

Business Law 15th Edition Mallor

Smith & Keenan's English Law
Der Code des Kapitals
Der Bestandsschutz besitzloser
Mobiliarsicherheiten im deutschen und englischen Recht
Law Immigration Practice - 15th
Edition
Gedruckte Schuldverschreibungen in Deutschland und Großbritannien
Power: Die 48
Gesetze der Macht
Ausländische öffentlich-rechtliche Forderungen in der
Insolvenz
Rechtsfragen des Indiengeschäfts
EU Private International Law
Die einseitig verpflichtende
Schuldzusage
The Foundation of Choice of Law
Essays in International
Litigation for Lord Collins
The Reception and Transmission of Civil Procedural Law in the
Global Society
China and International Dispute Resolution in the Context of the 'Belt and Road
Initiative'
Injunctive Relief and International Arbitration
Untersuchungen zur
Unschuldsvermutung
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The Restrictive Covenant in the Control of Land
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Politischer Utilitarismus und bürgerliches Rechtsdenken
R.K. Jain's GST Tariff of India with
GST Rates & Exemptions of Goods & Services (Set of 2 Vols.) – Complete Details about the
Taxability & GST Rates | Amended Tariff Schedules | 1-1-2022
Justice of the Peace and Local
Government Review
Visions of Sharī'a
The War Lawyers
Justice of the Peace
Identification of
Customary International Law
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International Trade Law
Der Zustellungsverkehr mit dem Vereinigten Königreich
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of Autonomy of Arbitration in View of the Involvement of Court System
The English Prison and
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Sexual Freedom and Its Impact on Economic Growth and Prosperity
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Recorder
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Gesetzlicher Richter ohne Rechtsstaat? Kompromisslos
verhandeln
Internationale Mediation
Denis J. Keenan
Katharina Pistor
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Ali-reza Bhojani
Craig Jones
Michael Wood
Sir Ivor Jennings
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Guyora Binder
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Lionel W. Fox
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D. Butler
Michel Rosenfeld
Hiromi Sato
Ulrike Müßig
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Justice of the Peace and County, Borough, Poor Law Union and Parish Law Recorder The Identity of the Constitutional Subject The Execution of Illegal Orders and International Criminal Responsibility Gesetzlicher Richter ohne Rechtsstaat? Kompromisslos verhandeln Internationale Mediation *Denis J. Keenan Katharina Pistor Ulrike Müßig Raymond Wacks Robert C. Divine Tobias Koppmann Robert Greene Neil Kranzhöfer Jörg Podehl Peter Stone Niklas Wielandt Sagi Peari Jonathan Harris Masahisa Deguchi Wenhua Shan Hakeem Seriki Carl-Friedrich Stuckenberg Ursula Werther-Pietsch Donald L. Sabey Wilfried Löwenhaupt R.K. Jain Ali-reza Bhojani Craig Jones Michael Wood Sir Ivor Jennings Indira Carr Daniel Nitschmann Guyora Binder CHEUNG Wai Man (張慧敏) Lionel W. Fox Feler Bose Hugh D. Butler Michel Rosenfeld Hiromi Sato Ulrike Müßig Chris Voss Cathrin Wentzel*

uniquely comprehensive in its coverage this textbook examines the english legal system and main areas of substantive law including contract tort criminal property and employment law in one volume

kapital ist das bestimmende merkmals moderner volkswirtschaften doch die meisten menschen haben keine ahnung woher es tatsächlich kommt was verwandelt bloßen reichum in ein vermögen das automatisch mehr reichum schafft katharina pistor zeigt in ihrem bahnbrechenden buch wie kapital hinter verschlossenen türen in anwaltskanzleien geschaffen wird und warum dies einer der wichtigsten gründe für die wachsende ungleichheit in unseren gesellschaften ist techniken die vor jahrhunderten landbesitz in kapital transformierten dienen heute zur codierung von aktien anleihen ideen und zukunftserwartungen ein großes beunruhigendes porträt der globalen natur dieses codes sowie der menschen die ihn gestalten und der regierungen die ihn durchsetzen

law is at the heart of every society protecting rights imposing duties and establishing a framework for the conduct of almost all social political and economic activity despite this the law often seems a highly technical perplexing mystery with its antiquated and often impenetrable jargon obsolete procedures and endless stream of complex statutes and legislation in this very short introduction raymond wacks introduces the major branches of the law describing what lawyers do and how courts operate and considers the philosophy of law and its pursuit of justice freedom and equality in this second edition wacks locates the discipline in our contemporary world considering the pressures of globalization and digitalisation and the nature of the law in our culture of threatened security and surveillance about the series the very short introductions series from oxford university press contains hundreds of titles in almost every subject area these pocket sized books are the perfect way to get ahead in a new subject quickly our expert authors combine facts analysis perspective new ideas and enthusiasm to make interesting and challenging topics highly readable

