

Order From Transfer Comparative Constitutional Design And Legal Culture Studies In Comparative Law And Legal Culture Series

Recognizing the pretentiousness ways to get this book **Order From Transfer Comparative Constitutional Design And Legal Culture Studies In Comparative Law And Legal Culture Series** is additionally useful. You have remained in right site to start getting this info. get the Order From Transfer Comparative Constitutional Design And Legal Culture Studies In Comparative Law And Legal Culture Series partner that we find the money for here and check out the link.

You could purchase guide Order From Transfer Comparative Constitutional Design And Legal Culture Studies In Comparative Law And Legal Culture Series or acquire it as soon as feasible. You could quickly download this Order From Transfer Comparative Constitutional Design And Legal Culture Studies In Comparative Law And Legal Culture Series after getting deal. So, taking into consideration you require the book swiftly, you can straight acquire it. Its therefore agreed simple and in view of that fats, isnt it? You have to favor to in this make public

A Theory of African Constitutionalism - Berihun Adugna Gebeye 2021-07-08

A Theory of African Constitutionalism asks and seeks to answer why we need a new theoretical framework for African constitutionalism and how this could offer us better theoretical and practical tools with which to understand, improve, and assess African constitutionalism on its own terms. By locating constitutional studies in Africa within the experiences, interactions, and contestations of power and governance beginning in precolonial times, the book presents the development and transformation of African constitutional systems across time and place, along with the attendant constitutional designs and practices ranging from the nature and operation of the African state to its vertical and horizontal government structures, to its constitutional rights regime. This title offers both a theoretically and comparatively rich, historically and contextually informed, and temporally and spatially extensive account of the nature, travails,

and incremental successes of African constitutionalism with detailed case studies from Nigeria, Ethiopia, and South Africa. A Theory of African Constitutionalism provides scholars, policymakers, governments, and constitution builders in Africa and beyond with new insights for reimagining the purpose, substance, and scope of constitutions and constitutionalism.

Indigenous Justice - Jennifer Hendry 2018-05-18

This highly topical collection of essays addresses contemporary issues facing Indigenous communities from a broad range of multi- and interdisciplinary perspectives. Drawing from across the social sciences and humanities, this important volume challenges the established norms, theories, and methodologies within the field, and argues for the potential of a multidimensional approach to solving problems of Indigenous justice. Stemming from an international conference on 'Spaces of Indigenous Justice', Indigenous Justice is richly illustrated with case studies and comprises contributions from scholars

working across the fields of law, socio-legal studies, sociology, public policy, politico-legal theory, and Indigenous studies. As such, the editors of this timely and engaging volume draw upon a wide range of experience to argue for a radical shift in how we engage with Indigenous studies.

The Public Law of Gender - Kim Rubenstein
2016-05-26

Examines the public law of gender and equality from the perspectives of comparative constitutional law, international law and governance.

Order from Transfer - Günter Frankenberg
2013-01-01

A fascinating collection of essays commenting on and developing Frankenberg's IKEA theory of legal transfer. With valuable theoretical analyses, comparative studies, attention to gender issues, post-colonial contexts, imposed law and legal history, this book is essential reading for anyone thinking about the circulation of legal models especially, but not only, in the area of constitutional law. David Nelken, University of Cardiff, UK Frankenberg's work gives a new insight of what comparative law can be in the context of globalization, representing an outstanding achievement. His theory of transfer supersedes the metaphors of mainstream scholarship, displaying that constitutions are not mere commodities or items to be assembled. The real matter is rather, which meanings are generated through transfer. In this way, beyond any usual flat version, we may perceive that any constitutional relocation exhibits a reappraisal of the whole world we live in. Pier Giuseppe Monateri, University of Turin, Italy Constitutional orders and legal regimes are established and changed through the importing and exporting of ideas and ideologies, norms, institutions and arguments. The contributions in this book discuss this assumption and address theoretical questions, methodological problems and political projects connected with the transfer of constitutions and law. Some of the chapters focus on the pathways, risks and side-effects of legal-constitutional transfers

in specific situations, such as postcolonial societies and occupied territories. Others follow law beyond the official arenas into systems of legal pluralism, while others analyze how experimentalism generates hybrid constitutional orders. This interdisciplinary, multi-jurisdictional study will appeal to researchers, academics and advanced students in the fields of comparative constitutional law, comparative law and legal theory.

