality essential to its meaning. The dual qualities of law to render justice and to mask injustice emerge from the careful, critical, and realistic thinking of the authors. In effect, they invite readers to see the world differently and to demand that people be "free to build their own economies." As the authors tack between the politics of the current American presence in Iraq and those of the collapsed Enron Corporation, back historically to the colonial framing of contemporary capitalist economies, and forward to the alternative dispute resolution (ADR) programs that have used an invisible hand to choke the independence of judiciaries and legal processes, they describe a global climate and conditions of disaster that have, in recent months, revealed themselves in the dynamics of the American financial crisis. The structured powerlessness of ordinary citizens to do anything about rampant home foreclosures in their communities, to have objected to the absurd lending practices that fueled the real estate bust, or even to now refuse massive, tax-based government obligations--whether these obligations represent a good idea or a poor one--exemplifies plunder as Nader and Mattei treat the concept. They use basic definitions of the term, taking plunder to be a verb (to rob of goods by force, especially in times of war), and also a noun (property stolen by fraud or force). And they write in short, clear, and accessible text. Nader and Mattei conclude with optimism, that present circumstances of inequality, subjugation, and domination are not wrought by an iron fate, but rather reflect the consequences of human behaviors, assumptions, and laws that can be changed. They believe that human beings may be self-disciplined to avoid trespass against each other. They have foreseen and interrogated the root causes of the events upon us in their book, *Plunder: When the Rule of Law is Illegal*. May their optimism endure the reality.

Plunder examines the dark side of the Rule of Law and explores how it has been used as a powerful political weapon by Western countries in order to legitimize plunder the practice of violent extraction by stronger political actors victimizing weaker ones. Challenges traditionally held beliefs in the sanctity of the Rule of Law by exposing its dark side Examines the Rule of Law's relationship with 'plunder' the practice of violent extraction by stronger political actors victimizing weaker ones in the service of Western cultural and economic domination Provides global examples of plunder: of oil in Iraq; of ideas in the form of Western patents and intellectual property rights imposed on weaker peoples; and of liberty in the United States Dares to ask the paradoxical question is the Rule of Law itself illegal?

"Plunder is a detailed, well written autopsy of how law and our legal system further strengthens the already powerful, while decimating those already located outside the reach of power. In the world of the post-economic collapse, Plunder is a painfully frightening roadmap decrying the dangers of the exact "legal" practices (derivatives, call options, etc.) that brought on the current economic crisis." (Multinational Monitor, Jan - Feb 2009) Mattei and Nader note how win-win situations as ostensibly promoted by Alternative Dispute Resolution practices are in fact harmony ideologies that may be used to suppress people's resistance, by socializing them toward conformity by means of consensus, cooperation, passivity, and docility, and by silencing people who speak out angrily." (Swans Commentary) "Without doubt this is an important book Mattei and Nader have produced a courageous, intellectually refined, and superbly critical book about one of the main instruments of society-building in our culture. The book should find a wide audience in law classes, and in graduate courses of sociology, anthropology, and political sciences." (Journal of

the Royal Anthropological Institute) "Richly textured and strikingly original, Plunder draws on history, communication theory, and political analysis to show how U.S. policy expands influence and raids the pocketbooks of weaker nations. Even if we do not call it by its old name--imperialism--but globalization, free trade, or spreading democracy, the result is the same. And at the heart of this aggressively acquisitive policy lies a crown jewel of Enlightenment thought, the rule of law. A gripping read." Richard Delgado, University of Pittsburgh "This is a provocative, courageous, and path-breaking expose of the dark side of the rule of law, by two authors of wide-ranging practical experience and theoretical insight." George Bisharat, University of California, Hastings College of the Law "Plunder is the powerful product of interdisciplinary research that reveals how international law has become not an instrument of protecting the weak against the strong, but a means of legitimizing and enriching the powerful." David H. Price, Saint Martins University "Ugo Mattei and Laura Nader are advancing a profoundly disturbing message. The rule of law is not only a barrier to achieving a just society, but an ideological mechanism for subjugating peoples and imposing injustice. I am impressed by their insights and especially by their courage." William Greider, author, *The Soul of Capitalism: Opening Paths to a Moral Economy* "Through a sweeping exploration of global processes from colonialism to neo-liberalism, Plunder offers an eye-opening look at the dark side of the rule of law. This powerful and disturbing analysis of the ways law has legitimated and facilitated the appropriation of knowledge and property challenges widespread views of the law." Sally Engle Merry, New York University "A lucid and implacable analysis of the crucial relationship between law and life in the age of global capitalism. A beam of harsh light on the murky area where the rule of law comes into contact with and is shaped by power, violence and abuse." Aldo Schiavone, Istituto Studi Umanistici

From the Back Cover The Rule of Law has long been cherished in the US as the ultimate defender of civil liberty and the American way of life a Rule of Law which no one can quite define, but everyone supports. In this provocative new book, Ugo Mattei and Laura Nader wage a frontal assault on this treasured belief in the sanctity of the Rule of Law, unflinchingly exploring its previously neglected dark side. They expose its intimate relationship with plunder the practice of violent extraction by stronger political actors victimizing weaker ones in the service of Western cultural and economic domination. Boldly conceived and vibrantly written, Plunder dares to ask the paradoxical question is the Rule of Law itself illegal? Mattei and Nader expose global examples of plunder: of Native American lands, to the plunder of oil in Iraq; of ideas in the form of Western patents and intellectual property rights imposed on weaker peoples; and of liberty and the demise of Rule of Law in the United States. This thought-provoking text is essential reading for anyone interested in contemporary law, politics, and social justice.