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John Murray

Democratic Governance and European Integration Ronald Holzhacker,Erik Albæk.2007-01-01 As the power and scope of the European Union moves further, beyond traditional forms of international cooperation between sovereign states, it is important to analyse how these developments are impacting upon national institutions and processes of democratic representation and legitimacy in the member countries. The authors in this book identifyfour core processes of democratic governance present in any democratic political system that link societal and state processes of decision-making: opinion formation, interestintermediation, national executive decision-making and national parliamentary scrutiny. From a normative perspective they discuss what impacts this process of Europeanizationhas on democracy in the evolving system. They conclude that more changes are seen within the state-centric than in the societal-centred processes of democracy, thus thepublic seems to have been 'left behind? in the process of constructing Europe. The empirical research and normative discussion presented in this book are designed to further our knowledge concerning the Europeanization of social and state processes of democracy and to contribute to the continuing dialogue on democracy in the EuropeanUnion. This book will be of great interest to academics and researchers of political science, public policy and international relations, as well as those interested in European studies andcomparative politics.

The Public Law/Private Law Divide Mark R Freedland,Jean-Bernard Auby.2006-03-01 The contributions brought together in this book derive from joint seminars, held by scholars between colleagues from the University of Oxford and the University of Paris II. Their starting point is the original divergence between the two jurisdictions, with the initial rejection of the public-private divide in English Law, but on the other hand its total acceptance as natural in French Law. Then, they go on to demonstrate that the two systems have converged, the British one towards a certain degree of acceptance of the division, the French one towards a growing questioning of it. However this is not the only part of the story, since both visions are now commonly coloured and affected by European Law and by globalisation, which introduces new tensions into our legal understanding of what is public and what is private.

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.

The Oxford Handbook of the New Private Law Andrew S. Gold,Carter Professor of General Jurisprudence John C P Goldberg,John C. P. Goldberg,Daniel B. Kelly,Frank B Ingersol Professor of Law Emily Sherwin,Henry E. Smith.2020-11-06 This book discusses developments in scholarship dedicated to reinvigorating the study of the broad domain of private law. This field, which embraces the traditional common law subjects-property, contracts, and torts-as well as adjacent, more statutory areas, such as intellectual property and commercial law, also includes important subjects that have been neglected in the United States but are beginning to make a comeback. The book particularly focuses on the New Private Law, an approach that aims to bring a new outlook to the study of private law by moving beyond reductively instrumentalist policy evaluation and narrow, rule-by-rule, doctrine-by-doctrine analysis, so as to consider and capture how private law's various features fit and work together, as well as the normative underpinnings of these larger structures. This movement is resuscitating the notion of private law itself in United States and has brought an interdisciplinary perspective to the more traditional, doctrinal approach prevalent in Commonwealth countries. The book embraces a broad range of perspectives to private law-including philosophical, economic, historical, and psychological- yet it offers a unifying theme of seriousness about the structure and content of private law.--

Governance und Rechtsetzung Gunnar Folke Schuppert.2011

What is Power? Byung-Chul Han.2018-12-28 Power is a pervasive phenomenon yet there is little consensus on what it is and how it should be understood. In this book the cultural theorist Byung-Chul Han develops a fresh and original perspective on the nature of power, shedding new light on this key feature of social and political life. Power is commonly defined as a causal relation: an individual’s power is the cause that produces a change of behaviour in someone else against the latter’s will. Han rejects this view, arguing that power is better understood as a mediation between ego and alter which creates a complex array of reciprocal interdependencies. Power can also be exercised not only against the other but also within and through the other, and this involves a much higher degree of mediation. This perspective enables us to see that power and freedom are not opposed to one another but are manifestations of the same power, differing only in the degree of mediation. This highly original account of power will be of great interest to students and scholars of philosophy and of social, political

and cultural theory, as well as to anyone seeking to understand the many ways in which power shapes our lives today.