Borrowing Justification for Proportionality - João Andrade Neto 2018-11-11

The proportionality test, as proposed in Robert Alexy's principles theory, is becoming commonplace in comparative constitutional studies. And yet, the question "are courts justified in borrowing proportionality?" has not been expressly put in many countries where judicial borrowings are a reality. This book sheds light on this question and examines the circumstances under which courts are authorized to borrow from alien legal sources to rule on constitutional cases. Taking the Supreme Federal Court of Brazil – and its enthusiastic recourse to proportionality when interpreting the Federal Constitution – as a case study, the book investigates the normative reasons that could justify the court's attitude and offers a comprehensive overview of its case law on controversial constitutional matters like abortion, same-sex union, racial quotas, and the right to public healthcare. Providing a valuable resource for those interested in comparative constitutional law and legal theory, or curious about Brazilian constitutional law, this book questions the alleged universality of the proportionality test, challenges the premises of Alexy's principles theory, and discloses more than 68 Brazilian Supreme Court decisions delivered from 2003 to 2018 that would otherwise have remained unknown to an English-speaking audience.

The Oxford Handbook of Law and Anthropology - Marie-Claire Foblets 2022-04-01

The Oxford Handbook of Law and Anthropology is a ground-breaking collection of essays that provides

an original and internationally framed conception of the historical, theoretical, and ethnographic interconnections of law and anthropology. Each of the chapters in the Handbook provides a survey of the current state of scholarly debate and an argument about the future direction of research in this dynamic and interdisciplinary field. The structure of the Handbook is animated by an overarching collective narrative about how law and anthropology have and should relate to each other as intersecting domains of inquiry that address such fundamental questions as dispute resolution, normative ordering, social organization, and legal, political, and social identity. The need for such a comprehensive project has become even more pressing as lawyers and anthropologists work together in an ever-increasing number of areas, including immigration and asylum processes, international justice forums, cultural heritage certification and monitoring, and the writing of new national constitutions, among many others. The Handbook takes critical stock of these various points of intersection in order to identify and conceptualize the most promising areas of innovation and sociolegal relevance, as well as to acknowledge the points of tension, open questions, and areas for future development.

Comparative Law - Engaging Translation - Simone Glanert 2014-06-27

In an era marked by processes of economic, political and legal integration that are arguably unprecedented in their range and impact, the translation of law has assumed a significance which it would be hard to overstate. The following situations are typical. A French law school is teaching French law in the English language to foreign exchange students. Some US legal scholars are exploring the possibility of developing a generic or transnational constitutional law. German judges are referring to foreign law in a criminal case involving an honour killing committed in Germany with a view to ascertaining the relevance of religious prescriptions. European lawyers are

actively working on the creation of a common private law to be translated into the 24 official languages of the European Union. Since 2004, the World Bank has been issuing reports ranking the attractiveness of different legal cultures for doing business. All these examples raise in one way or the other the matter of translation from a comparative legal perspective. However, in today's globalised world where the need to communicate beyond borders arises constantly in different guises, many comparatists continue not to address the issue of translation. This edited collection of essays brings together leading scholars from various cultural and disciplinary backgrounds who draw on fields such as translation studies, linguistics, literary theory, history, philosophy or sociology with a view to promoting a heightened understanding of the complex translational implications pertaining to comparative law, understood both in its literal and metaphorical senses.

Constitutionalism in the Americas - Colin Crawford 2018

Constitutionalism in the Americas unites the work of leading scholars of constitutional law, comparative law and Latin American and U.S. constitutional law to provide a critical and provocative look at the state of constitutional law across the Americas today. The diverse chapters employ a variety of methodologies – empirical, historical, philosophical and textual analysis – in the effort to provide a comprehensive look at a generation of constitutional change across two continents.

Reinforcing Rule of Law Oversight in the European Union - Carlos Closa 2016-10-13

This book provides an analysis of key approaches to rule of law oversight in the EU and identifies deeper theoretical problems.