immigration practice guides readers through all aspects of immigration law in one volume complete with over 3 000 footnote citations to the wide range of statutes regulations court and administrative cases policy memos operations instructions agency interpretive letters and internet sites that a lawyer needs for complete understanding of a particular problem no other source merges the practical with commentary and analysis so helpfully the book explains in understandable language and meaningful and dependable detail the substantive issues and the practical procedures a lawyer needs to handle a specific immigration matter complete with checklists of forms supporting evidence and other strategies needed for application petition packages the book has unparalleled coherence integration and consistency liberally cross references to other sections in the book where related topics are discussed because so many topics are interrelated line by line instructions on how to complete the most commonly used forms to avoid embarrassing mistakes lists the contents of packages to file with government agencies forms and fees detailed support letters and other supporting evidence explanations

of potentially applicable visa options organized according to the attributes of the foreign national and the employer rather than classifications in alphabetical order so that practitioners can make sense of options in light of the client in the office comparisons and charts of attributes and procedures of such topics as nonimmigrant visa classifications procedures to permanent residence and standards of extreme hardship citations throughout the book and collection in the extensive cd rom appendix to primary source materials and the most useful internet site urls with explanation of the increasingly helpful free databases and tools available through each one internet links constantly increased and updated links to government web sites containing current contact information forms primary law sources of all types case status information and processing and substantive guides all referenced by pinpoint citations in the text see chapter 5 explaining sources of law appendix c and d 1 showing web links and the cd rom in the back cover providing one click access readers are strongly encouraged to review and use the cd rom and to consider saving appendix c d 1 and e 1 into their hard drives or saving the links to their internet browser favorites or bookmarks for ready reference all the time upgraded removal related treatment significant improvements to chapters 10 11 and 16 by attorney who has worked for immigration courts several years supreme court decisions effects of limited marijuana distribution offense as aggravated felony 10 6 b 1 vi tax offenses as aggravated felonies 10 6 b 1 vi rejection of comparable grounds rule for 212 c eligibility 10 6 b 1 vii modified categorical approach applies only to divisible statutes 10 6 b 2 i non retroactivity of padilla decision 10 6 b 2 vi rejection of the statutory counterpart rule for 212 c waivers 11 5 f invalidation of the defense of marriage act 14 7 a 2 i non imputation to child of firm resettlement of parents 16 4 c lower federal court decisions concerning such issues as recognizing a beneficiary to have standing to challenge a uscis petition denial 2 2 a 1 i reviewability of good moral character determinations and other 2 2 a 1 i court order of uscis to speed up foia certain responses 4 2 cbp foia process 4 2 dol case disclosure data 4 5 need to exhaust remedies under dhs trip to challenge inclusion on watch list 10 3 cimt crime determinations 10 6 b 1 iii effect of a single firearm sale 10 6 b 1 vi 212 h waiver eligibility in regard to post entry adjustment but not as to stand alone request 10 6 b 3 interference with police helicopter using laser light as cimt 10 6 c whether post entry adjustment is an admission for 212 h waivers 10 6 b 3 whether there is an involuntariness or duress exception to the terrorism support bar 10 6 c enforcement of i 864 financial support obligations 10 6 d 2 mandatory bond hearing after six months of detention 11 3 f ice detainers found to lack authority 11 3 g representation in immigration court at government expense for aliens with serious mental disabilities 11 4 g stop time and petty offense exceptions relating to cancellation of removal 11 5 f revelation of the bia s erroneous reliance for decades on nonexistent provisions of mexican constitution affecting legitimation issues 12 3 d 3 rejection of bia s rule against nunc pro tunc adoption orders 14 7 b 3 invalidation of fsbpt efforts to restrict applicants from certain countries to sit for physical therapy exams 15 2 c 2 use of impeachment evidence only to terminate asylum 16 2 b asylum claims of german homeschoolers and mixed motive cases 16 4 a 3 social group asylum claims 16 4 a 3 expansive implications of inconsistencies in testimony 16 4 a 4 particularly serious crimes barring asylum claims 16 4 c special asylum procedures for unaccompanied children 16 4 c adjustment eligibility of alien who entered without inspection and then obtained tps 16 7 a 6 eligibility of after acquired spouse under cuban adjustment act 16 7 e preempted state law provisions aimed at aliens employers and landlords 19 4 l 3 bia decisions on such issues as what constitutes a drug trafficking crime 10 6 b 1 iv implications of child pornography conviction 10 6 b 1 vi possession of ammunition by a convicted felon 10 6 b 1 vi availability of stand alone 212 h waiver without adjustment application 10 6 b 3 service of nta on a minor 11 3 b service of nta and other safeguards for aliens with serious mental conditions 11 4 g approval of administrative closure of removal cases 11 5 d termination of asylum then removal and relief in proceedings 16 2 b relocation issues in asylum claims 16 4 a 3 regulations government policy

