



# Rule Of Law

**Aziz Z. Huq, Frank and Bernice J  
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## Rule Of Law:

**Parlamentssuprematie und Rule of Law** Gernot Sydow, 2005 Die herkommene britische Verfassungsordnung ist insbesondere seit 1997/98 Gegenstand weitreichender Reformen die die Verfassung in ihrem Kern beibehalten Gernot Sydow arbeitet bergreifende Strukturprinzipien dieses Verfassungsreformprozesses heraus und konstatiert eine allmähliche Ablösung der herkommenen politischen Verfassungsordnung durch eine rechtsnormative Verfassung Vor diesem Hintergrund werden die gegenwärtigen verfassungsrechtlichen Auseinandersetzungen in Großbritannien als Summe nicht ausgetragener Souveränitäts- und Legitimitätskonflikte rekonstruiert Der Autor sieht in den britischen Verfassungsreformen eine gewisse Annäherung an kontinentaleuropäische Verfassungstraditionen Zentrale Verfassungsreformen müssen aber aus dem common law und der historisch gewachsenen britischen Verfassungsordnung selber erklärt werden Europäische Einflüsse wirken als Katalysatoren die den britischen Verfassungsreformprozess beschleunigen The Rule of Law Cheryl Saunders, Katherine Le Roy, 2003 This book brings together the views of an extraordinary range of well known authors It contains essays by Chief Justice Murray Gleeson High Court of Australia Justice Louise Arbour Supreme Court of Canada Justice Ruth Bader Ginsburg Supreme Court of USA Dr Radhika Coomaraswamy the UN Special Rapporteur on Violence against Women and Professors Saunders Australia Dyzenhaus Canada and Troper France The essays cover issues such as the debate about the meaning and application of the rule of law the gaps between the theory and practice of the rule of law relations between governments and people the tensions between the judiciary and the elected branches of government international criminal justice and the position of women in situations of conflict and insurrection The analyses in the book draw on topical events ranging from the Florida appeal in the election of President Bush to the indictment of Slobodan Milosevic at the War Crimes Tribunal **Die Förderung der Rule of Law in der Entwicklungszusammenarbeit** Jacqueline Neumann, 2013 **The Rule of Law** Tom Bingham, 2011-07-07 A gem of a book Inspiring and timely Everyone should read it Independent The Rule of Law is a phrase much used but little examined The idea of the rule of law as the foundation of modern states and civilisations has recently become even more talismanic than that of democracy but what does it actually consist of In this brilliant short book Britain's former senior law lord and one of the world's most acute legal minds examines what the idea actually means He makes clear that the rule of law is not an arid legal doctrine but is the foundation of a fair and just society is a guarantee of responsible government is an important contribution to economic growth and offers the best means yet devised for securing peace and co-operation He briefly examines the historical origins of the rule and then advances eight conditions which capture its essence as understood in western democracies today He also discusses the strains imposed on the rule of law by the threat and experience of international terrorism The book will be influential in many different fields and should become a key text for anyone interested in politics society and the state of our world The Rule of Law in Comparative Perspective Mortimer Sellers, Tadeusz Tomaszewski, 2010-07-23 This volume compares the different conceptions of the rule of law that have

developed in different legal cultures It describes the social purposes and practical applications of the rule of law and how it might be improved in the varied circumstances      **The Rule of Law** Franz Neumann,1986      **Freedom, State Security, and the Rule of Law** Anthony S. Mathews,1986-01-01      **Law, Liberty, and the Rule of Law** Imer B. Flores,Kenneth E. Himma,2012-09-29 In recent years there has been a substantial increase in concern for the rule of law Not only have there been a multitude of articles and books on the essence nature scope and limitation of the law but citizens elected officials law enforcement officers and the judiciary have all been actively engaged in this debate Thus the concept of the rule of law is as multifaceted and contested as it s ever been and this book explores the essence of that concept including its core principles its rules and the necessity of defining or even redefining the basic concept Law Liberty and the Rule of Law offers timely and unique insights on numerous themes relevant to the rule of law It discusses in detail the proper scope and limitations of adjudication and legislation including the challenges not only of limiting legislative and executive power via judicial review but also of restraining active judicial lawmaking while simultaneously guaranteeing an independent judiciary interested in maintaining a balance of power It also addresses the relationship not only between the rule of law human rights and separation of powers but also the rule of law constitutionalism and democracy      **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      **The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)** James R. Silkenat,James E. Hickey Jr.,Peter D. Barenboim,2014-05-28 This book explores the development of both the civil law conception of the Legal State and the common law conception of the Rule of Law It examines the philosophical and historical background of both concepts as well as the problem of the interrelation between the two doctrines The book brings together twenty five leading scholars from around the world and provides both general and specific jurisdictional perspectives of the issue in both contemporary and historical settings The Rule of Law is a legal doctrine the meaning of which can only be fully appreciated in the context of both the common law and the European civil law tradition of the Legal State Rechtsstaat The Rule of Law and the Legal State are fundamental safeguards of human dignity and of the legitimacy of the state and the authority of state prescriptions      **Getting to the Rule of Law** James E. Fleming,2011-09-01 The rule of law has been celebrated as an unqualified human good yet there is considerable disagreement about what the ideal of the rule of law requires When people clamor for the preservation or extension of the rule of law are they advocating a substantive conception of the rule of law respecting private property and promoting liberty a formal conception emphasizing an inner morality of law or a procedural conception stressing the right to be heard by an impartial tribunal and to make

arguments about what the law is When are exertions of executive power outside the law justified on the ground that they may be necessary to maintain or restore the conditions for the rule of law in emergency circumstances such as defending against terrorist attacks In *Getting to the Rule of Law* a group of contributors from a variety of disciplines address many of the theoretical legal political and moral issues raised by such questions and examine practical applications on the ground in the United States and around the world This timely interdisciplinary volume examines the ideal of the rule of law questions when if ever executive power outside the law is justified to maintain or restore the rule of law and explores the prospects for and perils of building the rule of law after military interventions