Comparative Law as Critique - Günter Frankenberg 2016-04-29

Presenting a critique of conventional methods in comparative law, this book argues that, for comparative law to qualify as a discipline, comparatists must reflect on how and why they

make comparisons. Günter Frankenberg discusses not only methods and theories, but also the ethical implications and the politics of comparative law in bringing out the different dimensions of the discipline. *Comparative Law as Critique* offers various approaches that turn against the academic discourse of comparative law, including analysis of a widespread spirit of innocence in terms of method, and critique of human rights narratives. It also examines how courts negotiate differences between cases regarding Muslim veiling. The incisive critiques and comparisons in this book will be of essential reading for comparatists working in legal education and research, as well as students of comparative law and scholars in comparative anthropology and social sciences.

Handbook of Culture and Glocalization -

Roudometof, Victor N. 2022-05-17

Discourse-based approaches to studying organizations have grown in significance over the last 25 years. This accessible and insightful book exemplifies how to use a discursive approach to study organizations. By drawing on her own empirical research, Cynthia Hardy aligns key theoretical assumptions with a range of case studies to demonstrate the value and adaptability of a discursive approach.

The DNA of Constitutional Justice in Latin America

- Daniel M. Brinks 2018-04-19

Analyzes the political roots of the systems of constitutional justice in Latin America, tracing their development over the last 40 years.

Comparative Constitutional Studies - Günter

Frankenberg 2018-03-30

Comparative Constitutional Studies takes a rich area of research and teaching and makes it attractive for the classroom setting and beyond. Every constitution has an interesting story to tell, and for this book Günter Frankenberg has selected vibrant examples that encourage readers to practice realism, demonstrate critical spirit and examine the dark side of framers' reports and normative theories.

Comparative Constitutional Design - Tom Ginsburg

2012-02-27

Assesses what we know - and do not know - about comparative constitutional design and particular institutional choices concerning executive power and other issues.

Democratic Constitutionalism in India and the European Union - Philipp Dann 2021-02-26

Comparing the structures and challenges of democratic constitutionalism in India and the European Union, this book explores how democracy is possible within vastly diverse societies of continental scale, and why a constitutional framework is best able to secure the ideals of collective autonomy and individual dignity. It contributes to an emerging comparative discussion on structures of power, separation of powers and a comparative law of democracy, which has long been neglected in comparative constitutional studies.

The Age of Dignity - Catherine Dupré 2016-02-11

Human dignity is one of the most challenging and exciting ideas for lawyers and political philosophers in the twenty-first century. Even though it is rapidly emerging as a core concept across legal systems, and is the first foundational value of the European Union and its overarching human rights commitment under the Lisbon Treaty, human dignity is still little understood and often mistrusted. Based on extensive comparative and cross-disciplinary research, this path-breaking monograph provides an innovative and critical investigation of human dignity's origins, development and above all its potential at the heart of European constitutionalism today. Grounding its analysis in the connections among human dignity, human rights, constitutional law and democracy, this book argues that human dignity's varied and increasing uses point to a deep transformation of European constitutionalism. At its heart are the construction and protection of constitutional time, and the multi-dimensional definition of humanity as human beings, citizens and workers. Anchored in a detailed comparative study of case law, including the two

European supranational courts and domestic constitutional courts, especially those of Germany, the UK, France and Hungary, this monograph argues for a new understanding of European constitutionalism as a form of humanism.

The Oxford Handbook of Comparative Law - Mathias Reimann 2019-03-26

This fully revised and updated second edition of *The Oxford Handbook of Comparative Law* provides a wide-ranging and diverse critical survey of comparative law at the beginning of the twenty-first century. It summarizes and evaluates a discipline that is time-honoured but not easily understood in all its dimensions. In the current era of globalization, this discipline is more relevant than ever, both on the academic and on the practical level. The Handbook is divided into three main sections. Section I surveys how comparative law has developed and where it stands today in various parts of the world. This includes not only traditional model jurisdictions, such as France, Germany, and the United States, but also other regions like Eastern Europe, East Asia, and Latin America. Section II then discusses the major approaches to comparative law - its methods, goals, and its relationship with other fields, such as legal history, economics, and linguistics. Finally, section III deals with the status of comparative studies in over a dozen subject matter areas, including the major categories of private, economic, public, and criminal law. The Handbook contains forty-eight chapters written by experts from around the world. The aim of each chapter is to provide an accessible, original, and critical account of the current state of comparative law in its respective area which will help to shape the agenda in the years to come. Each chapter also includes a short bibliography referencing the definitive works in the field.

