




THE RULE OF LAW



The rule of law is a fundamental doctrine by which every individual must obey and submit to the law, and not arbitrary action by other people or groups.

Rule Of Law Uk

Aniceto Masferrer, Clive Walker



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The Form of Legislation and the Rule of Law Ronan Cormacain, 2022-12-22 What does the rule of law mean in practical terms for the way that legislation is prepared drafted and presented It is a cornerstone of the UK legal order and requires certain things from the legal system such as that the law must be intelligible predictable and accessible This book examines what those requirements mean for the form that legislation must take Using the rule of law as the starting point the author uses deductive reasoning to determine what flows from this in terms of the form of legislation Each element of the rule of law is analysed to establish principles about the form that legislation ought to take and the book examines how each principle can be given concrete effect The originality lies in the nexus between the rule of law and the form of legislation Much has been written about the nature and content of the rule of law but relatively little has been devoted to jurisprudence the theory and practice of legislation This book now draws these two subjects together in a detailed and innovative way **Handbook on the Rule of Law** Christopher May, Adam Winchester, 2018-08-31 The discussion of the norm of the rule of law has broken out of the confines of jurisprudence and is of growing interest to many non legal researchers A range of issues are explored in this volume that will help non specialists with an interest in the rule of law develop a nuanced understanding of its character and political implications It is explicitly aimed at those who know the rule of law is important and while having little legal background would like to know more about the norm *Rules of Law* GMSEED, 2023-08-23 It can now be stated with a high degree of confidence that the UK legal system is not fit for purpose as it consistently fails to protect the innocent law abiding citizen A significant majority of the British people have lost faith with their legal system and have complete contempt for this institution that they fund and allow themselves to be governed by The UK s legal system is a sham much like the rest of its other broken public sector services of the NHS education transportation migration A broken legal system for Broken Britain This book summaries 50 rules of how UK law is observed functioning or should I say not functioning From rules 1 Innocent until proven guilty 2 Beyond reasonable doubt through to rules 49 The long term goal of the law is to incarcerate no one and 50 The law is an ass **Refugees, Asylum Seekers and the Rule of Law** Susan Kneebone, 2009-03-19 An assessment of the impact of asylum on the integrity of the rule of law in five common law jurisdictions **Tax, Public Finance, and the Rule of Law** Dominic de Cogan, Alexis Brassey, May Hen, 2025-02-20 This book offers a key point of reference for reflective and thoughtful examinations of the rule of law in tax and related disciplines It features a stellar cast of established and early career researchers from a variety of jurisdictions who have entered into conversations about the nature of the rule of law its relevance to questions about tax welfare distribution and public spending and the challenges involved in applying legal standards in these fields There is a particular focus on the interaction between the rule of law and the rapidly emerging world of cross border tax avoidance reforms influenced by the OECD s Base Erosion and Profits Shifting project and the evolution of EU level governance over direct as well as indirect taxes The book is accessible to those new to taxation and

public finance as well as to experts and to lawyers and non lawyers alike

The Rule of Law in Singapore Li-ann Thio, 2025-01-09 This book examines the operation of the rule of law in the non liberal democracy of Singapore The rule of law in Singapore has been both lauded for anchoring efficient and effective government and lambasted for being procedural and statist 21st century Singapore has experienced modest political liberalisation manifesting a paternal democracy where the governor governed relationship is evolving from a father knows best paternalistic mindset to a more consultative approach to governance where dialogue rather than diktat is the norm in a post deferential era The Singapore case study helps pluralise the rule of law as a universal principle which moderates power and may be variously implemented The book examines the reception of the rule of law within the Singapore legal order and how it interacts with constitutional principles like the separation of powers and democracy in the design of constitutional institutions and forging of structural and rights oriented judicial review It considers how the rule of law contoured by legal communitarianism sustains a managed democracy in relation to legislation governing internal security public assemblies religious harmony and online falsehoods It questions whether the chilling of political speech by strict laws on political defamation and contempt of court has been significantly defrosted by important developments which seek ordered liberty through a more calibrated form of review Lucid and engaging this book will be of interest to researchers working in constitutional law