*On the Rule of Law* Brian Z. Tamanaha, 2004-11-18 The rule of law is the most important political ideal today yet there is much confusion about what it means and how it works This 2004 book explores the history politics and theory surrounding the rule of law ideal beginning with classical Greek and Roman ideas elaborating on medieval contributions to the rule of law and articulating the role played by the rule of law in liberal theory and liberal political systems The author outlines the concerns of Western conservatives about the decline of the rule of law and suggests reasons why the radical Left have promoted this decline Two basic theoretical streams of the rule of law are then presented with an examination of the strengths and weaknesses of each The book examines the rule of law on a global level and concludes by answering the question of whether the rule of law is a universal human good

*The Rule of Law History, Theory and Criticism* Pietro Costa, Danilo Zolo, 2007-05-06 Authors Costa and Zolo share the conviction that a proper understanding of the rule of law today requires reference to a global problematic horizon This book offers some relevant guides for orienting the reader through a political and legal debate where the rule of law and the doctrine of human rights is a concept both controversial and significant at the national and international levels

**The Rule of Law and the Separation of Powers** Richard Bellamy, 2017-07-05 The rule of law is frequently invoked in political debate yet rarely defined with any precision Some employ it as a synonym for democracy others for the subordination of the legislature to a written constitution and its judicial guardians It has been seen as obedience to the duly recognised government a form of governing through formal and general rule like laws and the rule of principle Given this diversity of view it is perhaps unsurprising that certain scholars have regarded the concept as no more than a self congratulatory rhetorical device This collection of eighteen key essays from jurists political theorists and public law political scientists aims to explore the role law plays in the political system The introduction evaluates their arguments The first eleven essays identify the standard features associated with the rule of law These are held to derive less from any characteristics of law per se than from a style of legislating and judging that gives equal consideration to all citizens The next seven essays then explore how different ways of separating and dispersing power contribute to this democratic style of rule by forcing politicians and judges alike to treat people as equals and regard none as above the law

*Understanding the Rule of Law* Geert Corstens, 2017-08-10 The rule of law is increasingly regarded as integral to liberal democracy and its significance is frequently discussed by lawyers

academics politicians and the media But the meaning of the phrase is not always clear What does the rule of law mean exactly And why is it so important to the democratic state and above all its citizens In *Understanding the Rule of Law* former president of the Dutch Supreme Court Geert Corstens paints a lively and accessible portrait of the rule of law in practice The focus is on the role of the courts where the tensions in a democratic state governed by the rule of law are often discussed and resolved Using landmark judgments Geert Corstens explains what judges do and why their work is valuable What do minimum sentences and prisoners voting rights have to do with each other Why is there no easy answer to the question of whether a paedophile organisation should be banned Why is it no joke when the Italian politician Silvio Berlusconi calls the judiciary the cancer of democracy *Understanding the Rule of Law* provides the answers to these and many other questions and is essential reading for anyone interested in the state of democracy today

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 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 heterogeneous 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

**Rule of Law** International Association for Philosophy of Law and Social Philosophy. World Congress, 1997 Partial proceedings of the 17th World Congress of the International Association of Legal and Social Philosophy held in Bologna June 16 21 1995

**Nigeria and the Rule of Law** International Commission of Jurists (1952- ), 1996 Freedom of the Press *Global Perspectives on the Rule of Law* James J. Heckman, Robert L. Nelson, Lee Cabatingan, 2013-03-01 *Global Perspectives on the Rule of Law* is a collection of original research on the rule of law from a panel of leading economists political scientists legal scholars sociologists and historians The chapters critically analyze the meaning and foundations of the rule of law and its relationship to economic and democratic development challenging many of the underlying assumptions guiding the burgeoning field of rule of law development The combination of jurisprudential quantitative historical comparative and theoretical analyses seeks to chart a new course in scholarship on the rule of law the volume as a whole takes seriously the

role of law in pursuing global justice while confronting the complexity of instituting the rule of law and delivering its promised benefits Written for scholars practitioners and policy makers Global Perspectives on the Rule of Law offers a unique combination of jurisprudential and empirical research that will be provocative and relevant to those who are attempting to understand and advance the rule of law globally The chapters progress from broad questions regarding current rule of development efforts and the concept of rule of law to more specific issues pertaining to economic and democratic development Specific countries such as China India and seventeenth century England and the Netherlands serve as case studies in some chapters while broad global surveys feature in other chapters Indeed this impressive scope of research ushers in the next generation of scholarship in this area     Rule of Law and Democracy Leonardo Morlino, Gianluigi Palombella, 2010 Through a reappraisal of rule of law and democracy the contributors provide for a fresh set of inquiries from the State consolidated and transitional democracies to interstate European and global scenarios They converge in tackling empirical and normative questions and suggest further connections between rule of law and democracy

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