



Rule Of Law P

Markus Frischhut



Rule Of Law P:

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 *Practical Rules* Alan H. Goldman, 2001-09-06 Rules proliferate some are kept with a bureaucratic stringency bordering on the absurd while others are manipulated and ignored in ways that injure our sense of justice Under what conditions should we make exceptions to rules and when should they be followed despite particular circumstances The two dominant models in the literature on rules are the particularist account and that which sees the application of rules as normative Taking a position that falls between these two extremes Alan Goldman provides a systematic framework to clarify when we need to follow rules in our moral legal and prudential decisions and when we ought not to do so The book distinguishes among various types of rules it illuminates concepts such as integrity self interest and self deception and finally it provides an account of ordinary moral reasoning without rules This book will be of great interest to advanced students and professionals working in philosophy law decision theory and the social sciences Examining Critical Perspectives on Human Rights Rob Dickinson, 2012-02-09 This collection evaluates the crisis of confidence in human rights which underpins understandings of just decision making and liberal democracy Constitution, Jefferson's Manual, and Rules of the House of Representatives of the United States United States. Congress. House, 1979 Handbook of Comparative Political Institutions Adrian Vatter, Rahel Freiburghaus, 2024-10-03 This comprehensive Handbook presents a broad range of theoretical methodological and empirical perspectives on the comparative study of political institutions Exploring cutting edge developments in the field it provides new insight into the significant diversity and impact of political institutions across space and time This title contains one or more Open Access chapters Rules of Procedure at the UN and at Inter-Governmental Conferences Robbie Sabel, 2018 An up to date manual on procedure and conduct of business at the UN General Assembly and at international conferences The Cambridge Handbook of New Human Rights Andreas von Arnould, Kerstin von der Decken, Mart Susi, 2020-01-02 The book provides in depth insight to scholars practitioners and activists dealing with human rights their expansion and the emergence of new human rights Whereas legal theory tends to neglect the development of concrete individual rights monographs on new rights often deal with structural matters only in passing and the issue of new human rights has received only cursory attention in literature By bringing together a large number of emergent human rights

analysed by renowned human rights experts from around the world and combining the analyses with theoretical approaches this book fills this lacuna The comprehensive and dialectic approach which enables insights from individual rights to overarching theory and vice versa will ensure knowledge growth for generalists and specialists alike The volume goes beyond a purely legal analysis by observing the contestation rhetorics the struggle for recognition of new human rights thus speaking to human rights professionals beyond the legal sphere **Constitution, Jefferson's Manual, the Rules of the House of Representatives...and a Digest and Manual of the Rules and Practice of the House of Representatives...** United States. Congress. House,1902 **Constitution, Jefferson's Manual and Rules of the House of Representatives of the United States, One Hundred Ninth Congress** John V. Sullivan,2005 **International Judicial Practice on the Environment** Christina Voigt,2019-04-18 Evaluates the fundamental legitimacy of judicial practice in the growing number of environmental cases heard before international courts *Constitutionalism in Global Constitutionalisation* Aoife O'Donoghue,2014-06-05 Aoife O Donoghue explains why normative constitutionalism must underpin the global constitutionalisation debate if it is to realise its critical potential *Consumer Financial Dispute Resolution in a Comparative Context* Shahla F. Ali,2013-03-14 Shahla F Ali presents comparative empirical research about the design of consumer financial dispute resolution mechanisms in Asia America and Europe *Modernising European Legal Education (MELE)* Oskar J. Gstrein,Mareike Fröhlich,Caspar van den Berg,Thomas Giegerich,2023-08-22 This open access book presents innovative strategies to address cross cutting topics and foster transversal competences The modernization of European legal education presents a compelling challenge that calls for enhanced interdisciplinary collaboration among academic disciplines and innovative teaching methods The volume introduces venues towards education innovation and engages with complex and emerging topics such as datafication climate change gender and the aftermath of the COVID 19 pandemic The insights presented not only emphasize the importance of preserving traditional approaches to legal disciplines and passing them on to future generations but also underscore the need to critically reassess and revolutionize existing structures As our societies become more diverse and our understanding of legitimacy justice and values undergoes transformations it is imperative to reconsider the role of traditional values while exploring promising alternative approaches *Criminology and Moral Philosophy* Jonathan Jacobs,2022-03-15 The book examines some of the most important forms of normativity and the relation between facts and values in the context of criminological investigation In recent decades numerous criminologists have argued that criminology needs to be more explicitly concerned with normative considerations and with morality and this book explains the plausibility of that view and of empirically rigorous non positivist study of moral values Hume is often regarded as a key figure in separating facts from values and he was a formidable opponent of moral rationalism Yet in his own moral philosophy he sought to explicate the genuineness and authority of moral considerations without endorsing some implausible positivist interpretations of a putative fact value distinction The significance of Hume s view and its implications for the