La Promotion de la Justice, Des Droits de L'homme Et Du Règlement Des Conflits Par Le Droit International Marcelo Gustavo Kohen.2007 This Liber Amicorum is published at the occasion of Judge Lucius Caflisch's retirement from a distinguished teaching career at the Graduate Institute of International Studies of Geneva, where he served as Professor of International Law for more than three decades, and where he has also held the position of Director. It was written by his colleagues and friends, from the European Court of Human Rights, from universities all around the world, from the Swiss Foreign Affairs Ministry and many other national and international institutions. The Liber Amicorum Lucius Caflisch covers different fields in which Judge Caflisch has excelled in his various capacities, as scholar, representative of Switzerland in international conferences, legal adviser of the Swiss Foreign Affairs Ministry, counsel, registrar, arbitrator and judge. This collective work is divided into three main sections. The first section examines questions concerning human rights and international humanitarian law. The second section is devoted to the international law of spaces, including matters regarding the law of the sea, international waterways, Antarctica, and boundary and territorial issues. The third section addresses issues related to the peaceful settlement of disputes, both generally and with regard to any particular means of settlement. The contributions are in both English and French.

The Stillborn God Mark Lilla.2008-09-23 A brilliant account of religion's role in the political thinking of the West, from the Enlightenment to the close of World War II.The wish to bring political life under God's authority is nothing new, and it's clear that today religious passions are again driving world politics, confounding expectations of a secular future. In this major book, Mark Lilla reveals the sources of this age-old quest-and its surprising role in shaping Western thought. Making us look deeper into our beliefs about religion, politics, and the fate of civilizations, Lilla reminds us of the modern West's unique trajectory and how to remain on it. Illuminating and challenging, The Stillborn God is a watershed in the history of ideas.

An Institute of the Law of Scotland John Erskine,George MacKenzie,James Ivory.2018-10-22 This work has been selected by scholars as being culturally important and is part of the knowledge base of civilization as we know it. This work is in the public domain in the United States of America, and possibly other nations. Within the United States, you may freely copy and distribute this work, as no entity (individual or corporate) has a copyright on the body of the work. Scholars believe, and we concur, that this work is important enough to be preserved, reproduced, and made generally available to the public. To ensure a quality reading experience, this work has been proofread and republished using a format that seamlessly blends the original graphical elements with text in an easy-to-read typeface. We appreciate your support of the preservation process, and thank you for being an important part of keeping this knowledge alive and relevant.

Principles of Conduct John Murray.1957-07-17 This classic study addresses ethical questions relating to such topics as marriage, labor, capital punishment, truthfulness, Jesus' teaching in the Sermon on the Mount, law and grace, and the fear of

God. Murray points the reader to all of Scripture as the basic authority in matters of Christian conduct.

How to Find Wisdom M. C. Holiday.2019-06-01 A TINY THREE PAGE BOOK Ask yourself; ask your friends: How is wisdom found? Here are the steps. Lead the way to wisdom, love, joy and peace. WISDOM IS FROM EXPERIENCE A library is knowledge – apart from experience. A soul separated from good experience cannot verify the message of wisdom, purpose and virtue. Good is known through transforming power. The kingdom is not in words – but in power. ENTER THE KINGDOM 1 2 3 Learn the steps. Lead experience.

Enlargement of the European Union Allan F. Tatham.2009-01-26 The development of EU enlargement has raised many thorny issues unanticipated by the framers of the EC Treaty. A significant upshot of these issues is that the concept of European identity – defined in terms of such factors as culture, history and economics – has supplanted the long-dominant theme of 'widening and deepening,' particularly since the Union's expansion has become primarily eastward. The major contribution of this important book lies in its analysis of the conceptualization and perception of enlargement from various points of view, focusing on the concerns of stakeholders and the 'identity' conflicts and uncertainties incurred by enlargement initiatives. In the course of its presentation, it details the actual pre-accession Europeanization process and its complex history. Among the key elements discussed are the following: the conflict between 'widening' and 'deepening' and the effect on EU institutional reform; institutional requirements on candidate countries; pre-accession criteria and negotiations; administrative capacity, judicial capacity, and legal approximation in accession states; capacity of the EU to absorb new Member States; and EC law as part of European identity. Also covered are specific historical details of particular pre-accession negotiations (e.g., Greece, Spain, Portugal, Malta, and Cyprus), the still inconclusive negotiations with Turkey and the Western Balkan states, and political factors involved in the non-accession of Norway, Iceland and Switzerland. Assembling powerful evidence and applying incisive analysis, the author's conclusion shows that, absent further (and major) EU institutional reform, it will be difficult for an enlarging Union to continue to 'deliver the goods.' A watershed in the continuing great debate on the fulfilment of the EC Treaty's determination to foster and promote 'an ever closer union of the peoples of Europe,' this book will prove invaluable to anybody interested in the European integration project, particularly lawyers, academics, officials and policymakers in the EU Member States.

