

Introduction To Comparative Law Zweigert 1998

Polish vs. American Courtroom Discourse The Political Economy of Corruption Fundamental Rights in European Contract Law Legal Integration and Language Diversity Implementing Human Rights Through Administrative Law Reforms Law and Finance Commentaries on European Contract Laws Precedent and the Law Law, Politics, and Finance The Termination of Stay of Aliens International Encyclopedia of the Social & Behavioral Sciences Human Rights Fundamentals of European Civil Law A World View of Criminal Justice Vanderbilt Journal of Transnational Law Scandinavian Studies in Law Tolley's Communications Law American Book Publishing Record Cumulative 1998 Islamic Banking Michigan Journal of International Law G. Bednarek Chandan Kumar Jha Chantal Mak C.J.W. Baaij Karin Buhmann Christoph Trixl Nils Jansen E. H. Hondius Thorsten Beck Arnold Ackerer Neil J. Smelser Peter Wahlgren M. Vranken Richard Vogler Folke Fredrik Schmidt R R Bowker Publishing Mervyn Lewis

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polish vs american courtroom discourse brings together the fields of discourse analysis and socio legal studies to identify illustrate and explain the cross cultural similarities and disparities between the inquisitorial and adversarial procedures of witness examination in criminal trials

corruption commonly defined as the misuse of public office for private gains is multifaceted multidimensional and ubiquitous this edited collection featuring contributions from leading scholars in the field of corruption goes beyond the standard enforcement framework wherein individuals only compare the expected costs and benefits of a corrupt act these chapters explore the political cultural contexts legal and regulatory process and above all moral and psychological factors in attempts to understand and explain corruption the book explores a broad canvas where gender technology culture and institutional structures

influence attitudes towards corruption design and implementation of anti corruption strategies benefit from suitable identification of these factors contributing to the prevalence and persistence of corruption combining theoretical and empirical studies with evidence from experiments as well as case studies the book provides crucial state of the art in corruption research in a highly accessible manner this book serves as a vital reference to students and scholars in economics politics and development studies additionally policymakers and development practitioners can use the insights from this book in successful design and implementation of anti corruption policies

our modern insistence on democratic social values has engendered an intense debate over the intersection of fundamental rights and contract law in particular case law in several european national jurisdictions has exerted significant pressure on traditional contract law instruments to conform more transparently with the fundamental rights enshrined in the ec charter this pressure is clearly evident in a number of societal areas subject to contract law among them employment housing and privacy it can even be argued as this author does that fundamental rights intermediate between politics and law taking its cue from many initiatives toward the development of a more coherent even harmonised european contract law this book is the first major study to examine the following essential questions with detailed reference to actual judicial developments to what extent do fundamental rights affect contract law in which types of cases can fundamental rights be applied what does the explicit consideration of fundamental rights add to contract law adjudication the author approaches the analysis along two different avenues first a comparative overview of developments in case law and second a more general theoretical view on the interaction between fundamental rights and rules of contract law which is tested against examples from various legal systems the focus throughout is on developments in case law because the impact of fundamental rights in contract law has been felt on the level of dispute resolution rather than on the level of legislation germany and the netherlands are chosen because their judiciaries have been notable for their early and continuing attention to the theme and england and italy for perspectives on developments under common law and civil law systems respectively

how can the european union create laws that are uniform in a multitude of languages specifically how can it attain both legal integration and language diversity simultaneously without the latter compromising the former c j w baaij argues that the answer lies in the domain of translation a uniform interpretation and application of eu law begins with the ways in which translators and jurist linguists of the eu legislative bodies translate the original legislative draft texts into the various language versions in the european union law and language are inherently connected the eu pursues legal integration i e the incremental harmonization and unification of its member states laws for the purpose of reducing national regulatory differences between member states however in its commitment to the diversity of european languages its legislative institutions enact legislative instruments in 24 languages language diversity and legal integration assesses these seemingly incompatible policy objectives and contemporary translation practices in the eu legislative procedure and proposes an alternative source oriented approach that better serves eu policy objectives contrary to the orthodox view in academic literature and to the current policies of the eu this book suggests that the english language version should serve as the original and only authentic legislative text translation into the other language versions should furthermore avoid

prioritizing clarity and fluency over syntactic correspondence and employ neologisms for distinctly eu legal concepts ultimately baaij provides practical solutions to the conflict between the equality of all language versions and the need for uniform interpretation and application of eu law

this publication addresses itself to ngos government authorities and other institutions and organisations involved in development assistance and international co operation concerning human rights good governance corruption control and related issues

seminar paper from the year 2001 in the subject business economics investment and finance grade 1 7 a european business school international university schloß reichartshausen oestrich winkel banking finance course bank und finanzmanagement language english abstract the discussion of laws in the financial area and the relationship between law and finance originates back to ronald coase 1960 the coase theorem proposes that problems between issuers and investors are resolved through private contracting with the consequence of efficient markets the past shows that the coase theorem in its purest form which abandons transaction costs is not applicable to investor issuer relationships because the existence of transaction costs makes the enforcement of private contracts inefficient therefore judicially enforced and government enforced laws regulations have developed in order to make contracting and thus the financial market more efficient the aim of this paper is to explain to the reader the interdependencies that exist between law and finance by explaining law and finance issues on a theoretical basis and by finally showing the influence of globalization on these law and finance issues important developments are presently happening in the law and finance area of global corporations aiming at a further convergence of both law and finance although these developments are to a large extent driven by capital market needs they will also have consequences for the accounting area in general regulatory issues and for companies which have not yet decided to turn to the capital markets in order to satisfy their need for capital