empirical study of morality are explored The book discusses several layers of normativity explored by criminological investigation including The relation between law and morality the concept of the Rule of Law the normativity of the notion of criminality the justification of sanction the presence and significance of moral considerations This book will be of interest to students taking upper level courses on criminal justice ethics punishment political theory jurisprudence and social philosophy

Limits of Legality Jeffrey Brand-Ballard, 2010 Judges sometimes hear cases in which the law as they honestly understand it requires results that they consider morally objectionable Most people assume that nevertheless judges have an ethical obligation to apply the law correctly at least in reasonably just legal systems This is the view of most lawyers legal scholars and private citizens but the arguments for it have received surprisingly little attention from philosophers Combining ethical theory with discussions of caselaw Jeffrey Brand Ballard challenges arguments for the traditional view including arguments from the fact that judges swear oaths to uphold the law and arguments from our duty to obey the law among others He then develops an alternative argument based on ways in which the rule of law promotes the good Patterns of excessive judicial lawlessness even when morally motivated can damage the rule of law Brand Ballard explores the conditions under which individual judges are morally responsible for participating in destructive patterns of lawless judging These arguments build upon recent theories of collective intentionality and presuppose an agent neutral framework rather than the agent relative framework favored by many moral philosophers Defying the conventional wisdom Brand Ballard argues that judges are not always morally obligated to apply the law correctly Although they have an obligation not to participate in patterns of excessive judicial lawlessness an individual departure from the law so as to avoid an unjust result is rarely a moral mistake if the rule of law is otherwise healthy *Limits of Legality* will interest philosophers legal scholars lawyers and anyone concerned with the ethics of judging

The Ethical Spirit of EU Values Markus Frischhut, 2022-09-14 This open access book summarising the research conducted at this Jean Monnet Chair seeks to identify the ethical spirit of European Union EU values EU integration began at the economic level human rights were only added at a later stage Finally the Lisbon Treaty turned the EU into a Union of values by enshrining certain concepts in Art 2 TEU This provision can be seen as a hub linked to various other provisions of EU primary and secondary law The values contained therein have amongst others been applied to two areas digitalisation and non financial reporting partly in sports and further specified in others health and partly in sports This book analyses the evolution of values *ratione temporis* and the questions of who is entitled and who is obliged *ratione personae* Besides the external perspective *ratione limitis* e g Brexit it focuses on the composition of the EU's common values *ratione materiae* As Art 2 TEU can be viewed as a hub it is essential to focus on various relations not only between values but also between values and other provisions of EU law as well as other concepts Based on this description of the status quo the book subsequently addresses a possible future direction arguing for an additional narrative trust an additional value environmental protection and a more communitarian Union In closing apart from the classical commitment of the EU

and the Member States to uphold the values of the EU the book discusses the level of individuals and values as virtues Various figures and tables complement this overview of the status quo of the Union of values and outline of its future direction