Foundations of Public Contracts - Giacomuzzi, José G. 2022-05-06

This Research Agenda documents and establishes the thinking of leading scholars in the field of political marketing and related sub-fields, also

encompassing additional social science disciplines that intersect at the crossroads of political marketing. *Authoritarian Constitutionalism* - Helena Alviar García 2019

The contributions to this book analyse and submit to critique authoritarian constitutionalism as an important phenomenon in its own right, not merely as a deviant of liberal constitutionalism. Accordingly, the fourteen studies cover a variety of authoritarian regimes from Hungary to Apartheid South Africa, from China to Venezuela; from Syria to Argentina, and discuss the renaissance of authoritarian agendas and movements, such as populism, Trumpism, nationalism and xenophobia. From different theoretical perspectives the authors elucidate how authoritarian power is constituted, exercised and transferred in the different configurations of popular participation, economic imperatives, and imaginary community.

Framing Convergence with the Global Legal Order - Elaine Fahey 2020-10-15

This interdisciplinary book explores the concept of convergence of the EU with the global legal order. It captures the actions, law-making and practice of the EU as a cutting-edge actor in the world promoting convergence 'against the grain'. In a dynamic 'twist' the book uses methodology to reflect upon some of the most dramatically changing dimensions of current global affairs. Questions explored include: who and what are the subjects and objects of convergence as to the EU and the world? How do 'court-centric' and less 'court-centric' approaches differ? Can we use political science and international relations as 'service tools'? Four key themes are probed: - framing EU convergence; - global trade against convergence; - the EU as the exceptional internationalist; and - positioning convergence through methodology.

Rights-Based Constitutional Review - John Bell 2016-04-29

Constitutional review has become an essential feature of modern liberal democratic constitutionalism. In particular, constitutional

review in the context of rights litigation has proved to be most challenging for the courts. By offering in-depth analyses on changes affecting constitutional design and constitutional adjudication, while also engaging with general theories of comparative constitutionalism, this book seeks to provide a heightened understanding of the constitutional and political responses to the issue of adaptability and endurance of rights-based constitutional review. These original contributions, written by an array of distinguished experts and illustrated by the most up-to-date case law, cover Australia, Belgium, Finland, France, Hungary, Ireland, Italy, Spain, the United Kingdom and the United States, and include constitutional systems that are not commonly studied in comparative constitutional studies. Providing structured analyses, the editors combine studies of common law and civil law jurisdictions, centralized and decentralized systems of constitutional review, and large and small jurisdictions. This multi-jurisdictional study will appeal to members of the judiciary, policymakers and practitioners looking for valuable insights into the case law of a range of constitutional and supreme courts in this rapidly expanding field of constitutional adjudication. It also serves as an excellent resource for academics, scholars and advanced students in the fields of law, human rights and political science.

Comparative Recognition and Enforcement -

Drossos Stamboulakis 2022-10-31

This book offers comparative insights into recognition and enforcement, informing decisions to implement, interpret, and apply emerging transnational judgments conventions.

The Constitution of Freedom - András Sajó

2017-11-04

Constitutional democracy is more fragile and less 'natural' than autocracy. While this may sound surprising to complacent democrats, more and more people find autocracy attractive, because they were never forced to understand or imagine what despotism is. Generations who have lived in stable

democracies with the promise that their enviable world will become the global 'normal' find government rule without constitutionalism difficult to conceive. It is difficult, but never too late, to see one's own constitutional system as something that is fragile, or up for grabs and in need of constant attention and care. In this book, András Sajó and Renáta Uitz explore how constitutionalism protects us and how it might be undone by its own means. Sajó and Uitz's intellectual history of the constitutional ideal is rich in contextual detail and informed by case studies that give an overview of both the theory and practice of constitutionalism worldwide. Classic constitutions are contrasted with twentieth-century and contemporary endeavours, and experimentations in checks and balances. Their endeavour is neither apologetic (and certainly not celebratory), nor purely defensive: this book demonstrates why constitutionalism should continue to matter. Between the rise of populist, anti-constitutional sentiment and the normalization of the apparatus of counter-terrorism, it is imperative that the political communities who seek to sustain democracy as freedom understand the importance of constitutionalism. This book is essential reading for students of law and general readers without prior knowledge of the field, as well as those in politics who believe they know how government works. It shows what is at stake in the debate on constitutionalism.