Regulating Artificial Intelligence Thomas Wischmeyer,Timo Rademacher.2019-11-29 This book assesses the normative and practical challenges for artificial intelligence (AI) regulation, offers comprehensive information on the laws that currently shape or restrict the design or use of AI, and develops policy recommendations for those areas in which regulation is most urgently needed. By gathering contributions from scholars who are experts in their respective fields of legal research, it demonstrates that AI regulation is not a specialized sub-discipline, but affects the entire legal system and thus concerns all lawyers. Machine learning-based technology, which lies at the heart of what is commonly referred to as AI,

is increasingly being employed to make policy and business decisions with broad social impacts, and therefore runs the risk of causing wide-scale damage. At the same time, AI technology is becoming more and more complex and difficult to understand, making it harder to determine whether or not it is being used in accordance with the law. In light of this situation, even tech enthusiasts are calling for stricter regulation of AI. Legislators, too, are stepping in and have begun to pass AI laws, including the prohibition of automated decision-making systems in Article 22 of the General Data Protection Regulation, the New York City AI transparency bill, and the 2017 amendments to the German Cartel Act and German Administrative Procedure Act. While the belief that something needs to be done is widely shared, there is far less clarity about what exactly can or should be done, or what effective regulation might look like. The book is divided into two major parts, the first of which focuses on features common to most AI systems, and explores how they relate to the legal framework for data-driven technologies, which already exists in the form of (national and supra-national) constitutional law, EU data protection and competition law, and anti-discrimination law. In the second part, the book examines in detail a number of relevant sectors in which AI is increasingly shaping decision-making processes, ranging from the notorious social media and the legal, financial and healthcare industries, to fields like law enforcement and tax law, in which we can observe how regulation by AI is becoming a reality.

Rethinking Governance Stephen Bell,Andrew Hindmoor.2009-07-13 Several problems plague contemporary thinking about governance. From the multiple definitions that are often vague and confusing, to the assumption that governance strategies, networks and markets represent attempts by weakening states to maintain control. Rethinking Governance questions this view and seeks to clarify how we understand governance. Arguing that it is best understood as 'the strategies used by governments to help govern', the authors counter the view that governments have been decentred. They show that far from receding, states are in fact enhancing their capacity to govern by developing closer ties with non-government sectors. Identifying five 'modes' of government (governance through hierarchy, persuasion, markets and contracts, community engagement, and network associations), Stephen Bell and Andrew Hindmoor use practical examples to explore the strengths and limitations of each. In so doing, they demonstrate how modern states are using a mixture of governance modes to address specific policy problems. This book demonstrates why the argument that states are being 'hollowed out' is overblown.

The European Foundation .2006-06-01 The European Commission is already preparing the future framework of not-for-profit organizations which will be available to Europeans. The aim of the European Foundation Project is to develop the legislative draft for the legal form of a European Foundation. A team of experts in comparative law from across Europe, commissioned by the Bertelsmann Foundation, the Compagnia di San Paolo, and the ZEIT-Stiftung Ebelin and Gerd Bucerius, has undertaken feasibility research, and developed a proposal. The resulting draft legislation is clearly presented here in a

way which makes it easy for the reader to locate information on specific legal issues. The draft is supported by comprehensive explanatory chapters, as well as comparative chapters on each issue which cover European countries, the USA and China. This book lays the groundwork for policy and advocacy initiatives in the European foundation and the not-for-profit sector.

