

Introduction To Comparative Law Zweigert 1998

Legal Integration and Language Diversity Polish vs. American Courtroom Discourse Law, Culture and Society The Political Economy of Corruption The Law of Cross-Border Business Transactions Human Rights from a Comparative and International Law Perspective Zeitschrift für Rechtsvergleichung, internat. Privatrecht und Europarecht Law and Finance §§ 32–55 Implementing Human Rights Through Administrative Law Reforms Law, Politics, and Finance The Termination of Stay of Aliens Common principles of European private law Precedent and the Law Fundamentals of European Civil Law Comparative legal analysis. 5 basic fields Human Rights Scandinavian Studies in Law Legal Research Methods in the U.S. & Europe American Book Publishing Record Cumulative 1998 C.J.W. Baaij G. Bednarek Professor Roger Cotterrell Chandan Kumar Jha Lutz-Christian wolff Joan Church Christoph Trixl Thomas Rönnaau Karin Buhmann Thorsten Beck Arnold Ackerer Reiner Schulze E. H. Hondius M. Vranken M. T. Peter Wahlgren Folke Fredrik Schmidt J. Paul Lomio R R Bowker Publishing

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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

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

this book presents a distinctive approach to the study of law in society focusing on the sociological interpretation of legal ideas it surveys the development of connections between legal studies and social theory and locates its approach in relation to sociolegal studies on the one hand and legal philosophy on the other it is suggested that the concept of law must be re considered law has to be seen today not just as the law of the nation state or international law that links nation states but also as transnational law in many forms a legal pluralist approach is not just a matter of redefining law in legal theory it also recognizes that law s authority comes from a plurality of diverse sometimes conflicting social sources the book suggests that the social environment in which law operates must also be rethought with many implications for comparative legal studies the nature and boundaries of culture become important problems while the concept of multiculturalism points to the cultural diversity of populations and to problems of fragmentation or perhaps to new kinds of unity of the social theories of globalization raise a host of issues about the integrity of societies and about the need to understand social networks and forces that extend beyond the political societies of nation states through a range of specific studies closely interrelated and building on each other the book seeks to integrate the sociology of law with other kinds of legal analysis and engages directly with current juristic debates in legal theory and comparative law

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

law of cross border business transactions aims at giving a structured introduction to the law and practice of investment deals e g greenfield projects m as and hybrid forms and of non investment

transactions e g trade technology transfer and services cross border business deals are nowadays routine matters for business entities all over the world and the related legal aspects are becoming more and more complex this book provides extensive general background information it also covers numerous specific issues of relevance in the context of cross border projects substantive law issues procedural aspects and skills related considerations such as contract drafting structuring options and cross cultural lawyering techniques are included adding up to an unusually comprehensive and useful guide in the field what s in this book the author describes a wide spectrum of transaction types he explains underlying principles from a conceptual and a comparative point of view with a focus on transactional issues using case studies from a variety of jurisdictions to demonstrate the significance of particular aspects in the context of multi jurisdictional legal practice among much else topics include the following international lawyering and cultural diversity lex mercatoria conflict of laws letters of intent position papers heads of agreement confidentiality and exclusivity agreements structure and contents of international contracts e contracts and smart contracts protection of intellectual property rights and technology transfer trade countertrade and trade financing insurance agency and distributorship greenfield investments and m as competition law and merger control employment law corporate governance and corporate social responsibility international taxation and dispute settlement and cross border enforcement of awards this second edition updates the discussion of the different topics comprehensively it also expands many parts and adds sections in relation to new themes that have gained importance since the publication of the first edition in particular it addresses legal issues arising out of the digitalization of the global economy with a special focus on choice of law questions smart contracts e bills of lading and online dispute settlement it also draws attention to the impact of china s belt and road initiative brexit and the america first foreign policy how this will help you of special value is the author s precise guidance on drafting techniques and contract practice the clarity of the presentation the uncompromising consistency in terms of structure and a large body of references to primary and secondary sources presented in this edition ensure that legal professionals business managers and academics as well as other interested parties can gain easy access to comprehensive and detailed information across jurisdictions

in terms of the south african constitution of 1996 there is a general need for an introduction to comparative law and one that covers what is technically known as applied comparative law more particularly applied comparative law that involves a study of the bills of rights in other countries

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

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

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 is extensively discusses the system of termination of stay in both countries this also includes the newly introduced 2004 revocation of residence titles *zairyō 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 in the

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

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

essay from the year 2016 in the subject law comparative legal systems comparative law grade 78 17 punkte university of hull language english abstract in times of globalization and internationalisation comparative legal studies play an ever more important role especially against the backdrop of trying to foster understanding of different cultures as well as to enhance the development of domestic legal systems and thereby improve one s own law comparative law studies are becoming increasingly significant comparative legal studies can be defined as the purposeful analysis of different laws or legal systems through the use of one or more approaches comparative law consists of the fields private international law the making of law the interpretation and application of the law the confluence of the law and the development of general common principles and the unification of the law the aim of this essay is to explain these five basic fields in which comparative legal studies are employed and to illustrate these subjects by giving examples

this book is a legal research guide that addresses the internationalization and globalization of both the new curriculum for law schools especially in the u s and the practice of law the book covers the subject of legal research methods in the u s and europe in a depth and detail not found in other works it can be used as a treatise on the subject or a textbook for a foreign and international legal research class this second edition includes more research tips and a revised chapter 4 with a special section on the eu s treaty of lisbon this edition also includes a teachers manual as a companion to chapters 3 7

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