The Law Behind Rule of Law Transfers - Till

Patrik Holterhus 2019-03-05

Der Band untersucht den Transfer rechtsstaatlicher Strukturen zwischen staatlichen und überstaatlichen Rechtsordnungen als spezifisch rechtlichen Vorgang. Den Ausgangspunkt bildet dabei die Annahme, dass Rechtsstaatstransfers das Recht nicht nur zum Gegenstand haben, sondern zugleich selbst in Ursprung und Umsetzung eine eigene rechtliche Dimension aufweisen ("the law behind rule of law transfers"). Das besondere Interesse des Bandes gilt der Identifizierung und Erforschung solcher die vielfältigen

rechtsstaatlichen Transferprozesse steuernden Rechtsnormen und -mechanismen. In insgesamt acht Beiträgen nähert der Band sich dem Thema aus der Perspektive unterschiedlicher Rechtsgebiete – etwa des EU-Rechts, des allgemeinen Völkerrechts, des internationalen Menschenrechtsschutzes, des Völkerstrafrechts, des humanitären Völkerrechts sowie des Wirtschaftsvölkerrechts.

Culture in the Domains of Law - René Provost
2017-02-02

What does it mean for courts and other legal institutions to be culturally sensitive? What are the institutional implications and consequences of such an aspiration? To what extent is legal discourse capable of accommodating multiple cultural narratives without losing its claim to normative specificity? And how are we to understand meetings of law and culture in the context of formal and informal legal processes, when demands are made to accommodate cultural difference? The encounter of law and culture is a polycentric relation, but these questions draw our attention to law and legal institutions as one site of encounter warranting further investigation, to map out the place of culture in the domains of law by relying on the insights of law, anthropology, politics, and philosophy. *Culture in the Domains of Law* seeks to examine and answer these questions, resulting in a richer outlook on both law and culture.

A Research Agenda for Federalism Studies - John Kincaid 2019-12-27

In this forward-thinking book, fifteen leading scholars set forth cutting-edge agendas for research on significant facets of federalism, including basic theory, comparative studies, national and subnational constitutionalism, courts, self-rule and shared rule, centralization and decentralization, nationalism and diversity, conflict resolution, gender equity, and federalism challenges in Africa, Asia, and the European Union. More than 40 percent of the world's population lives under federal arrangements, making federalism not only a

major research subject but also a vital political issue worldwide.

Constitutional Design: Image of State and Age - Игорь Барциц 2019-07-11

The purpose of this paper is to comprehend, explore and describe Constitutional Design as a phenomenon of constitutional theory and practice from the perspective of its usage as a criterion for the assessment of the aesthetics, beauty and topology of constitutions, as well as a set of tools of legal linguistics and legal writing. The author pays special attention to the evolution of constitutional design as such, constitutional and legal thought, their dependence on profound changes in the course of development of the society, law, and culture.

The Unity of Public Law? - Mark Elliott 2018-04-19

This major collection contains selected papers from the second Public Law Conference, an international conference hosted by the University of Cambridge in September 2016. The collection includes contributions by leading academics and judges from across the common law world, including senior judges from Australia, Canada, New Zealand and the UK. The contributions engage with the theme of unity (and disunity) from a number of perspectives, offering a rich panoply of insights into public law which significantly carry forward public law thinking across common law jurisdictions, setting the agenda for future research and legal development. Part 1 of the volume contains chapters which offer doctrinal and theoretical perspectives. Some chapters seek to articulate a unifying framework for understanding public law, while others seek to demonstrate the plurality of public law through the method of legal taxonomy. A number of chapters analyse whether different fields such as human rights and administrative law are merging, with others considering specific unifying themes or concepts in public law. The chapters in Part 2 offer comparative perspectives, charting and analysing convergence and divergence across common law systems. Specific topics include

standing, proportionality, human rights, remedies, use of foreign precedents, legal transplants, and disunity and unity among subnational jurisdictions. The collection will be of great interest to those working in public law.

Judicial Power - Christine Landfried 2019-02-07

Explores the relationship between the legitimacy, the efficacy, and the decision-making of national and transnational constitutional courts.

Modern Law and Otherness - Veronica Corcodel 2019-12-27

Over the last two decades or so, the field of comparative law has been increasingly interested in issues of globalisation and Eurocentrism. This book inscribes itself within the debates that have arisen on these issues and aims to provide a greater understanding of the ways in which the “non-West” is constructed in Euro-American comparative law. Approaching knowledge production from an interdisciplinary and critical perspective, the book puts emphasis on the governance implications of the field.