Political Legitimacy and Democracy in Transnational Perspective Rainer Forst,Rainer Schmalz-Bruns,ARENA Senter for europaforskning.2011

Governance-Ansätze und Rechtssetzung - Was sind Grundlagen einer modernen, zukunftsweisenden Rechtssetzung? Pierre Anders.2009 Studienarbeit aus dem Jahr 2006 im Fachbereich Jura - Öffentliches Recht / VerwaltungsR, Deutsche Universität für Verwaltungswissenschaften Speyer (ehem. Deutsche Hochschule für Verwaltungswissenschaften Speyer), Sprache: Deutsch, Abstract: Zusammenfassend werden die zur Zeit herrschenden Verwaltungsmodelle kurz vorgestellt und das Modell Governance ausführlicher diskutiert. Dabei erfolgen Vergleiche mit bereits existierenden Verwaltungsmodellen und es werden Unterschiede herausgearbeitet. Die Arbeit stellt lediglich einen Querschnitt der verschiedenen Modelle dar. Eine tiefgründige Ausarbeitung war im Rahmen dieser Arbeit nicht möglich und auch nicht gewollt.

Permanent Sovereignty over Natural Resources Marc Bungenberg,Stephan Hobe.2015-04-15 Fifty years after the adoption of the Declaration on Permanent Sovereignty over Natural Resources by the General Assembly of the United Nations in December 1962, this volume assesses the evolution of the principle of permanent sovereignty over natural resources into a principle of customary international law as well as related developments. International environmental and human rights law leave unresolved questions regarding the limitations of this principle, e.g. extraterritorial and international influences such as the applicable criminal and tort law, as well as the extraterritorial and international promotion of good governance, including transparency obligations.

Common European Sales Law (CESL) Reiner Schulze.2012 The emergence of European Contract Law as a field of enquiry has been matched by a burgeoning literature. This includes textbooks, casebooks, monographs and commentaries as well as at least one journal and huge number of journal articles. As the field has matured, so has its elaboration and analysis by scholars, though it remains a field replete with contested viewpoints and many controversies. This new work by one of Germany's most well-known and respected private law scholars, seeks to present a complete and coherent view of the subject from the perspective of the jurisdiction which has arguably had more responsibility than any other for influencing the shape and content of European contract law

Knowledge of the Pragmatici Thomas Duve,Otto Danwerth.2020 Knowledge of the pragmatici analyses pragmatic normative literature in colonial Ibero-America. It explores the circulation and the functions of these media in the Iberian peninsula, New Spain, Peru, New Granada and Brazil. Readership: All interested in the legal history, the history of

knowledge and book history in early modern times, especially with regard to colonial Ibero-America.

Knowledge, Networks and Power U. Holm,M. Forsgren,J. Johanson.2015-05-12 This book presents more than four decades of research in international business at the Department of Business Studies, Uppsala University. Gradually, this research has been recognized as 'The Uppsala School'. The work in Uppsala over the years reflects a broad palette of issues and approaches.

Efficiency, Sustainability, and Justice to Future Generations Klaus Mathis.2011-08-13 Fifty years after the famous essay “The Problem of Social Cost” (1960) by the Nobel laureate Ronald Coase, Law and Economics seems to have become the lingua franca of American jurisprudence, and although its influence on European jurisprudence is only moderate by comparison, it has also gained popularity in Europe. A highly influential publication of a different nature was the Brundtland Report (1987), which extended the concept of sustainability from forestry to the whole of the economy and society. According to this report, development is sustainable when it “meets the needs of the present without compromising the ability of future generations to meet their own needs”. A key requirement of sustainable development is justice to future generations. It is still a matter of fact that the law as well as the theories of justice are generally restricted to the resolution of conflicts between contemporaries and between people living in the same country. This in turn raises a number of questions: what is the philosophical justification for intergenerational justice? What bearing does sustainability have on the efficiency principle? How do we put a policy of sustainability into practice, and what is the role of the law in doing so? The present volume is devoted to these questions. In Part One, “Law and Economics”, the role of economic analysis and efficiency in law is examined more closely. Part Two, “Law and Sustainability”, engages with the themes of sustainable development and justice to future generations. Finally, Part Three, “Law, Economics and Sustainability”, addresses the interrelationships between the different aspects.