Rule of Law, Justice, and Interpretation Luc B. Tremblay, 1997-10-24 Tremblay s theory of the rule of law involves a set of practical principles that constitute the ideal type of a conception of law that is both constitutive and regulative of legal discourse and practice Tremblay examines two competing ideal types the rule of law as certainty and the rule of law as justice The former a standard doctrine within contemporary legal social and political theory is shown to be incoherent Thus the rule of law as justice he shows provides the best basis for understanding legal discourse in general and Canadian constitutional law in particular Tremblay offers a coherent reconstruction of Canadian law from fundamental principles of the rule of law as justice and tests the theory through applications to key judicial decisions that have proven resistant to positivist interpretation The Rule of Law Justice and Interpretation is both a stimulating work of contemporary legal theory and an innovative challenge to the traditions of Canadian constitutional law Tremblay examines fundamental issues of legal epistemology and ontology and brings rigorous analytical jurisprudence to bear on interpretations and applications specific to Canadian constitutional law Given the important implications of his theory for statutory and constitutional interpretation especially with respect to the Canadian Charter of Rights and Freedoms and the potential crisis involving provincial rights of secession and partition this book will be central to the practice of law in Canada

Lawyers and the Rule of Law Andrew Boon, 2022-10-20 This book examines lawyers contributions to creating and maintaining the rule of law one of the pillars of a liberal democracy It moves from the European Enlightenment to the modern day exploring the role of judges government lawyers and private practitioners in creating defining and being defined by the demands of modern society The book is

divided into 4 parts representing the big themes The first part considers lawyers contribution to the growth of constitutionalism the second the formulation of roles and identities and the third the formation of values The fourth part focuses on the challenges faced by lawyers and the rule of law in the past 50 years the neoliberal period and how they challenge both conceptions of lawyers and the rule of law Each part is illustrated by defining events from the execution of Charles I through the Nuremberg Trials to the insurrection by supporters of Donald Trump in January 2021 Although the focus is on England and Wales parallel developments in other jurisdictions Australia Canada New Zealand and the USA are considered This allows analysis of lawyers historical and contemporary engagement with the rule of law in jurisdictional systems based on the Common Law Each chapter is thematic but the passage through the book is broadly chronological

The Rule of Law in Crisis and Conflict Grey Zones Michael John-Hopkins,2016-12 8 Regulating military operations abroad the extraterritorial effect of human rights and the potential modalities of parallel application of the right to life under human rights law and international humanitarian law 9 Conclusions grey zones of war and peace in our globally networked information environment Index

The Rule of Law in International and Comparative Context Robert McCorquodale,2010 Includes bibliographical references and index Parliamentary Sovereignty in the UK Constitution Michael Gordon,2015-04-30 The status of the doctrine of parliamentary sovereignty in the contemporary UK Constitution is much contested Changes in the architecture of the UK Constitution diminishing academic reverence for the doctrine and a more expansive vision of the judicial role all present challenges to the relevance coherence and desirability of this constitutional fundamental At a time when the future of the sovereignty of Parliament may look less than assured this book develops an account of the continuing significance of the doctrine It argues that a rejuvenation of the manner and form theory is required to understand the present status of parliamentary sovereignty Addressing the critical challenges to the doctrine it contends that this conception of legally unlimited legislative power provides the best explanation of contemporary developments in UK constitutional practice while also possessing a normative appeal that has previously been unrecognised This modern shift to the manner and form theory is located in an account of the democratic virtue of parliamentary sovereignty with the book seeking to demonstrate the potential that exists for Parliament through legislating about the legislative process to revitalise the UK s political constitution *The Rule of Law* Aziz Z. Huq, Frank and Bernice J Greenberg Professor of Law Aziz Z Huq,2024 This very short introduction sets out the origins and development of an English language debate centered around the phrase rule of law It aims is to explore the distinctive ethical contribution offered by various thinkers to this specific phrase first theorized by the English scholar A V Dicey while largely setting aside how the same questions are framed and resolved in other traditions The book opens by canvassing the classical and early modern sources upon which Dicey and his successors explicitly drew It then explores the idea of Dicey who it flags as the first self conscious theorist of the rule of law It then recounts his immediate successors These include a heterogenous range of

thinkers such as Friedrich Hayek Lon Fuller Ronald Dworkin and Tom Bingham With this genealogy in hand the book then reflects the important question of why the rule of law in some version or other persists that is why do actors with the power to cast aside the rule of law not do so The book next turns to the ways in which the term rule of law has diffused across borders making it a geopolitical phenomenon Specifically the phrase was taken toward the end of the twentieth century across borders by actors as diverse as the World Bank Singapore and the Chinese Communist Party Finally the book closes by examining the way that the rule of law tradition can be challenged both as a matter of theory and practice **UK**