memorandums other decisions and government web site enhancements concerning such matters as differing government renderings of single name for certain persons 1 6 a 3 uscis refusal to accept stamped signatures for attorneys on g 28 1 6 a 3 uscis use of bar codes for forms and danger of making marginal notes on forms 1 6 a 3 uscis use of customer completed e request service inquiries 2 2 a 1 f movement of all visa processing to the electronic ceac system 2 3 a replacement of the cbp inspectors field manual with the officer s reference tool and the beginning effort to replace the uscis adjudicators field manual with the online policy manual 5 4 replacement of the paper i 94 card for air and sea entries with an automated online i 94 record 7 4 b and other sections new section on other redress for adverse results on visas and admissions 7 4 c 14 the radical implications of matter of arrabally and yerrabelly concerning the effects of departure under advance parole 8 7 d 2 i and 10 6 f modernization of the immigrant visa process 8 8 new provisional unlawful presence waivers within the u s using form i 601a 10 6 f exception to false claim to u s citizenship inadmissibility if claim made before individual was age 18 10 6 g eoir online representative registration system 11 3 e ice parental interests directive and ice ebond online bonding process 11 3 f ice non renewal of 287 f agreements 11 3 g deferred action for childhood arrivals 11 3 h 3 ice recognition and implementation of statute allowing post removal challenges 11 8 b new uscis policy manual provisions on naturalization eligibility and process including residence selective service 319 b special rules and other issues and new n 400 form and instructions chapter 12 government side implementation of the supreme court s recognition of same sex marriage various chapters exceptional circumstances allowing foreign country filing of i 130 petitions where no uscis office is located 14 5 a implications of a withdrawn i 140 15 1 h various policy developments concerning eb 5 investors 15 2 f numerous balca cases and dol positions affecting the perm labor certification process and the publication of data about applications 15 3 updated affirmative asylum procedures manual 16 3 a uscis memo on exceptional circumstances for failure to appear at asylum interview 16 3 a 1 iii litigation settlement agreements to share asylum officer interview notes in foia 16 3 a 2 concerning asylum applicant work authorization process and clock 16 3 c and failure to appear at i 730 interview 16 3 f bundling of related l 1 petitions 17 3 b 4 i presumed l 1 visa validity for maximum reciprocity duration but sometimes more limited stays from cbp 17 3 b 7 filing i 129 petition for canadian tn and duration of mexican tn separate from visa validity 17 4 c 2 ii h 1b and h 2a flip flopping administrative and congressional positions 17 4 d and 17 5 e 1 b 1 in lieu of h in effect but under review 18 3 1 2 b accreditation requirements for f 1 language training programs 18 4 d 1 cessation of cbp stamping of i 20 forms 18 4 d 3 use of electronic elis system for certain changes of status 18 4 d 4 new cap gap and stem opt extension policies 18 4 d 9 iii possible need for separate waivers for different j experiences subject to 212 e 18 5 b 2 ix revisions to m 274 handbook for employers for i 9 uscis i 9 central web site and irs tightening of itin application process 19 4 b ice policies about auditing electronically generated i 9 forms 19 4 h ocaho reductions of ice i 9 fines on employers 19 4 j ice definition of technical and procedural errors subject to correction under good faith rules 19 4 j uscis revision of e verify mou and new notice to workers about tnc resolution expansion of e verify photo tool and lock out of suspect ssns from e verify 19 4 l 1

die vorliegende dissertation beschäftigt sich rechtsvergleichend mit dem pfandbrief und dem uk covered bond das pfandbriefrecht wird darin nach seiner neuordnung im pfandbriefgesetz pfandbg im jahr 2005 und novellierung im jahr 2009 in weiten teilen handbuchartig dargestellt und den uk regulated covered bond regulations aus dem jahr 2008 rcb regulations 2008 auch unter beruecksichtigung und darstellung der auswirkungen der finanzkrise gegenübergestellt neben der vertiefung des verständnisses von gedeckten schuldverschreibungen und der fortbildung des nationalen rechts soll mit dem vorliegenden werk ein beitrag zur bewertung der sicherheit und vorteilhaftigkeit von gedeckten schuldverschreibungen und zur diskussion der integration der eu hypothekarkreditmärkte und insbesondere zur refinanzierung des

hypothekarkredits mittels gedeckter schuldverschreibungen geleistet werden

mit über 200 000 verkauften exemplaren dominierte power die 48 gesetze der macht von robert greene monatelang die bestsellerlisten nun erscheint der klassiker als kompaktausgabe knapp prägnant unterhaltsam wer macht haben will darf sich nicht zu lange mit moralischen skrupeln aufhalten wer glaubt dass ihn die mechanismen der macht nicht interessieren müssten kann morgen ihr opfer sein wer behauptet dass macht auch auf sanftem weg erreichbar ist verkennt die wirklichkeit dieses buch ist der machiavelli des 21 jahrhunderts aber auch eine historische und literarische fundgrube voller Überraschungen