The Latin American Casebook - Juan F. Gonzalez-Bertomeu 2016-04-20

Traditionally relegated because of political pressure and public expectations, courts in Latin America are increasingly asserting a stronger role in public and political discussions. This casebook takes account of this phenomenon, by offering a rigorous and up-to-date discussion of constitutional adjudication in Latin America in recent decades. Bringing to the forefront the development of constitutional law by Latin American courts in various subject matters, the volume aims to highlight a host of creative arguments and solutions that judges in the region have offered. The authors review and discuss innovative case law in light of the countries’ social, political and legal context. Each chapter is devoted to a discussion of a particular area of judicial review, from freedom of expression to social and economic rights, from the internalization of human rights law to judicial checks on the economy, from gender and reproductive rights to transitional justice. The book

thus provides a very useful tool to scholars, students and litigants alike.

Asymmetry, Multinationalism and Constitutional Law - Maja Sahadžić 2020-09-03

This book examines the link between constitutional asymmetry and multinationalism and the effects asymmetry produces on legitimacy and stability in federal and quasi-federal systems. This is done through a structured and exhaustive comparative analysis, covering states in Africa, America, Asia, and Europe. Contrary to traditional federal theory, contemporary scholars have linked constitutional asymmetry with multinational federal systems, by presenting asymmetry as a mechanism for diversity management. This book offers insights on whether and how constitutional asymmetry is linked with multinationalism and looks into the socio-economic, cultural-ideological, historical, and separatist factors that support the emergence of asymmetries. The work also provides a legal analysis of whether constitutional asymmetry is a condition or a threat to legitimacy and stability in federal systems. The book will be essential reading for academics, researchers, and policy-makers in law and political science interested in the fields of constitutional law, federal theory, multinationalism, and minorities.

Legal Experiments for Development in Latin America - Helena Alviar García 2021-02-23

This book provides a nuanced picture of how diverse legal debates on the pursuit of economic development and modernization have played out in Latin America since independence. The opposing concepts of modernization theory and Dependency Theory can be seen to be playing out within the field of legal transformation, as some legal analysts define law as a closed, formal, rational system, and others see law as inseparable from economic, social and political change. Legal experiments have followed these trends, in some cases using legal instruments to guarantee classical, civil and political rights, and in others demanding radical transformation of existing legal structures. This book traces these debates across the key topics of:

economic development and foreign investment; property; resource and power distribution in terms of gender and social policy. Drawing on a wide range of literature, the book adds complexity and color to our understanding of these themes in Latin America. This insightful exploration of comparative law within Latin America provides the tools needed to understand legal transformation in the region, and as such will be of interest to researchers within law, political sociology, development and Latin American studies.

Routledge Handbook of Comparative Constitutional Change - Xenophon Contiades 2020-06-11

Comparative constitutional change has recently emerged as a distinct field in the study of constitutional law. It is the study of the way constitutions change through formal and informal mechanisms, including amendment, replacement, total and partial revision, adaptation, interpretation, disuse and revolution. The shift of focus from constitution-making to constitutional change makes sense, since amendment power is the means used to refurbish constitutions in established democracies, enhance their adaptation capacity and boost their efficacy. Adversely, constitutional change is also the basic apparatus used to orchestrate constitutional backslide as the erosion of liberal democracies and democratic regression is increasingly affected through legal channels of constitutional change.

Routledge Handbook of Comparative Constitutional Change provides a comprehensive reference tool for all those working in the field and a thorough landscape of all theoretical and practical aspects of the topic. Coherence from this aspect does not suggest a common view, as the chapters address different topics, but reinforces the establishment of comparative constitutional change as a distinct field. The book brings together the most respected scholars working in the field, and presents a genuine contribution to comparative constitutional studies, comparative public law, political science and constitutional history.

Comparative Law - Mathias Siems 2022-03-24

Presents a fresh, contextualised and sophisticated perspective on comparative law for both students and scholars.

