

Cambridge University Press

978-1-107-08376-9 - Negotiating State and Non-State Law: The Challenge of Global and Local Legal Pluralism

Edited by Michael A. Helfand

Frontmatter

[More information](#)**NEGOTIATING STATE AND NON-STATE LAW***The Challenge of Global and Local Legal Pluralism*

Trends in legal philosophy, international law, transnational law, law and religion, and political science all point toward the increasing role played by non-state law in both public and private ordering. Numerous organizations, institutions, associations, and groups have emerged alongside the nation-state, each purporting to provide its members with rules and norms to govern their conduct and organize their affairs. The nation-state increasingly finds itself sandwiched, so to speak, between two broad and contrasting categories of non-state law. The first category – law above the state – captures a wide range of legal systems that function across the territorial borders of nation-states. The second category – law below the state – includes various forms of local customary, religious, and indigenous law. Indeed, as these forms of non-state law persist and proliferate alongside the nation-state, the relationship between state and non-state law becomes more complex, multifaceted, and tense. This volume addresses this relationship between the nation-state and these various forms of non-state law, considering whether and to what extent state and non-state law can coexist and how each form of law seeks to influence, as well as transform, the other.

Michael A. Helfand is an associate professor at the Pepperdine University School of Law, as well as the associate director of the Diane and Guilford Glazer Institute for Jewish Studies. Helfand is an expert on religious law and religious liberty, focusing on how U.S. law treats religious law, custom, and practice. A frequent author and lecturer, he has published in numerous law journals, including the *Yale Law Journal*, the *New York University Law Review*, and the *Duke Law Journal*, as well as in various public audience publications, including the *Los Angeles Times* and the *National Law Journal*. He received his J.D. from Yale Law School in 2007 and his Ph.D. from Yale University in 2009.

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THE CHALLENGE OF GLOBAL AND
LOCAL LEGAL PLURALISM

Edited by

MICHAEL A. HELFAND

Pepperdine University School of Law



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