in vielen insolvenzverfahren umfassen öffentlich rechtliche forderungen besonders steuerforderungen einen erheblichen teil der offenen verbindlichkeiten angesichts der fortschreitenden internationalisierung des rechts und wirtschaftslebens ruckt die frage nach der behandlung solcher forderungen ausländischer hoheitstrager im deutschen insolvenzverfahren in den vordergrund seit dem inkrafttreten der europäischen insolvenzverordnung sieht das unionsrecht vor dass die öffentlich rechtlichen forderungen der eu mitgliedstaaten in jedem europäischen insolvenzverfahren wenigstens anteilig zu erfüllen sind hingegen wird den entsprechenden forderungen von drittstaaten die befriedigung im insolvenzverfahren traditionell unter ruckgriff auf volkerrechtliche argumente verwehrt neil kranzhofer widmet sich der kritischen untersuchung dieses nichtteilnahmegrundsatzes

indien gehört weltweit zu den am stärksten wachsenden volkswirtschaften und deutschland ist innerhalb der europäischen union der wichtigste handelspartner dieser wirtschaftsmacht das vorliegende buch verschafft deutschen unternehmern mit geschäftlichen kontakten in indien sowie deren beratern einen Überblick über die rechtlichen möglichkeiten und fallstricke des indiengeschäfts ausgehend von den unterschiedlichen unternehmerischen investitionsformen stellen die autoren das indische rechtssystem vor gerichtssystem schiedsgerichte handelsverträge immobilienwerb arbeitsrecht umweltrecht etc abgerundet wird die darstellung durch ausführungen über die gründung einer repräsentanz eines joint ventures und einer eigenen gesellschaft in indien die neuauflage berücksichtigt Änderungen bezüglich ausländischer direktinvestitionen fdi die wichtigsten aktualisierungen im insolvenzrecht sowie die neue gesetzeslage im indischen steuerrecht durch die zum 1 juli 2017 in kraft tretende goods and services tax gst die größte steuerreform seit der unabhängigkeit 1947 außerdem werden die Änderungen im bereich der schiedsgerichtsbarkeit dargestellt

thoroughly revised and updated this third edition of eu private international law incorporates many developments in legislation and case law since the publication of the second edition in 2010 building on the book s reputation for comprehensive cover

schuldzusagen treten im deutschen und englischen recht in unterschiedlichen formen auf dabei wird die bezweckte rechtsfolge nicht immer klar und die ausarbeitung einer typenreihe bereitet probleme das deutsche recht versucht je nach parteiwillen selbständige feststellende und nichtrechtsgeschäftliche schuldzusagen zu unterscheiden im englischen recht erlangen zusagen dagegen über die lehre der consideration verbindlichkeit dies verlangt einen leistungsaustausch soweit die erklärung nicht in form der deed erfolgt auch kennen beide rechtskreise zusagen nichtvertraglicher art die arbeit ordnet die gesamtheit der schuldzusagen in einer typenreihe und vergleicht sie auf diese weise gewährt sie orientierung im umgang mit einseitig bindenden schuldzusagen in beiden jurisdiktionen

this book focuses on the subject of choice of law as a whole and provides an analysis of its various rules principles doctrines and concepts it offers a conceptual account of choice of law called choice equality foundation cef which aims to flesh out the normative basis of the

subject the author reveals that despite the multiplicity of titles and labels within the myriad choice of law rules and practices of the u s canadian european australian and other systems many of them effectively confirm and crystallize cef s vision of the subject this alignment signifies the necessarily intimate relationship between theory and practice by which the normative underpinnings of cef are deeply embedded and reflected in actual practical reality among other things this book provides a justification of the nature and limits of such popular principles as party autonomy most significant relationship and closest connection it also discusses such topics as the actual operation of public policy doctrine in domestic courts and the relation between the notion of international human rights and international commercial dealings and makes some suggestions about the ability of traditional rules to cope with the advancing challenges of the digital age and the internet

this collection is in honour of the remarkable career of lord collins the book offers a set of unique insights into the conduct of cross border litigation the judicial role in international cases the shape of english private international law the conduct of international arbitration and the interface with public international law

in modern times the civil procedural laws of every country have been influenced by those of other countries for instance the japanese legal system was itself influenced by chinese culture and later developed independently under the policy of national isolation and since 1868 japan has modernized its civil procedural law using french german and american law as its models japan has recently tried to contribute by way of legislative and legal educational assistance to other asian countries vietnam cambodia etc in civil and procedural law the civil procedural laws of different countries should be expected to harmonize with each other in the global society this book is the outcome of the congress of the international association of procedural law at the ritsumeikan university in kyoto japan in this book various outstanding contributors are treating a contemporary legal problem in their own civil procedural systems including examples from india the netherlands korea italy china japan etc

the first comprehensive study of china s role in international dispute resolution in the context of the belt and road initiative

this book explores from an english law and institutional perspective the various types of injunctive relief that are available to a party before and during arbitral proceedings in particular this book examines the basis of the power of english courts to grant such injunctions and explains when such injunctions will be granted it considers any limitations attached to such injunctions and the relationship between section 44 of the arbitration act 1996 and section 37 of the senior courts act 1981 it also provides an in depth analysis of case law and the emerging trends in this area of arbitration as well as the powers of arbitrators under the icc and lcia rules to grant such relief and other remedies that might be available to a party seeking to uphold an arbitration agreement this book will be a vital reference tool for practitioners arbitrators and postgraduate students

