

CONSTITUTIONAL INTERPRETATION

CASES—ESSAYS—MATERIALS
Second Edition

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H Kauffman



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Books in Print, 1994 Books in Print Supplement, 1994 **Recording for the Blind & Dyslexic, ... Catalog of Books**, 1996 *Paperbound Books in Print*, 1992 *Forthcoming Books* Rose Army, 1994-04 *The Arizona State Constitution* John D. Leshy, 2011 In *The Arizona State Constitution* John D. Leshy provides a comprehensive history of Arizona's constitutional development. Adopted at the height of the progressive movement, the Constitution contains many progressive innovations. Leshy describes these along with the dramatic changes the state has undergone in subsequent decades. He also includes a section by section commentary which crisply discusses the evolution and interpretation of each section including significant court decisions. *The Arizona State Constitution* is an essential reference guide for readers who seek a rich account of Arizona's constitutional evolution. Previously published by Greenwood, this title has been brought back in to circulation by Oxford University Press with new verve. Reprinted with standardization of content organization in order to facilitate research across the series, this title as with all titles in the series is set to join the dynamic revision cycle of *The Oxford Commentaries on the State Constitutions of the United States*. *The Oxford Commentaries on the State Constitutions of the United States* is an important new series that reflects a renewed international interest in constitutional history and provides expert insight into each of the 50 state constitutions. Each volume in this innovative series contains a historical overview of the state's constitutional development, a section by section analysis of its current constitution, and a comprehensive guide to further research. Under the expert editorship of Professor G. Alan Tarr, Director of the Center on State Constitutional Studies at Rutgers University, this series provides essential reference tools for understanding state constitutional law. Books in the series can be purchased individually or as part of a complete set, giving readers unmatched access to these important political documents. *Subject Guide to Books in Print*, 1997 **International Legal Books in Print, 1990-1991** Bowker-Saur, 1990 *The Publishers' Trade List Annual*, 1985 **Resources in Education**, 1996-06 *Faculty Writings*, 1987 **We the People**, 1992 **We the People** Commission on the Bicentennial of the United States Constitution, 1992
Canadian Books in Print 2002 Marian Butler, 2002-02 **The Burden of Proof in Comparative and International Human Rights Law** Juliane Kokott, 2023-12-28 This book explores how courts decide or ought to decide in situations of uncertainty. A Court must always decide the case before it even if the relevant facts remain unclear. The question then arises which party benefits and which party is burdened by that uncertainty. In these cases the Court must apply the rules on the burden of proof or more precisely the burden of persuasion. Their importance for the individual claimant is obvious. The comparison of two domestic systems, one based on common law and the other a traditional code-based legal order, with regard to the issue of burden of proof helps to clarify the terminology and lays the ground for dealing with the burden of proof in international human rights law. Without knowing what can be understood by the term burden of proof under

domestic law international lawyers with different domestic law backgrounds are in danger of misunderstanding each other This may lead to obscuring the problems connected with court decisions involving uncertainty The study also deals with uncertainties with regard to legislative general in contrast to adjudicative individual facts and with uncertainties in the framework of predictions in contrast to uncertainties relating to historic facts It attempts to prepare the ground for dealing more consciously and more consistently with problems of uncertainty in international human rights law International courts due to their geographical and cultural distance from the case usually have less access to the underlying facts Nevertheless in order to protect human rights effectively international courts and tribunals cannot always restrict themselves to reviewing the law but may also have to decide on the facts Thus issues relating to decision making on the basis of uncertain facts including the burden of persuasion are even more important in international than in domestic human rights law **A**

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