

IDEOLOGY AND COMMUNITY IN THE FIRST WAVE OF CRITICAL LEGAL STUDIES

In Ideology and Community in the First Wave of Critical Legal Studies Richard W. Bauman presents a fresh, rigorous assessment of some of the key ideas developed by writers aligned with the early critical legal studies movement. This book examines several of the movement's major themes and arguments in its first decade, in the period dating roughly from the mid-1970s to the mid-1980s.

Heterogeneous and progressive, the critical legal studies movement inspired a variety of leftist re-examinations and critiques of the dominant liberal assumptions underlying the law and legal institutions. Bauman offers an exposition and assessment of the radical challenge to several central tenets of legal and political liberalism, including the values associated with individualism, moral scepticism, and state neutrality. He maintains that radical critics associated with early critical legal studies misunderstood many of the important assumptions and commitments of contemporary political liberalism and tended to misconstrue liberalism as relying on specific, deficient metaphysical underpinnings. Although the quest therefore might have failed, the early critical legal studies movement did succeed in sharpening discussions about the politics of law and legal interpretation and in providing a stimulus to other types of radical, contemporary critique.

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My ways of life are natural to me: in forming them I have never called in the help of any erudite discipline; but when I was seized with the desire to give a public account of them, weak as they are, I made it my duty to help them along with precepts and examples, so that I could publish them more decorously. I was then astonished myself to find that, by sheer chance, they were in conformity with so many philosophical examples and precepts. Only after my life was settled in its activity did I learn which philosophy was governing it! A new character: a chance philosopher, not a premeditated one!

Michel de Montaigne, *Essays*
(trans. M.A. Screech)

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