Dimensions of Private Law

Categories and Concepts in Anglo-American Legal Reasoning

CAREBRETHER

Dimensions Of Private Law Dimensions Of Private Law

Christian Twigg-Flesner

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The Many Dimensions of Private Law Robert A. Hillman, 2004 Dimensions of Private Law S. M. Waddams, 2003-07-10 This book considers the inherent complexities of private law relevant to property tort contract legal method and legal theory Structure and Justification in Private Law C.E.F. Rickett, Ross Grantham, 2008-02-27 Peter Birks s tragically early death and his immense influence around the world led immediately to the call for a volume of essays in his honour by scholars who had known him as a colleague teacher and friend One such volume published in 2006 contained essays largely from scholars working in England Mapping the Law Essays in Memory of Peter Birks edited by Andrew Burrows and Lord Rodger This volume contains the essays of those outside England who chose to honour Peter and appears later than the English volume reflecting the far flung habitations of its authors. The essays contained in this volume are focussed around the law of unjust enrichment but are not narrowly preoccupied instead they move freely from unjust enrichment to some of the most profound questions in private law concerning taxonomy the relationship between contract property and unjust enrichment and the place of remedies within private law This volume featuring the work of some of the world's great private lawyers provides a fitting tribute to a great scholar and a series of thought provoking essays inspired by his example Contributors Kit Barker Michael Bryan Peter Butler Hanoch Dagan Simone Degeling Daniel Friedmann Mark Gergen Ross Grantham Steve Hedley John McCamus Mitchell McInnes Eoin O Dell Charles Rickett Struan Scott Emily Sherwin Stephen Smith Richard Sutton Michael Tilbury Stephen Waddams Peter Watts Ernest Weinrib Eric Descheemaeker **Private Law and the Rule of Law** Lisa M Austin, Dennis Klimchuk, 2014-12-18 The rule of law is widely perceived to be a public law doctrine concerned with the way in which governmental authority conforms to the dictates of law The goal of this book is to challenge this presumption The chapters in this volume all consider the idea that the rule of law concerns the nature of law generally and the conditions under which any relationship that among citizens as well as that between citizens and the state becomes subject to law Addressing two major guestions they ask if our understanding of the rule of law is enriched by considering how and to what degree it is expressed or realized in private law and whether our understanding of the private law is enriched by adding the principles of the rule of law to the traditional list of core private law concepts Bringing together leading philosophers of private and public law this volume examines key questions in a little explored field and will be essential reading for all those interested in the rule of law and in private law theory The Foundations of European Private Law Roger Brownsword, Hans-W Micklitz, Leone Niglia, Stephen Weatherill, 2011-09-19 There remains an urgent need for a deeper discussion of the theoretical political and federal dimensions of the European codification project While much valuable work has already been undertaken the chapters in this volume take as their starting point the proposition that further reflection and critical thought will enhance the quality and efficacy of the on going work of the various codification bodies The volume contains chapters by representatives of the Common Frame of Reference the Study Group and the Acquis Group as well as by

those who have not been involved in particular projects but who have previously commented more distantly on their work for instance those belonging to the Trento Group and the Social Justice Group The chapters between them represent the most comprehensive attempt so far to survey the state of the codification project its theoretical political and federal foundations and the future prospects for enforcement and compliance The Cambridge Companion to European Union Private Law Christian Twigg-Flesner, 2010-05-20 The emergence of EU Private Law as an independent legal discipline is one of the most significant developments in European legal scholarship in recent times In this 2010 Companion leading scholars provide a critical introduction to the subject s key areas while offering original and thought provoking comment on the field In addition to several chapters on consumer law topics the collection has individual chapters on commercial contracts competition law non discrimination law financial services and travel law It also discusses the wider issues concerning EU Private Law such as its historical evolution the role of comparative law language and terminology as well as the implications of the Common Frame of Reference project A useful scene setting introduction and further reading arranged thematically make this important publication the student s and scholar s first port of call when exploring the field **Nineteenth Century** Perspectives on Private International Law Roxana Banu, 2018-07-18 Private International Law is often criticized for failing to curb private power in the transnational realm The field appears disinterested or powerless in addressing global economic and social inequality Scholars have frequently blamed this failure on the separation between private and public international law at the end of the nineteenth century and on private international law s increasing alignment with private law Through a contextual historical analysis Roxana Banu questions these premises By reviewing a broad range of scholarship from six jurisdictions the United States France Germany the United Kingdom Italy and the Netherlands she shows that far from injecting an impetus for social justice the alignment between private and public international law introduced much of private international law s formalism and neutrality She also uncovers various nineteenth century private law theories that portrayed a social relationally constituted image of the transnational agent thus contesting both individualistic and state centric premises for regulating cross border inter personal relations Overall this study argues that the inherited shortcomings of contemporary private international law stem more from the incorporation of nineteenth century theories of sovereignty and state rights than from theoretical premises of private law In turn by reconsidering the relational premises of the nineteenth century private law perspectives discussed in this book Banu contends that private international law could take centre stage in efforts to increase social and economic equality by fostering individual agency and social responsibility in the transnational realm

Environmental Law Dimensions of Human Rights Ben Boer, 2015-03-12 How can we guarantee a right to life or a right to health without also guaranteeing a decent environment in which to exercise these rights It is becoming increasingly obvious that a high quality environment is key to the fundamental human rights of life and health and associated rights such as the right to clean water adequate housing and food This book

canvasses a range of law and policy issues concerning human rights and the environment Each chapter examines an aspect of the links between environmental law and human rights in substantive and or procedural terms loosely falling into four themes human rights and the environment in the context of the private sector analysis of decisions of the European and Inter American courts in respect of substantive and procedural aspects human rights and the environment in the Asian region including the issue of human displacement and the future direction of human rights and environment law **Soziologische Jurisprudenz** Gralf-Peter Calliess,2009 Die Festschrift Soziologische Jurisprudenz stellt sich sowohl im Inhalt als auch in der Form in die Tradition der Arbeiten von Gunther Teubner Die Beitr ge lassen sich auf seine Leitperspektive ein indem sie die Grenzbeziehungen von Recht und Gesellschaft mit je eigenst ndigen Akzentuierungen reflektieren <u>Private International Law</u> Franco Ferrari, Diego P. Fernández Arroyo,2019-12-27 Is Private International Law PIL still fit to serve its function in today s global environment In light of some calls for radical changes to its very foundations this timely book investigates the ability of PIL to handle contemporary and international problems and inspires genuine debate on the future of the field

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