Politics Andrew Blick,2021 UK Politics is the ideal introduction to the subject providing students with the foundational understanding critical perspectives and historical knowledge they need to make sense of politics in the United Kingdom today , **UK and France: Friends or Foes? (Trans) cultural and legal unions and disunions** Geraldine, Elizabeth

Gadbin-George, Gibson-Morgan,2019-09-17T00:00:00+02:00 At a time of major changes in the United Kingdom and to a lesser extent in France induced by the proposed Brexit process this collective work composed of thirteen chapters from highly experienced academics and specialist professionals from both sides of the Channel examines their consequences on the French and British relationship in a range of institutional political legal economic cultural but also strategic and defence related fields with an emphasis on comparative and or European points of view The two editors are respectively Associate Professors at Panth on Assas and Tours universities Geraldine Gadbin George is an English solicitor a former avocat at the Paris bar and a former French judge Elizabeth Gibson Morgan is Visiting Senior Research Fellow at King s College London in the Department of Contemporary History Counter-Terrorism, Human Rights and the Rule of Law Aniceto Masferrer,Clive Walker,2013-09-30 A deep and thoughtful exploration of counter terrorism written by leading commentators from around the globe This book poses critical questions about the definition of terrorism the role of human rights and the push by many governments for more secu

Introduction to UK Law: English to Hindi Law Dictionary and Exercise Book Michael Howard, Improve your UK law vocabulary with this unique English to Hindi UK law dictionary and exercise book Written by an English qualified lawyer and legal English teacher this law dictionary helps to improve and practise legal English vocabulary grammar and everyday use This dictionary and exercise book is perfect for self study and includes all major areas of law and concentrates on everyday use of legal English The book provides help with phrasal verbs collocations and practical use of legal terminology Written in plain English to assist understanding the dictionary and exercise book covers legal systems court procedures commercial contracts company law tort and litigation The Rule of Law's Anatomy in the

EU Allan Rosas,Juha Raitio,Pekka Pohjankoski,2023-06-15 This study with its approach rooted in EU law and its clear focus on conceptual underpinnings grapples with one of the most challenging questions facing constitutional lawyers today namely the rule of law Drawing on the expertise of leading scholars and judges at the forefront of the question it takes a dual approach It opens by setting out the foundations of the rule of law including legal certainty democratic principles and judicial

independence It goes on to explore the protections that can be relied upon from policy developments to human rights sanctions and infringement actions This is a rapidly developing question in EU constitutional law so this masterful collection will be welcomed by both scholars and policy makers in the field

Rule of law in the governance of new frontiers of the marine environment Yen-Chiang Chang, Kum Fai Yuen, David Ong, Shih-Ming Kao, 2023-10-06

Judicial Review of Immigration Detention in the UK, US and EU Justine N Stefanelli, 2020-01-23

Immigration detention is considered by many states to be a necessary tool in the execution of immigration policy Despite the apparently key role it plays in immigration enforcement the law on immigration detention is often vague especially in relation to determining the circumstances under which prolonged detention remains lawful As a result the courts are frequently called upon to adjudicate these matters with scant legal tools at their disposal Though there have been some significant judgments on the legality of detention at the constitutional level the extent to which these judgments have had an impact at the lower end of the judiciary is unclear Indeed it is the lower courts which are tasked with judging the legality of detention through habeas corpus or judicial review proceedings This book examines the way this has occurred in the lower courts of two jurisdictions the UK and the US and contrasts this practice not only in those jurisdictions but with judgments rendered by the Court of Justice of the European Union a constitutional court at the other end of the judicial spectrum whose judgments are applied by courts and tribunals in the EU Member States Although these three jurisdictions use similar tests to evaluate the legality of detention case outcomes significantly differ Many factors contribute to this divergence but key among them is the role that fundamental rights protection plays in each jurisdiction Through a forensic evaluation of 191 judgments this book compares the laws on detention in the UK US and EU and makes recommendations to these jurisdictions for improvement

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