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CONSTITUTIONAL AND ADMINISTRATIVE LAW

Richard Glancey, Eimear Spain and Rhona Smith

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dominance India was plunged in Common Law Jurisprudence interwoven with Hindu Philosophy The Midnight country awoke in 1947 to an Independent democratic set up and in 1950 was wedded to the Indian Constitutional philosophy laid with the bricks of Common Law With the establishment of the Supreme Court of India the apex judicial institution in an interpretative mood carved a unique niche for Anglo Indian Jurisprudence amidst the Legal Systems of the World In the twenty first century India is on a launch pad as a new political and economical superpower At this stage there is a need for India to familiarize with the Civil Law System that has grip on the other half of the commercial world Tiny pockets in Western and in Eastern India as parts of erstwhile Portuguese or French colonial possessions had earlier experienced the Continental Jurisprudence These pockets have the unique distinction of having run both the Common and Civil Law Systems and even simultaneously during the transition period This experience can be a contribution to the globalizing world Hence it is necessary to foster the study of Civil Law in India not only from its historical past but also from its future prospects in world market In Civil Law Studies An Indian Prospective about two dozen scholars from the Law faculties of the Universities of India Lisbon and Coimbra have collaborated to visualize the role for Civil Law Studies in the subcontinent They have explored the different branches of law for comparative research such as constitutional civil commercial criminal etc The book is intended to be a thought provoking exercise which will strengthen the Study and Research of Civil Law in India The suggestions are meant to empower legal educators law students the bar and the bench in India Comparative Law Uwe Kischel, 2019-02-21 Uwe Kischel's comprehensive treatise on comparative law offers a critical introduction to the central tenets of comparative legal scholarship The first part of the book is dedicated to general aspects of comparative law The controversial question of methods in particular is addressed by explaining and discussing different approaches and by developing a contextual approach that seeks to engage with real world issues and takes a practical perspective on contemporary comparative legal scholarship The second part of the book offers a detailed treatment of the major legal contexts across the globe including common law civil law systems based on Germany and France and extended to Eastern Europe Scandinavia and Latin America among others the African context with an emphasis on customary law different contexts in Asia Islamic law and law in Islamic countries plus a brief treatment of Jewish law and canon law and transnational contexts public international law European Union law and lex mercatoria The book offers a coherent treatment of global legal systems that aims not only to describe their varying norms and legal institutions but to propose a better way of seeking to understand how the overall context of legal systems influences legal thinking and legal practice

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