Angry Weather Friederike Otto.2020-09-12 From leading climate scientist Dr. Friederike Otto, this gripping book reveals the revolutionary science that definitively links extreme weather events—including deadly heat waves, forest fires, floods, and hurricanes—to climate change. “Meet the forensic scientists of climate change; if you like CSI, you’ll be equally enthralled with the skill and speed these folks exhibit. But the stakes are infinitely higher!” —Bill McKibben, author of Falter and The End of Nature Tied with Hurricane Katrina as the costliest cyclone on record, Hurricane Harvey caused catastrophic flooding and over a hundred deaths in 2017. Angry Weather tells the compelling, day-by-day story of the World Weather Attribution unit—a team of scientists that studies extreme weather events while they’re happening—and their race to track the connection between the hurricane and climate change. As the hurricane unfolds, Otto reveals how attribution science works in real time, and determines that Harvey’s terrifying floods were three times more likely to occur due to human-induced climate change. At the forefront of cutting-edge climate science, Friederike Otto uncovers how the new ability to

determine climate change’s role in extreme weather events can dramatically transform how we view the climate crisis: from how it will affect those of us who are most vulnerable, to the corporations and governments that may find themselves held accountable in the courts. The research laid out in Angry Weather will have profound impacts, both today and for the future of humankind. Published in Partnership with the David Suzuki Institute.

Organ Shortage Anne-Maree Farrell,David Price,Muireann Quigley.2011-03-10 Organ shortage is an ongoing problem in many countries. The needless death and suffering which have resulted necessitate an investigation into potential solutions. This examination of contemporary ethical means, both practical and policy-oriented, of reducing the shortfall in organs draws on the experiences of a range of countries. The authors focus on the resolution and negotiation of ethical conflict, examine systems approaches such as the 'Spanish model' and the US Breakthrough Collaboratives, evaluate policy proposals relating to incentives, presumed consent, and modifications regarding end-of-life care, and evaluate the greatly increased use of (non-heart-beating) donors suffering circulatory death, as well as living donors. The proposed strategies and solutions are not only capable of resolving the UK's own organ-shortage crisis, but also of being implemented in other countries grappling with how to address the growing gap between supply and demand for organs.

Old Cultures, New Institutions Ann Kennard.2010 Border regions around the new eastern and south-eastern edges of the European Union have seen the re-emergence of previous cultures and ethnicities. This has caused a reappraisal of people's relationship with history. Border-related institutions established at international, regional and local levels have endeavoured to make the border regions places of cultural encounter, providing a new way forward for future generations through new kinds of cooperation.

Greeks and Barbarians Kostas Vlassopoulos.2013-08-01 This book is an ambitious synthesis of the social, economic, political and cultural interactions between Greeks and non-Greeks in the Mediterranean world during the Archaic, Classical and Hellenistic periods. Instead of traditional and static distinctions between Greeks and Others, Professor Vlassopoulos explores the diversity of interactions between Greeks and non-Greeks in four parallel but interconnected worlds: the world of networks, the world of apoikiai ('colonies'), the Panhellenic world and the world of empires. These diverse interactions set into motion processes of globalisation; but the emergence of a shared material and cultural koine across the Mediterranean was accompanied by the diverse ways in which Greek and non-Greek cultures adopted and adapted elements of this global koine. The book explores the paradoxical role of Greek culture in the processes of ancient globalisation, as well as the peculiar way in which Greek culture was shaped by its interaction with non-Greek cultures.

Privity of Contract in International Investment Arbitration Martina Magnarelli.2020-05-21 Is privity of contract the reason why investor-state dispute settlement (ISDS) is open to critics, or could it contribute to solving the system’s legitimacy crisis? Privity of contract essentially means that a subject must be a party to a contract, in order to acquire rights

