



LAW IN POLITICS, POLITICS IN LAW

Edited by
David Feldman



HART STUDIES IN CONSTITUTIONAL LAW

B L O O M S B U R Y

Online Law Politics Hart Studies Constitutional

J Spring



Online Law Politics Hart Studies Constitutional:

Judicial Protection of Fundamental Rights on the Internet Oreste Pollicino, 2021-04-22 This book explores how the Internet impacts on the protection of fundamental rights particularly with regard to freedom of speech and privacy In doing so it seeks to bridge the gap between Internet Law and European and Constitutional Law The book aims to emancipate the debate on internet law and jurisprudence from the dominant position with specific reference to European legal regimes This approach aims to inject a European and constitutional soul into the topic Moreover the book addresses the relationship between new technologies and the protection of fundamental rights within the theoretical debate surrounding the process of European integration with particular emphasis on judicial dialogue This innovative book provides a thorough analysis of the forms models and styles of judicial protection of fundamental rights in the digital era and compares the European vision to that of the United States The book offers the first comparative analysis in which the notion of judicial frame borrowed from linguistic and cognitive studies is systematically applied to the theories of interpretation and argumentation With a Foreword by Robert Spano President of the European Court of Human Rights *Constitutional Reform and Brexit* Gary Wilson, 2023-06-30 This book examines the extent to which Brexit has impacted upon the operation of the British Constitution prompting in turn consideration of how some of the factors which contributed to the outcome of the 2016 referendum as well as the event of Brexit itself might inform debates surrounding constitutional reform moving forward The work seeks to make sense of the constitutional implications of Brexit and to revisit some of the key debates that have taken place in respect of particular constitutional reform proposals in order to assess the extent to which recent Brexit related developments inform the perspectives which are taken upon their merits and prospects The book is divided into two parts The first provides some context for the substantive treatment of the potential impact of Brexit on constitutional reform debates which forms the focus of Part II Part II centres on various specific constitutional reform themes or issues which are explored further within the context of Brexit For each such issue the main parameters of the debates which have taken place are sketched out before moving on to consider how it has informed or may come to be informed by the phenomenon of Brexit By so doing it looks to some future directions for constitutional reform which take account of the factors driving the discourses which gave rise to the referendum outcome and subsequent developments as well as offering meaningful responses to these The book will be of interest to academics researchers and policy makers working in the areas of constitutional law constitutional politics philosophy and history **Global Technology and Legal Theory** Guilherme Cintra Guimarães, 2019-06-05 The rise and spread of the Internet has accelerated the global flows of money technology and information that are increasingly perceived as a challenge to the traditional regulatory powers of nation states and the effectiveness of their constitutions The acceleration of these flows poses new legal and political problems to their regulation and control as shown by recent conflicts between Google and the European Union EU This book investigates the transnational constitutional dimension of recent

conflicts between Google and the EU in the areas of competition taxation and human rights More than a simple case study it explores how the new conflicts originating from the worldwide expansion of the Internet economy are being dealt with by the institutional mechanisms available at the European level The analysis of these conflicts exposes the tensions and contradictions between on the one hand legal and political systems that are limited by territory and on the other hand the inherently global functioning of the Internet The EU's promising initiatives to extend the protection of privacy in cyberspace set the stage for a broader dialogue on constitutional problems related to the enforcement of fundamental rights and the legitimate exercise of power that are common to different legal orders of world society Nevertheless the different ways of dealing with the competition and fiscal aspects of the conflicts with Google also indicate the same limits that are generally attributed to the very project of European integration showing that the constitutionalization of the economy tends to outpace the constitutionalization of politics Providing a detailed account of the unfolding of these conflicts and their wider consequences to the future of the Internet this book will appeal to scholars working in EU law international law and constitutional law as well as those in the fields of political science and sociology Cultural Expertise Livia Holden, 2020 Cultural expertise in the form of expert opinions formulated by social scientists appointed as experts in the legal process is not different from any other kind of expertise in court In specialised fields of law such as native land titles in America and in Australia the appointment of social scientists as experts in court is a consolidated practice This Special Issue focuses on the contemporary evolution and variation of cultural expertise as an emergent concept providing a conceptual umbrella for a variety of evolving practices which all include use of the specialised knowledge of social sciences for the resolution of conflicts It surveys the application of cultural expertise in the legal process with an unprecedented span of fields ranging from criminology and ethnopsychiatry to the recognition of the rights of autochthone minorities including linguistic expertise and modern reformulation of cultural rights In this Special Issue the emphasis is on the development and change of culture related expert witnessing over recent times culture related adjudication and resolution of disputes criminal litigation and other kinds of court and out of court procedures This Special Issue offers descriptions of judicial practices involving experts in local laws and customs and surveys of the most frequent fields of expert witnessing that are related with culture interrogates who the experts are their links with local communities and also with the courts and the state power and politics how cultural expert witnessing has been received by judges how cultural expertise has developed across the sister disciplines of history and psychiatry and eventually it asks whether academic truth and legal truth are commensurable across time and space Law, Politics, and Morality Jordi Ferrer Beltrán, Marisa Iglesias Vila, 2003 How different cultural groups can be made to live together in justice and fairness in one common political entity has in the past been discussed almost exclusively from the perspective of nation states In an increasingly globalising or de nationalising world this no longer seems adequate The European Union as a union of states and with an built expansive tendency is a very different unique kind of organization

offering a challenging new context for the discussion of how social justice can be ensured in multicultural societies As debates in the post Maastricht era show the European process of regional integration needs to be accompanied by profound reflexions on issues such as multiculturalism democratic legitimacy and the idea of citizenship In three sections on Globalisation and Multiculturalism Deliberation and Democracy and Citizenship and the European Union this book offers such reflexions formulated by young European legal and political philosophers from England Estonia France Italy Spain and Switzerland The papers were discussed at a conference held in November 2001 in Tossa de Mar Spain This was the first of three PhD EuroConferences in Legal Philosophy sponsored by the Commission of the European Union The papers of the other two conferences Nov 2002 Gerona Spain Nov 2003 Genoa Italy are forthcoming in this collection