keine ausführliche beschreibung für untersuchungen zur unschuldsvermutung verfügbar

this book analyses the collective security system as it now stands focusing on strategic and normative frameworks the old system of international collective security is based on assumptions that are inadequate in relation to current challenges against the backdrop of changed geopolitical constellations democracies under siege and the challenges posed by new types of warfare critical analysts hold that not a single multilateral institution today is fully up to the task it was created for the un from its founding to the sustained peace approach represents a fascinating global process of vision building and adaptation to reality based on

this understanding the dynamics of the un peace and security architecture are examined along with major agendas from peacebuilding to development in turn reform proposals in the post covid 19 era are discussed the book examines whether a regionalization of security structures within the un framework may offer a way out of global fragility and growing instability factors a question of utmost importance for conflict prevention and crisis management in the next few decades in turn the author discusses a normative positioning of a new intervention logic as the lowest common denominator between collaborative regional orders reinvented multilateralism will return as a must given its scope the book will appeal to students and scholars of international relations and international security studies as well as to policymakers in governments and international organizations

first published in 1999 this book breaks new ground by treating the restrictive covenant from the aspect of the control of land use at its heart is a detailed account of the discharge or modification mechanism a system of practical importance to professionals in law planning and land management this central component is furthered by an historical account of the development of the concept from *tulk v moxhay* the seminal case of 1848 to the present and by an assessment of its future in a legal system dominated by planning and environmental control it is a study of the way in which a particular equitable doctrine has grown from simple beginnings to become a tool of considerable practical importance enabling it to meet changing social and economic needs it charts the growth of a concept wherein principles of private and public law come together in the fields of property and planning and gives some pointers to possible reform of the law and the future role of the restrictive covenant

this book provides complete details about the taxability gst rates with amended tariff schedules as applicable from 1 1 2022 it also includes a ready reckoner for gst rates gst notifications advanced rulings case laws lastly it incorporates basic details such as how to use gst tariff how to calculate tax under gst introduction to gst tariff classification of goods services under gst list of nil rated exemption non taxable goods under cgst igst sgst utgst list of nil rated exemption non taxable services under cgst igst sgst utgst exemption to small taxpayers with annual turnover up to inr 40 lakh 20 lakh 10 lakh threshold exemption composition scheme for payment of 1 or 5 gst on annual turnover of goods and restaurant service up to inr one and a half crore 75 lakh in a financial year new composition scheme w e f 1 4 2019 for intra state supplies of services or goods or both on payment of 6 gst 3 cgst 3 sgst on annual turnover up to inr 50 lakh in a financial year for taxpayers not covered under the existing composition scheme for goods and restaurant services statutory provisions for gst levy rate of tax exemptions cgst act 2017 extracts interpretative rules as applicable to gst tariff list of abbreviations used in the tariff the present publication is the 15th edition authored by r k jain as amended on 1st february 2022 this book consists of 9 parts part 1 gst tariff goods gst rates up to 8 digits of hsn customs tariff exemptions under cgst sgst utgst igst o rates specified in other acts part 2 notifications gst rates exemption for goods part 3 gst tariff services chapter 99 part 4 integrated goods and services tax igst o notifications issued under igst part 5 gst rates ready reckoner for goods ready reckoner for gst rates for goods under cgst sgst utgst igst part 6 compensation cess for states other cesses for goods services part 7 reverse charge mechanism for goods services part 8 commodity index with hsn codes part 9 chronological list of basic notifications the coverage of the book is as follows eight digits hsn wise cgst sgst utgst igst rates applicable on supply of goods and services compensation cess goods and services which are exempt from gst goods and services which are subject to reverse charge liability all relevant advance rulings case laws department clarifications on the classification of goods and services and rates of gst updated text of relevant gst notifications composition scheme alphabetical list of services commodity index with codes explanatory notes to scheme of classification of services under gst relevant provisions of gst legislation relating to levy exemption rate of tax etc

in visions of sharīʿa bhojani de rooij and bohlander present the first broad examination of ways in which legal theory uṣūl al fiqh within twelver shīʿī thought continues to be a forum for vibrant debates regarding the assumptions epistemology and hermeneutics of sharīʿa in contemporary shīʿī thought bringing together authoritative voices and emerging scholars from both traditional seminaries and western academies the distinct critical insider and emic accounts provided develop a novel avenue in islamic legal studies contextualised through reference to the history of shīʿī legal theory as well as contemporary juristic practice and socio political considerations the volume demonstrates how one of the most intellectually vibrant and developed discourses of islamic thought continues to be a key forum for exploring visions of sharīʿa