Redressing Historical Injustice David Gordon, Wanjiru Njoya, 2023-03-28 This book offers an alternative to perspectives of distributive justice which fail to resolve economic inequality and exacerbate social problems by ignoring the real causes of inequality The main impact of the book is to highlight the importance of self ownership and private property showing how market participation advances liberty and prosperity The idea that we should pay reparations to disadvantaged racial groups as compensation for historical injustice is deeply contested The debates often focus on the practical implications of paying reparations but overlook more fundamental questions about the meaning of justice What is justice What are the implications of wealth redistribution for individual liberty and the rule of law This book answers these questions through an analysis of classical liberal perspectives in law philosophy and economics The book questions whether economic inequality stems from historical injustice and explores the wider implications of attempting to create equal outcomes through legislative mandates The book argues that free markets resting on libertarian rights are the best way to help disadvantaged members of society and to create the conditions more likely to advance economic equality The book will be of interest to researchers and students of economics law politics and philosophy

South Africa and the Case for Renegotiating the Peace Pierre du Toit, Charl Swart, Salom, Teuteberg, 2016-11-11 South Africa is awash with policy failures and policy confusion We argue firstly that our current discord over policy details has its origin in the celebrated negotiated transition We hold that the vote count of an 85% majority in the Constituent Assembly in 1996 obscured the reality that the Constitution meant different things to different negotiators The result was that South Africa from the very start of the democratic era lacked a national consensus on how to go about consolidating democracy We keep on failing to build a proper roof over our democracy because the constitutional foundations are weak

The Neo-liberal State Raymond Plant, 2009-10-29 The aim of the book is two fold First of all it is to provide a fair complete and analytical account of the Neo liberal conception of the role and function of the state in modern society The second aim is to provide a critical assessment of some of the central elements of this conception The book will look at the emphasis of Neo liberals on procedural and rule governed approaches to the role of the state rather than outcome or end state views of the role of government and to consider how this conception of politics relates to issues such as the rule of law freedom justice rights the relationship to the market economy to civil society and to look at the role of government in relation to the provision of welfare and public sector services more generally It builds up the Neo liberal case in respect of these aspects of modern society by drawing upon the works of central Neo liberal thinkers such as Hayek Mises Menger as well as thinkers such as Oakeshott Nozick and Rotbard who are not directly Neo liberals but whose works have been important for the development of central Neo liberal themes The second part of the book provides what might be regarded as an immanent critique of the Neo liberal case built up in the first part of the study It takes Neo

liberal ideas very seriously and shows how incoherences arise within and between those ideas such that a plausible form of Neo liberalism as opposed to Libertarianism on the one hand and Social Democracy on the other is very difficult to state The theme of this book is very germane given the considerable debate which is now taking place in the context of the world financial crisis about the appropriate role for the state Defending Checks and Balances in EU Member States Armin von Bogdandy, Piotr Bogdanowicz, Iris Canor, Christoph Grabenwarter, Maciej Taborowski, Matthias Schmidt, 2021-01-05 This open access book deals with Article 7 TEU measures court proceedings financial sanctions and the EU Rule of Law Framework to protect EU values with a particular focus on checks and balances in EU Member States It analyses substantive standards powers procedures as well as the consequences and implications of the various instruments It combines the analysis of the European level be it the EU or the Council of Europe with that of the national level in particular in Hungary and Poland The LM judgment of the European Court of Justice is made subject to detailed scrutiny

Adopting the Beat of Term: An Psychological Symphony within **Rule Of Law P**

In a global taken by screens and the ceaseless chatter of instant transmission, the melodic beauty and emotional symphony created by the written word often diminish in to the backdrop, eclipsed by the relentless sound and interruptions that permeate our lives. But, set within the pages of **Rule Of Law P** an enchanting fictional treasure filled with fresh feelings, lies an immersive symphony waiting to be embraced. Constructed by an outstanding musician of language, this captivating masterpiece conducts readers on an emotional trip, skillfully unraveling the concealed tunes and profound impact resonating within each carefully crafted phrase. Within the depths of this moving analysis, we can investigate the book is central harmonies, analyze its enthralling writing style, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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Rule Of Law P Introduction

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