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English Legal System in Context

Fourth Edition



Cownie And Bradney English Legal System In Context

Martin Partington



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The Politics of the Common Law Adam Gearey, Wayne Morrison, Robert Jago, 2013-05-02 The Politics of the Common Law offers a critical introduction to the legal system of England and Wales Unlike other conventional accounts this revised and updated second edition presents a coherent argument organised around the central claim that contemporary postcolonial common law must be understood as an articulation of human rights and open justice The book examines the impact of the European Convention and European Union law on the structures and ideologies of the common law and engages with the politics of the rule of law These themes are read into normative accounts of civil and criminal procedure that stress the importance of due process The final sections of the book address the reality of civil and criminal procedure in the light of recent civil unrest in the UK and the growing privatisation of public services The book questions whether it is possible to find a balance between the requirements of economics and the demands of justice

Muslim Women and Shari'ah Councils S. Bano, 2012-11-14 Using original empirical data and critiquing existing research Samia Bano explores the experience of British Muslim woman who use Shari ah councils to resolve marital disputes She challenges the language of community rights and claims for legal autonomy in matters of family law showing how law and community can empower as well as restrict women

Research Methods in Law Dawn Watkins, Mandy Burton, 2025-07-31 Explaining in clear terms some of the main methodological approaches to legal research Research Methods in Law is written by specialists in their fields researching in a variety of jurisdictions Covering a range of topics including feminist approaches economic analysis of the law and socio legal studies each contributor addresses the topic of lay decision makers in the legal system from their particular methodological perspective This focus on one main topic allows the reader to draw comparisons between methods with relative ease This third edition has been fully updated and includes bullet point summaries at the start of each chapter There are also two new chapters covering biographical approaches and creative approaches The broad range of contributors makes Research Methods in Law well suited to an international audience and it is ideal reading for PhD students in law undergraduate dissertation students in law LL M Research students and early year researchers

Handbook on Legal Cultures Sören Koch, Marius Mikkelsen, Kjølstad, 2023-05-30 Cooperation across borders requires both knowledge of and understanding of different cultures This is especially true when it comes to the law This handbook is the first to comprehensively present selected legal cultures based

on a very specific set of structural elements which can be found in all such cultures Legal cultures are a product of and impacted by certain fundamental and commonly shared ideas on and expectations of the law In all modern societies these ideas are to a certain degree institutionalized or at least embedded in institutionalized practices These practices determine the way lawyers are educated and apply the law how they engage with the ongoing internationalization of law and what kind of values they adhere to Looking at these elements separately enables the reader to identify similarities and differences and to explain them contextually Understanding these general features of legal cultures can help avoid misunderstandings or misinterpretations of foreign law and its application Accordingly this handbook is a necessary starting point for all kinds of legal comparative studies conducted by academics students judges and other legal practitioners **Optimize English**

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more critical perspectives being given little voice in mainstream EU studies From the standpoint of legal reasoning Gerard Conway offers the first sustained critical assessment of how the ECJ engages in its function and offers a new argument as to how it should engage in legal reasoning He also explains how different approaches to legal reasoning can fundamentally change the outcome of case law and how the constitutional values of the EU justify a different approach to the dominant method of the ECJ

Europeanization of Judicial Review Nicola Ch. Corkin, 2014-11-13 Europeanization of Judicial Review argues that the higher complexity of the political framework in which laws are made today leads to less well designed laws and loop holes allowing politicians to leave decisions to the courts The higher complexity of the political framework is a result of the need in the EU to consider both national and European legal and political rules when phrasing new laws Both to decrease the complexity in the design of legislation and to preserve the ideal of the rule of law the courts now are more likely to rule laws unconstitutional The book employs a wide range of quantitative and qualitative methods to collect new data about the German Austrian and Italian constitutional courts over the last four decades These three courts have a comparable history theoretical background and structure while differing in two key components length of EU membership and legitimacy perception Corkin employs multi method research based on over fifty interviews with judges politicians and civil servants content analysis of abstract judicial review cases over three decades and a database of over 300 variables relating to the courts and their surroundings Her data reveals that in abstract judicial review and in the wider political arena political culture has become more confrontational due to attitude changes in politicians and judges These attitude changes can be directly linked to the EU and have wide ranging implications for legitimacy democracy and political methodology Presenting a bridge between the revitalized realist and legalist debate Europeanization of Judicial Review will contribute to socio legal theory literature on comparative courts and both new institutionalism and Europeanization theory

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