Constitutional Bricolage - Eugénie Mérieau 2021-12-02

This book analyses the unique constitutional system in operation in Thailand as a continuous process of bricolage between various Western constitutional models and Buddhist doctrines of Kingship. Reflecting on the category of 'constitutional monarchy' and its relationship with notions of the rule of law, it investigates the hybridised semi-authoritarian, semi-liberal monarchy that exists in Thailand. By studying constitutional texts and political practices in light of local legal doctrine, the book shows that the monarch's affirmation of extraordinary prerogative powers strongly rests on wider doctrinal claims about constitutionalism and the rule of law. This finding challenges commonly accepted assertions about Thailand, arguing that the King's political role is not the remnant of the 'unfinished' borrowing of Western constitutionalism, general disregard for the law, or cultural preference for 'charismatic authority', as generally thought. Drawing on materials and sources not previously available in English, this important work provides a comprehensive and critical account of the Thai 'mixed constitutional monarchy' from the late 19th century to the present day.

Law and Practice on Public Participation in Environmental Matters - Uzuazo Etemire 2015-07-20

Public participation has become a recurring theme and a topical issue in the field of international environmental law, with many multilateral environmental instruments calling on states to guarantee effectively the concept in their laws and practices. This book focuses on public participation in environmental governance, in terms of public access to environmental information and public participation in environmental decision-making processes. Drawing on the body of international best

practice principles in environmental law and taking a comparative stance, Uzuazo Etemire takes Nigeria as a key case, evaluating its procedural laws and practices in relation to public access to information and participation in decision-making in environmental matters. In working to clarify and deepen understanding of the current status of environmental public participation rights in Nigeria, the book addresses key issues in environmental governance for developing and transitional countries and the potential for public participation to improve the state of the environment and public wellbeing. This book will be of great interest to undergraduate students (as further reading) and post-graduate students, academics, researchers, relevant government agencies and departments, policy-makers and NGOs in the fields of international environmental law, environmental justice, environmental/natural resource management, development studies and international finance.

Constitutional Semiotics - Martin Belov 2022-06-30

This book offers an outline of the foundations of a theory of constitutional semiotics. It provides a systematic account of the concept of constitutional semiotics and its role in the representation and signification of meaning in constitution, constitutional law, and constitutionalism. The book explores the constitutional signification of meaning that is stretched between rational entrenchment and constitutional imagination. It provides a critical assessment of the rationalist entrapment of constitutional modernity and justifies the need to turn to 'shadow constitutionalisms': textual, symbolic-imaginary and visual constitutionalism. The book puts forward innovative incentives for constitutional analysis based on constitutional semiotics as a paradigm for representation of meaning in rational, textual, symbolic-imaginary and visual constitutionalism. The book focuses on the textual, imaginative, and visual discourse of constitutionalism, which is built upon collective constitutional imaginaries and on the peculiar

normativity of constitutional geometry and constitutional mythology as borderline phenomena entrenched in rational, textual, symbolic-imaginary and visual constitutionalism. The book analyses concepts such as: constitutional text and texture, authoritative constitutional narratives and authoritative constitutional narrators, constitutional semiotic community, constitutional utopia, constitutional taboo, normative ideology and normative ideas, constitutional myth and mythology, constitutional symbolism, constitutional code and constitutional geometric form. It explores the textual entrenchment of constitutionalism and its repercussions for representation and signification of meaning.

Sociology of Constitutions - Alberto Febbrajo

2016-05-05

This collection brings together some of the most influential sociologists of law to confront the challenges of current transnational constitutionalism. It shows the constitution appearing in a new light: no longer as an essential factor of unity and stabilisation but as a potential defence of pluralism and innovation. The first part of the book is devoted to the analysis of the concept of constitution, highlighting the elements that can contribute from a socio-legal perspective, to clarifying the principle meanings attributed to the constitution. The study goes on to analyse some concrete aspects of the functioning of constitutions in contemporary society. In applying Luhmann's General Systems Theory to a comparative analysis of the concept of constitution, the work contributes to a better understanding of this traditional concept in both its institutionalised and functional aspects. Defining the constitution's contents and functions both at the conceptual level and by taking empirical issues of particular comparative interest into account, this study will be of importance to scholars and students of sociology of law, sociology of politics and comparative public law.

Advanced Introduction to Law and Globalisation -

Jaakko Husa 2018-11-30

This Advanced Introduction offers a fresh critical analysis of various dimensions of law and globalisation, drawing on historical, normative,

theoretical, and linguistic methodologies. Its comprehensive and multidisciplinary approach spans the fields of global legal pluralism, comparative legal studies, and international law.