over the last 20 years the world's most advanced militaries have invited a small number of military legal professionals into the heart of their targeting operations spaces which had previously been exclusively for generals and commanders these professionals trained and hired to give legal advice on an array of military operations have become known as war lawyers the war lawyers examines the laws of war as applied by military lawyers to aerial targeting operations carried out by the us military in iraq and afghanistan and the israel military in gaza drawing on interviews with military lawyers and others this book explains why some lawyers became integrated in the chain of command whereby military targets are identified and attacked whether by manned aircraft drones and or ground forces and with what results this book shows just how important law and military lawyers have become in the conduct of contemporary warfare and how it is understood jones argues that circulations of law and policy between the us and israel have bolstered targeting practices considered legally questionable contending that the involvement of war lawyers in targeting operations enables legitimises and sometimes even extends military violence

customary international law remains a central source of international law and the core of the international legal system it continues to draw the attention of lawyers especially at a time marked by the great expansion of international law and its increasing application in domestic and international courts determining whether an applicable rule of customary international law exists is therefore of great practical concern but this important legal task is not always simple or straightforward this book serves as guidance to those seeking to determine the existence of rules of customary international law and their content it elaborates on the methodology for the identification of rules of customary international law and examines a host of questions concerning the process and evidence at issue it does so by complementing the authoritative work of the un international law commission on this topic and by drawing upon a wealth of additional practice and writings identification of customary international law provides an overview of the commission's work and expands on it by addressing the nature and history of custom as a source of international law inquiring into each of the two constituent elements of customary international law namely a general practice and opinio juris explaining the value and limits of certain forms of evidence and throwing further light on such issues as the persistent objector rule and particular customary international law practitioners and scholars alike will find this detailed treatment useful in seeking to determine the existence and content of any customary rule and in ensuring that arguments about customary international law are persuasive

the collected documents of sir ivor jennings 1903-65 an influential international advisor on constitutional questions during the era of decolonisation

international trade law offers a clear overview of the complexities of an international sale transaction through informed analysis of case law legislation and international conventions and rules fully updated with changes to the law and new directions in legal debate this new

edition considers standard trade terms including incoterms 2010 the convention on international sales of goods 1980 and the unidroit principles for international commercial contracts e commerce issues including electronic bills of lading insurance and payment mechanisms such as letters of credit and the ucp 600 international transportation of cargo including the rotterdam rules dispute resolution including jurisdiction applicable law arbitration and mediation with particular reference to the relevant eu regulations and the developing case law thereon corruption and anti corruption conventions including the uk bribery act 2010 and developments relating to deferred prosecution agreements in addition to clarifying a range of topics through tables and diagrams the book directs readers to relevant further reading and online resources throughout offering students an accessible resource to this often challenging area of the law

welche auswirkungen hat der brexit auf den zustellungsverkehr zwischen deutschland und dem vereinigten konigreich nach einfuhrung in die grundlagen des nationalen und internationalen zustellungsrechts untersucht daniel nitschmann diese frage anhand der entwicklungen des deutsch britischen zustellungsverkehrs behandelt werden insbesondere die folgen des ruckfalls von der europaischen zustellungsverordnung auf das haager zustellungsabkommen und auf das deutsch britische abkommen uber den rechtsverkehr von 1929 der autor orientiert sich hierbei an den zwecken die ein modernes zustellungsrecht zu verwirklichen hat schliesslich thematisiert er welche losungsmoglichkeiten auf bilateraler europaischer und globaler ebene bestehen um den deutsch britischen zustellungsverkehr wieder zu verbessern

the felony murder doctrine is one of the most widely criticized features of american criminal law legal scholars almost unanimously condemn it as irrational concluding that it imposes punishment without fault and presumes guilt without proof despite this the law persists in almost every u s jurisdiction felony murder is the first book on this controversial legal doctrine it shows that felony murder liability rests on a simple and powerful idea that the guilt incurred in attacking or endangering others depends on one s reasons for doing so inflicting harm is wrong and doing so for a bad motive such as robbery rape or arson aggravates that wrong in presenting this idea guyora binder criticizes prevailing academic theories of criminal intent for trying to purge criminal law of moral judgment ultimately binder shows that felony murder law has been and should remain limited by its justifying aims

my master of laws dissertation is about international arbitration with focus on discussing the autonomy of arbitration by 1 comparing arbitration with litigation and mediation and discussing the involvement of the court in these dispute resolution mechanisms and 2 comparing the arbitration regimes of two common law jurisdictions namely united kingdom and hong kong so as to have a glimpse of the future trend of the development of arbitration 本書特色 this is an e book of my dissertation written for my master of laws degree specialized in international commercial law awarded by university college london in 2013

this is volume vii of fifteen in a series on the sociology of law and criminology originally published in 1952 this is an account of the prison and borstal systems in england and wales after the criminal justice act 1948 with a historical introduction and an examination of the principles of imprisonment as a legal punishment