and assume obligations, to sue and be sued under that contract. Privity of contract came to land on the shores of ISDS and this has at least on one occasion been described as an ‘original sin’. Arbitral tribunals often need to decide whether they have jurisdiction in cases where a party to the investment contract is not the claimant but a related entity, or not the central government, but a state agency or state-owned enterprise. In light of the deep interconnection between, on the one hand, the criticism today surrounding investment treaty arbitration – be it called judicial activism and regulatory chill, or be it called abuse of law and indirect claims – and, on the other hand, the domains where privity of contract applies, this book’s original and far-reaching analysis clearly lays out, via an in-depth examination of relevant case law, a possible use of the doctrine that can contribute to leading ISDS out of the crisis. The study’s conclusions respond with thoroughly researched authority to such key questions as the following: In which domains of international investment arbitration does the notion of privity of contract operate, and with what effects? How are states and arbitral panels reacting to the persisting unresolved issues raised by the increasing pertinence of this legal doctrine? What solutions are advisable in the midst of the current criticisms surrounding ISDS? The author finds that the doctrine of privity of contract finds application in heterogeneous scenarios, from decisions on jurisdiction where there are forum selection clauses in investment contracts or fork-in-the-road provisions in investment treaties, to consolidation, counterclaims and umbrella clause claims. She proposes a flexible interpretation of the doctrine of privity of contract as a guiding principle arbitral tribunals should consider along with other factors (inter alia the tightness of the relation between the investor and its subsidiary and the host state’s involvement in the organization and function of agencies or state-owned enterprises). The book’s thorough and extensive examination of investment arbitration case law draws comparisons with other international adjudicatory bodies and identifies the most actual and compelling unresolved legal issues. Appendices include lists of many of the arbitration cases, international judgments and national judgments discussed. As a constructive contribution to the current debate, this enquiry is an extraordinary achievement. No other study has conducted such thorough research on the application of privity of contract in investment treaty arbitration. It will be of great interest to arbitration lawyers, arbitrators, foreign investors, host states and scholars in all areas of international arbitration and dispute settlement.

New Forms of Governance in Research Organizations Dorothea Jansen.2007-03-14 This book undertakes to develop a sector specific theory of governance of the public research sector and applies it to the German research system. The book is the outcome of a large interdisciplinary project. It analyzes the reforms in the German research system from an integrated perspective of law, economics and social sciences. The case of Germany is compared to reforms in other European countries such as Austria, the Netherlands and the United Kingdom.

Trajectórias de Sustentabilidade Suzana Tavares da Silva,Maria de Fátima Ribeiro.2017-07-18

Federalism and Education Kenneth K. Wong,Felix Knüpling,Mario Kölling.2018-04-01 Federalism has played a central

role in charting educational progress in many countries. With an evolving balance between centralization and decentralization, federalism is designed to promote accountability standards without tempering regional and local preferences. Federalism facilitates negotiations both vertically between the central authority and local entities as well as horizontally among diverse interests. Innovative educational practices are often validated by a few local entities prior to scaling up to the national level. Because of the division of revenue sources between central authority and decentralized entities, federalism encourages a certain degree of fiscal competition at the local and regional level. The balance of centralization and decentralization also varies across institutional and policy domains, such as the legislative framework for education, drafting of curricula, benchmarking for accountability, accreditation, teacher training, and administrative responsibilities at the primary, secondary, and tertiary levels. Given these critical issues in federalism and education, this volume examines ongoing challenges and policy strategies in ten countries, namely Australia, Austria, Belgium, Canada, Germany, Italy, Spain, Switzerland, United Kingdom, and the United States. These chapters and the introductory overview aim to examine how countries with federal systems of government design, govern, finance, and assure quality in their educational systems spanning from early childhood to secondary school graduation. Particular attention is given to functional division between governmental layers of the federal system as well as mechanisms of intergovernmental cooperation both vertically and horizontally. The chapters aim to draw out comparative lessons and experiences in an area of great importance to not only federal countries but also countries that are emerging toward a federal system.

Deliberate Ignorance Ralph Hertwig,Christoph Engel.2021-03-02 Psychologists, economists, historians, computer scientists, sociologists, philosophers, and legal scholars explore the conscious choice not to seek information. The history of intellectual thought abounds with claims that knowledge is valued and sought, yet individuals and groups often choose not to know. We call the conscious choice not to seek or use knowledge (or information) deliberate ignorance. When is this a virtue, when is it a vice, and what can be learned from formally modeling the underlying motives? On which normative grounds can it be judged? Which institutional interventions can promote or prevent it? In this book, psychologists, economists, historians, computer scientists, sociologists, philosophers, and legal scholars explore the scope of deliberate ignorance.

