

CONSTITUTIONAL INTERPRETATION

CASES—ESSAYS—MATERIALS
Second Edition

Harold W. Chase
Craig R. Ducat



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Michael Brown



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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 Tribute*, 2000 Programs and presentations from Charles Alan Wright remembrances held throughout the latter half of 2000

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