many today believe that all forms of freedom economic political and sexual are inherently beneficial however j d unwinn argues that limiting sexual freedom is crucial for cultural and economic advancement he observed that sexual freedom and economic freedom are substitutes but did not fully explain why in this book feler bose aims to provide a causal explanation for what he calls unwinn s thesis unwinn suggests that pauline absolute monogamy

was essential for the sustained economic growth experienced by northwest Europe particularly England regarding this the Protestant Reformation played a pivotal role by promoting literacy and Bible reading which helped internalize norms across a broad section of the population this cultural shift contributed to the economic takeoff in the nineteenth century the book also examines various theories on why rapid economic growth occurred in England and argues that these theories are incomplete without considering Unwin's thesis by understanding the relationship between sexual norms and economic development we can gain deeper insights into the factors that drive societal progress this exploration highlights the importance of cultural and moral frameworks in shaping economic outcomes and underscores the complex interplay between different forms of freedom

the last fifty years has seen a worldwide trend toward constitutional democracy but can constitutionalism become truly global relying on historical examples of successfully implanted constitutional regimes ranging from the older experiences in the United States and France to the relatively recent ones in Germany Spain and South Africa Michel Rosenfeld sheds light on the range of conditions necessary for the emergence continuity and adaptability of a viable constitutional identity citizenship nationalism multiculturalism and human rights being important elements the identity of the constitutional subject is the first systematic analysis of the concept drawing on philosophy psychoanalysis political theory and law from a comparative perspective to explore the relationship between the ideal of constitutionalism and the need to construct a common constitutional identity that is distinct from national cultural ethnic or religious identity the identity of the constitutional subject will be of interest to students and scholars in law legal and political philosophy political science multicultural studies international relations and US politics

the legal consequence of the superior orders defense has long been debated as one of the major problems in international criminal law several controversial issues such as the immunity of the state the absolute character of military discipline and immunity on the grounds of mistake of law and or coercion have been complexly interwoven in the debates the execution of illegal orders and international criminal responsibility provides a comprehensive portrait of the relevant debates at the international level up to the present analyzes the conflicting views and shows the significance of the development of international rules for the superior orders defense as well as the implication of the fact that issues concerning some detailed or related rules have been left unresolved this study presents to present a new standpoint not only on dealing with the problem of the superior orders defense but also on reconsidering the international stipulation of rulemaking with regard to criminal matters

die historisch vergleichende Spurensuche dreht die zu Art 101 Abs 1 S 2 GG gewohnten Feststellungen um gesetzlicher Richter ohne Rechtsstaat Ziel der Ausführungen ist der Nachweis daß sich die Idee des gesetzlichen Richters in Europa zunächst ganz unabhängig vom modernen Rechtsstaatsbegriff entwickelt hat der Nachweis wird anhand eines historischen Vergleichs der Rechtsbindung der Gerichtsorganisation in England Frankreich und Deutschland geführt

die deutsche Ausgabe des Bestsellers Never Split the Difference Über viele Jahre war Chris Voss beim FBI als Verhandlungsführer bei Geiselnahmen aktiv er verhandelte während seiner Tätigkeit mit einer Vielzahl von kriminellen wie Bankräubern und Terroristen in seinem Buch keine Kompromisse führt der Experte für Extremsituationen die Leser in die Welt der knallharten Verhandlungen ein und zeigt worauf es ankommt wenn es ums Ganze geht das Leben besteht schließlich aus Verhandlungen auf die man besser gut vorbereitet ist angefangen beim Autokauf über Gehalts oder Mietverhandlungen berufliche Verhandlungen bis hin zu Diskussionen mit dem Partner dieses Buch mit seinem Fokus auf emotionale Intelligenz und

intuition verschafft den lesern bei diskussionen den entscheidenden vorteil neun effektive prinzipien wie aktives zuhören und taktische empathie sorgen dafür dass man privat und beruflich alles im griff hat und immer überzeugt

die mediation ist neben dem schiedsverfahren wohl die prominenteste methode der außergerichtlichen streitbeilegung während sie in den usa insbesondere in wirtschaftsstreitigkeiten schon lange eine herausragende rolle spielt wurde sie im europäischen und damit auch im deutschen rechtsraum lange zeit eher vernachlässigt diese haltung ist in den letzten jahren im wandel begriffen da der europäische gesetzgeber in der mediation bzw der außergerichtlichen streitbeilegung eine möglichkeit erkannt hat bestimmte hindernisse zu überwinden die insbesondere der grenzüberschreitende rechtsverkehr aufstellt grenzüberschreitende mediationsfälle eröffnen jedoch eine reihe von spezifischen problemen die weitgehend aus dem mangel an einheitlichen regelungswerken resultieren dieser umstand wurde zum anlass genommen einen genaueren blick auf die mediationsverfahren mit auslandsbezug zu werfen da nicht sämtliche fragestellungen des internationalen mediationsrechts behandelt werden konnten beschränkt sich die arbeit auf zwei besonders relevante bereiche des grenzüberschreitenden mediationsverfahrens namentlich auf die vollstreckbarmachung des mediationsergebnisses und die kollisionsrechtliche frage des anwendbaren rechts

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Plato's Theory of Recollection: A Journey into Innate Knowledge

Plato's theory of recollection, also known as anamnesis, is a cornerstone of his epistemology, his theory of knowledge. It posits that all learning is essentially a process of remembering what our souls already knew before birth. Instead of acquiring knowledge from sensory experience alone, as the Empiricists argued, Plato believed that true knowledge resides within us, waiting to be awakened. This theory, primarily explored in his dialogues Meno and Phaedo, profoundly impacts our understanding of learning, truth, and the nature of the soul. This article will delve into the key aspects of Plato's theory of recollection, exploring its foundations, supporting arguments, and implications.