Economic Rationality and Practical Reason Julian Nida-Rümelin.1997-04-30 The theory of practical rationality does not belong to one academic discipline alone. There are quite divergent philosophical, economical, sociological, psychological and politological contributions. Sometimes the disciplinary boundaries impede theoretical progress. On the other hand it is an indication for the high complexity of the subject that so many divergent paradigms compete with one another, or - what is worse - live separately in a kind of splendid isolation. Decision theory in the broader sense, embracing the theory of games and collective choice theory, can help to understand practical reason in philosophical analysis. But there are interesting aspects which cannot be dealt with adequately within a decision-theoretic conceptual framework. To have both of these

convictions justifies to neglect dis ciplinary boundaries and poses a problem for the orthodoxies of either sides. All the essays of this volume focus on the relation between economic rationality and practical reason and discuss different aspects of the same problem, i. e. a basic deficiency in the standard economic theory of practical rationality. But philosophical analysis would not be of much help if it just rejected the economic paradigm. It must rather help to integrate economic aspects into a broader view on practical reason.

Foundations of Private Law James Gordley.2006-01-05 Foundations of Private Law is a treatise on the Western law of property, contract, tort and unjust enrichment in both common law systems and civil law systems. The thesis of the book is that underlying these fields of law are common principles, and that these principles can be used to explain the history and development of these areas. These underlying common principles are matters of common sense, which were given their archetypal expression by older jurists who wrote in the Aristotelian tradition. These principles shaped the development of Western law but can resolve legal problems which these older writers did not confront.

Organ Transplantation in Times of Donor Shortage Ralf J. Jox,Galia Assadi,Georg Marckmann.2015-08-06 This book analyzes the reasons for organ shortage and ventures innovative ideas for approaching this problem. It presents 29 contributions from a highly interdisciplinary group of world experts and upcoming professionals in the field. Every year thousands of patients die while waiting for organ transplantation. Health authorities, medical professionals and bioethicists worldwide point to the urgent and yet unsolved problem of organ shortage, which will be even intensified due to the increasing life expectancy. Even though the practical problem seems to be well known, the search for suitable solutions continues and often restricts itself by being limited through disciplinary and national borders. Combining philosophical reflection with empirical results, this volume enables a unique insight in the ethics of organ transplantation and offers fresh ideas for policymakers, health care professionals, academics and the general public.

The Quest for World Order and Human Dignity in the Twenty-first Century W.M. Reisman.2013-02-18 Also available as an e-book This General Course is concerned, first, with understanding and assessing the aggregate performance of the world constitutive process, in present and projected constructs; second, with providing the intellectual tools that can enable those involved in making decisions to be more effective, whether they are operating in islands or offshore; and, third, with inquiring into ways the international legal system might be improved. Reisman identifies the individual as the ultimate actor in international law and explores the dilemmas of meaningful individual commitment to a world order of human dignity amidst interlocking communities and overlapping loyalties.

Public Law in Germany Michael Stolleis.2017 German public law has been taught in universities since the early 17th century and continues to this day to be a dominant subject in German legal culture, especially in its modern incarnations of constitutional and administrative law, and European and international law. Michael Stolleis's Public Law in Germany: A

Historical Introduction from the 16th to the 21st Century, expertly translated by Thomas Dunlap, provides an account of the fundamental developments in public law that situates current debates in the German Federal Constitutional Court as well as the role of the nation-state in Europe more broadly. It further examines the role of fundamental rights through the lens of Germany's special administrative courts and discusses their important role in the advancement of German law. Written with students in mind, the book distils Stolleis's masterful four-volume History of Public Law in Germany, the third volume of which (1914-1945) was published by Oxford University Press in 2004. It is an invaluable companion to the understanding of German public law more generally.

