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Law's Dream of a Common Knowledge (The Cultural Lives of Law)

Mariana Valverde

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Law's Dream of a Common Knowledge (The Cultural Lives of Law) Mariana Valverde

If knowledge is power, then the power of law can be studied through the lens of knowledge. This book opens up a substantive new area of legal research--knowledge production--and presents a series of case studies showing that the hybridity and eclecticism of legal knowledge processes make it unfruitful to ask questions such as, "Is law becoming more dominated by science?" Mariana Valverde argues that legal decision making cannot be understood if one counterposes science and technology, on the one hand, to common knowledge and common sense on the other. The case studies of law's flexible collage of knowledges range from determinations of drunkenness made by liquor licensing inspectors and by police, through police testimony in "indecency" cases, to how judges define the "truth" of sexuality and the harm that obscenity poses to communities.

Valverde emphasizes that the types of knowledge that circulate in such legal arenas consist of "facts," values, and codes from numerous incompatible sources that combine to produce interesting hybrids with wide-ranging legal and social effects. Drawing on Foucaultian and other analytical tools, she cogently demonstrates that different modes of knowledge, and hence various forms of power, coexist happily.

Law's Dream of a Common Knowledge underlines the importance of analyzing dynamically how knowledge formation works. And it helps us to better understand the workings of power and resistance in a variety of contemporary contexts. It will interest scholars and students from disciplines including law, sociology, anthropology, history, and science-and-technology studies as well as those concerned with the particular issues raised by the case studies.

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