The Basis of Recollection: The Pre-existence of the Soul

Central to Plato's theory is the belief in the soul's immortality and pre-existence. He argues that our souls existed before our physical birth, inhabiting a realm of Forms – perfect, eternal archetypes of everything we experience in the sensible world. In this realm, the soul had direct access to these Forms, possessing perfect knowledge of concepts like beauty, justice, goodness, and equality. However, the process of birth and embodiment into the physical world resulted in a kind of "forgetting" – a veil drawn over this innate knowledge. Learning, for Plato, is the process of lifting this veil, of recollecting what we already intrinsically know.

The Meno Paradox and its Resolution

Plato cleverly addresses the seemingly paradoxical nature of learning in his dialogue Meno. Socrates, Plato's mouthpiece, poses the question: how can we search for something we don't know? If we know it, we don't need to search, and if we don't know it, we wouldn't know what to search for. The theory of recollection offers a solution: we don't search for knowledge in a completely blank state. Instead, we possess an innate understanding that guides our inquiry, prompting us to recognize truth when we encounter it. The famous example in Meno involves Socrates questioning an uneducated slave boy about geometric problems. Through a series of carefully guided questions, Socrates leads the boy to deduce complex geometrical relationships, demonstrating that the boy, despite lacking formal education, possesses an inherent understanding of these principles. This illustrates how appropriate questioning can help us "recollect" what we already know.

The Role of Dialectic in Recollection

Plato viewed dialectic, a method of philosophical inquiry through question and answer, as a crucial tool for recollection. Through rigorous questioning and reasoned discussion, the dialectic process helps to clear away the obstacles that obscure our innate knowledge. It's not simply a process of acquiring new information; rather, it's a process of uncovering and clarifying what we already possess implicitly. By prompting critical self-reflection and

challenging assumptions, the dialectic helps us to access and articulate our inherent understanding.

The Forms and Their Connection to Recollection

The theory of recollection is inextricably linked to Plato's theory of Forms. The Forms are perfect, unchanging, and eternal archetypes of the things we encounter in the sensory world. A beautiful flower, for example, participates in the Form of Beauty; it's a less-than-perfect reflection of the perfect Beauty itself. Our soul, having encountered the Forms before birth, retains a memory of their perfection, and encountering their imperfect earthly manifestations triggers a recognition, a recollection of the true Form.

Objections and Criticisms of Recollection

Plato's theory, despite its elegance, has faced criticism. Some argue that the theory relies on unverifiable claims about the soul's pre-existence and the realm of Forms. Skeptics question how we can account for significant differences in intellectual capacity between individuals if all knowledge is innate. Furthermore, the theory struggles to explain how new knowledge can be genuinely acquired if all learning is simply remembering. It does not sufficiently account for how scientific discoveries are made, as these seem to derive from observation and experimentation rather than recollection of pre-existing knowledge.

Summary

Plato's theory of recollection is a significant contribution to epistemology. It challenges the purely empirical view of knowledge acquisition, arguing instead that learning is a process of remembering innate knowledge residing within the soul. Through the dialectic process and our encounters with imperfect earthly manifestations of the Forms, we gradually recollect this inherent wisdom. While the theory has its critics, its enduring influence on philosophy highlights its enduring power and intellectual appeal, shaping the understanding of learning and the nature of knowledge for centuries.

FAQs

1. How does Plato's theory of recollection differ from Empiricism? Empiricism emphasizes knowledge gained through sensory experience, while Plato's theory asserts that knowledge is innate and recollection is the process of accessing it.
2. What role does the Theory of Forms play in the theory of recollection? The Forms serve as the source of the knowledge our souls possessed before birth. Recollection is triggered by encountering imperfect reflections of these Forms in the physical world.
3. What is the significance of the slave boy example in Meno? This example demonstrates that even an uneducated individual can access innate knowledge through appropriate questioning, supporting the claim that knowledge is not solely acquired through sensory experience.
4. What are some criticisms of Plato's theory of recollection? Critics question the verifiability of pre-existence and the Forms, and the theory's difficulty in explaining differences in intellectual ability and the acquisition of genuinely new knowledge.
5. How does the theory of recollection influence modern education? While not directly applied, the emphasis on prompting critical thinking, guided inquiry, and facilitating self-discovery reflects aspects of the theory in modern pedagogical approaches.

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