Rough Consensus and Running Code Gralf-Peter Calliess,Peer Zumbansen.2010-05-31 Private law has long been the focus of efforts to explain wider developments of law in an era of globalisation. As consumer transactions and corporate activities continue to develop with scant regard to legal and national boundaries, private law theorists have begun to sketch and conceptualise the possible architecture of a transnational legal theory. Drawing a detailed map of the mixed regulatory landscape of 'hard' and 'soft' laws, official, unofficial, direct and indirect modes of regulation, rules, recommendations and principles as well as exploring the concept of governance through disclosure and transparency, this book develops a theoretical framework of transnational legal regulation. Rough Consensus and Running Code describes and analyses different law-making regimes currently observable in the transnational arena. Its core aim is to reassess the transnational regulation of consumer contracts and corporate governance in light of a dramatic proliferation of rule-creators and compliance mechanisms that can no longer be clearly associated with either the 'state' or the 'market'. The chosen examples from two of the most dynamic legal fields in the transnational arena today serve as backdrops for a comprehensive legal theoretical inquiry into the changing institutional and normative landscape of legal norm-creation.

Become Younger Norman W. Walker.2010-11-09 Dr. Walker lays out his program on how to become younger which he partly defines as having all or most of the attributes of youth, health, energy, vitality and perpetual laughter on the lips and in the eyes. The key to accessing both more energy and more vitality lies in changing our eating, drinking, and living habits. Dr. Walker encourages people to develop a very definite philosophy he calls Right Thinking, which is maintaining a positive outlook and positive thoughts about themselves and others. Together with the other principles outlined in his program, he offers readers knowledge that gives them the courage to make the changes necessary. Readers are given a brief yet concise introduction to different parts of our anatomy and how these systems work for and against us, depending upon the food we consume. Dr. Walker recommends changing old eating habits to include natural, nourishing foods. The use of juicing, fasting, and eating natural, organic foods in their unprocessed forms, including mostly raw fruits and vegetables, play an important role in maintaining good health. Through his personal observations, experience, and knowledge, Dr. Walker provides the information needed to stay younger.

Dispute Resolution in Islamic Finance Adnan Trakic,John Benson,Pervaiz K Ahmed.2019-01-22 Dispute Resolution in Islamic Finance addresses how best to handle disputes within Islamic finance. It examines how they can be resolved in a less confrontational manner and ensure such disagreements are settled in a just and fair way. There has been little focus on how disputes within Islamic finance are resolved. As a result, many of these disputes are resolved through litigation, notwithstanding that the various jurisdictions and court systems are generally poorly equipped to handle such matters. This book addresses this gap in our knowledge by focusing on five centres of Islamic finance: the United Kingdom, the United States of America, Malaysia, the Kingdom of Saudi Arabia and the United Arab Emirates. Before exploring these countries in detail, the book considers the issues of the choice of law within Islamic finance as well the prevailing forms of dispute resolution in this form of finance. The book brings together a group of leading scholars who are all specialists on the subject in the countries they examine. It is a key resource for students and researchers of Islamic finance, and aimed at lawyers, finance professionals, industry practitioners, consultancy firms, and academics.

The Politics of a European Civil Code Martijn Willem Hesselink.2006-01-01 With a significant number of claims having been brought under NAFTA Chapter 11 in the last 3 years, public and professional interest in this topic has been growing significantly. Quite simply, anyone doing business under NAFTA, or anyone representing a company doing business under NAFTA, must be completely familiar with the provisions of Chapter 11. Combining expert commentary with complete primary source materials and case law, Kluwer Law International's Investment Disputes Under NAFTA is the must-have resource for anyone planning - or already involved in - a Chapter 11 claim. NAFTA's Chapter 11, like many treaties, sets forth rules for arbitration. Current procedures have been developed, in part, as cases have arisen and been resolved. This book enables anyone interested in these procedures to know exactly the current state of the law. Only Investment Disputes Under NAFTA delivers: Article-by-Article explanations of the ins and outs of Chapter 11; a valuable collection of key case law that has been affected by Chapter 11; accurate and thorough cross-referencing to help you quickly and easily find all relevant material; and logical organization of all materials as well as a complete index and table of cases. This one-of-a-kind resource is practice based and user-friendly. It is the only product to collect the body of NAFTA jurisprudence. It also incorporates substantial references to decisions in other investment treaty cases, decisions by mixed claims commissions and other arbitral bodies, Iran-U.S. Claims Tribunal jurisprudence, and International Court of Justice decisions. Kluwer Law International's Investment Disputes Under NAFTA also contains charts presenting valuable information such as the arbitrators in each case, the rules under which the arbitrations have been conducted, and the remedies granted in each particular case

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