the book provides rule by rule commentaries on european contract law general contract law consumer contract law the law of sale and related services dealing with its modern manifestations as well as its historical and comparative foundations after the collapse of the european commission s plans to codify european contract law it is timely to reflect on what has been achieved over the past three to four decades and for an assessment of the current situation in particular the production of a bewildering number of reference texts has contributed to a complex picture of european contract laws rather than a european contract law the present book adopts a broad perspective and an integrative approach all relevant reference texts from the ciscg to the draft common european sales law are critically examined and compared with each other as far as the *acquis commun* ie the traditional private law as laid down in the national codifications is concerned the principles of european contract law have been chosen as a point of departure the rules contained in that document have however been complemented with some chapters sections and individual provisions drawn from other sources primarily in order to account for the quickly growing *acquis communautaire* in the field of consumer contract law in addition the book ties the discussion concerning the reference texts back to the pertinent historical and comparative background and it thus investigates whether and to what extent these texts can be taken to be genuinely european in nature ie to constitute a

manifestation of a common core of european contract law where this is not the case the question is asked whether and for what reasons they should be seen as points of departure for the further development of european contract law

this volume contains the general report and the national reports on the subject precedent and the law which were submitted to the world congress of the international academy of comparative law held in utrecht in 2006 precedent is often considered a major distinction mark between the civil law and the common law but is this still the case in common law jurisdictions the sharp edges of stare decisis seem to water down whereas civil law jurisdictions now do admit that precedents at least de facto constitute a source of law convergence however would be too strong a word to characterise these tendencies these reports throw light on this issue

a country's legal origin whether british french german or scandinavian helps explain the development of its financial institutions today legal systems differ in their ability to facilitate private exchanges and to adapt to support new financial and commercial transactions a country cannot change its legal origin but it can with considerable effort reform its judicial system by emphasizing the rights of outside investors by providing more certain and efficient contract enforcement and by creating a legal system that adapts more readily to changing economic conditions

doctoral thesis dissertation from the year 2006 in the subject law public law administrative law grade ausgezeichnet hiroshima university department for public law course ph d studium language english abstract in this thesis a comprehensive discussion of the current immigration and deportation systems of both japan and austria provides the basis for qualitative and quantitative comparisons the first section explains the basic methodology the idea of comparative public law and respective international regimes that influence the alien law in either or both countries in the second part the immigration system of both austria and japan are explained in considerable detail introducing only high profile case law though including new legislation introduced in most recent years the system of residence titles in both countries is discussed with reference to particular group of immigrants such as family members of already residing foreign nationals work related immigration short term and long term visitors an overview of the respective organization of the immigration control administration is provided before the last chapter of part two compares the immigration laws of both countries the quantitative comparison employs extends and adjusts the quantitative index for the integration of immigrants by h waldrauch associated also with the work of prof u davey part three extensively discusses the system of termination of stay in both countries this also includes the newly introduced 2004 revocation of residence titles zairyū shikaku no torikeshi and the departure order shukkoku meirei on the japanese side and the new system of residence bans aufenthaltsverbote etc on the austrian side 2005 this part also features 1 detailed case law on both systems for japan particularly in regard to the special residence permit 2 a short explanation of detention facilities and detention related problems 3 a discussion of problems inhe

the largest work ever published in the social and behavioural sciences it contains 4000 signed articles 15 million words of text 90 000 bibliographic references and 150 biographical entries

this book outlines the fundamentals of european civil law for readers more familiar with common law jurisdictions such as australia new zealand the uk and the us this fully revised and updated second edition retains the successful structure of the first the four chapters in part a provide the general framework covering the concept and method of comparative law historical foundations the concept of a civil code and codification and the role of legislature and the judiciary more specific and practical material is provided in part b with chapters on the law of contract the law of tort labour law commercial law and court procedure part c looks to the future examining differences between civil law and common law and the impact of the european union the focus throughout is on private law particularly the civil laws of france and germany except where european community law has made inroads into the private civil law each chapter thus incorporates the relevant materials on european community law

in an era of unprecedented change in criminal justice around the world our failure to take procedure seriously has a terrible cost allowing reform to be driven by purely pragmatic considerations cost cutting or foreign influence this book proposes a new theory of procedure derived from the three great international trial modes of inquisitorial justice adversarial justice and popular justice

this is a book for students seeking an introduction to islamic banking it covers both the theory and the practice of islamic banking in enough detail to make it easy to read and interesting difficult concepts are clearly explained without being overpowered by mathematics and it is a one stop shop for information on islamic banking with case studies taken from islamic to mixed systems the development of islamic banking is thoroughly explored with history and analysis complementing the more theoretical issues like the prohibition of interest

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