Parliament's Secret War Veronika Fikfak, Hayley J Hooper, 2018-02-22 The invasion of Iraq in 2003 and the Coalition Government's failure to win parliamentary approval for armed intervention in Syria in 2013 mark a period of increased scrutiny of the process by which the UK engages in armed conflict For much of the media and civil society there now exists a constitutional convention which mandates that the Government consults Parliament before commencing hostilities This is celebrated as representing a redistribution of power from the executive towards a more legitimate democratic institution This book offers a critical inquiry into Parliament's role in the war prerogative since the beginning of the twentieth century evaluating whether the UK's decisions to engage in conflict meet the recognised standards of good governance accountability transparency and participation The analysis reveals a number of persistent problems in the decision making process including Parliament's lack of access to relevant information government legalisation of parliamentary debates which frustrates broader discussions of political legitimacy and the skewing of debates via the partial public disclosure of information based upon secret intelligence The book offers solutions to these problems to reinvigorate parliamentary discourse and to address government withholding of classified information It is essential reading for anyone interested in war powers the relationship between international law and domestic politics and the role of the Westminster Parliament in questions of national security

Human Rights Internet Newsletter Human Rights Internet, 1976

Multilevel Governance in the European Union Nick Bernard, 2002-04-10 There can be little doubt that the benign neglect from which the EC EU so long benefited has come to an end As European institutions expand and affect member State citizens in an ever more direct manner issues of supranational governance and constitutionalism surge to the fore in every sphere of activity These issues do not easily lend themselves to resolution Scholars are in general agreement that the EU although it displays some features of federalism is a new kind of entity that continues to resist any known constitutional model Multilevel Governance in the European Union presents the EU as a system in which public power is divided into layers of government where each layer retains autonomous power and none can claim ultimate power over the others The author invites us to regard the EU as the product of the need for cross border common action over a wide range of economic and social issues in the context of the absence of a conscious

and willing European demos He argues against a purely intergovernmental understanding of the EU just as much as against a purely supranational one With a wealth of reference to caselaw he shows that co operation and co ordination rather than assertion of ultimate authority are the principles on which the EU legal order is organised The implications for law and constitutionalism are profound The law is less the expression of a programme of government than the result of interaction between multiple stakeholders and the constitution less a set of fixed boundaries on power than a framework to organise that interaction

The Lawyer's Guide to Internet Research Kathy Biehl,Tara Calishain,2000 The law library of the future is already here This down to earth practical guide written from the perspective of a working attorney takes the problem solving steps that lawyers already use and shows how and where to do them on the Internet It zeroes in on the best sites sources and techniques for finding cases statutes regulations legislative history government forms public records other attorneys experts and more

Current Law Index ,2007 **The Writers Directory 2008** Michelle Kazensky,2007-06 Features bibliographical biographical and contact information for living authors worldwide who have at least one English publication Entries include name pseudonyms addresses citizenship birth date specialization career information and a bibliography

Index to Canadian Legal Periodical Literature ,2005 **Writers Directory M-Z** Miranda Herbert Ferrara,2004-06 This comprehensive resource features up to date bibliographical biographical and contact information for approximately 20 000 living authors worldwide who have at least one English publication Entries typically include name pseudonyms addresses citizenship birth date specialization career information and a bibliography Contact information includes e mail addresses where available *The Writers Directory* ,2013 European Spatial Research and Policy ,2006 EUSA Review ,2008

Ulrich's Periodicals Directory 2003 Edgar H. Adcock (Jr.),2002 *Comitology* Carl Fredrik Bergström,2005 In almost all fields of cooperation that are covered by the EC Treaty the formal competence to adopt legislation has been assigned to the Council which must normally collaborate with the European Parliament and in order to separate powers the formal competence to prepare the necessary proposals the right to initiate legislation has been assigned to the European Commission Over the years however it has become clear that the reality is far more complex This book examines the fact that the Council is now passing an increasing part of the responsibility for adopting legislation to the Commission subject to the requirement that it has to collaborate with a vast number of committees that consist of representatives of the various national administrations This is known as comitology Comitology provides the Council and the national governments with a mechanism for controlling the Commission and so comitology is often thought to manifest a conflict of interests Bergstr m argues that despite much support in principle for this assumption in practice comitology does not give rise to the kinds of conflicts many expect or fear He contends that in fact it appears to be a fruitful cooperation between the national administrations and the Commission Against this background Bergstr m explains how and why comitology has developed explores the nature of comitology and examines its present and future place in the legal order of the European Union **Far**

Eastern Economic Review ,2001 **Exploring Judicial Politics** Mark Carlton Miller,2009 Exploring Judicial Politics presents twenty original essays by political scientists and judicial scholars on a variety of topics relative to judicial politics. These readings explore the ways in which law and politics intertwine in the United States and cover issues from the trial court level all the way to the Supreme Court taking into account the various actors in the American legal system. In addition, they provide insights into how judicial scholars go about studying and interpreting various phenomena in the field. Exploring Judicial Politics is an ideal resource for undergraduate courses in Judicial Politics, U.S. Courts, and Law and Society.

The Enigmatic Realm of **Online Law Politics Hart Studies Constitutional**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing lacking extraordinary. Within the captivating pages of **Online Law Politics Hart Studies Constitutional** a literary masterpiece penned by a renowned author, readers embark on a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting effect on the hearts and minds of those who partake in its reading experience.

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