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Conflicts, Cooperation, and Transnational Legal Theory

Nicole Roughan

Authorities Conflicts Cooperation And Transnational Legal Theory

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Authorities Nicole Roughan, 2013-09 The interaction between state transnational and international law is overlapping and often conflicting Yet despite this messiness and multiplicity law still creates obligations for its subjects Despite its plurality law still claims some kind of authority The implications of this plurality of law can be troubling It generates uncertainty for law users over which law they are bound by or for law makers over the limits of their authority Thus the practical problem is not plurality of law in itself rather confusion over law s authority in such pluralist circumstances Roughan argues that understanding authority in such pluralist circumstances requires a new conception of relative authority This book seeks to provide the theoretical tools needed to bring the disciplines examining legal and constitutional pluralism into more direct engagement with theories of authority by examining the one practice in which they are all interested the practice of public authority

The Challenge of Inter-legality Jan Klabbers, Gianluigi Palombella, 2019-05-30 The first book length treatment to describe and explain how legal orders can be interwoven and what to do about it The volume discusses inter legality in different legal fields situates it within political and legal theory and provides a normative assessment

The Oxford Handbook of Institutions of International Economic Governance and Market Regulation

Brousseau/Glachant/S, 2023-07-11 His handbook is currently in development with individual articles publishing online in advance of print publication At this time we cannot add information about unpublished articles in this handbook however the table of contents will continue to grow as additional articles pass through the review process and are added to the site Please note that the online publication date for this handbook is the date that the first article in the title was published online

The Oxford Handbook of Jurisdiction in International Law Stephen Allen, Steve Allen, Daniel Costelloe, Malgosia Fitzmaurice, Paul Gragl, Edward Guntrip, 2019 This Handbook provides an authoritative and comprehensive analysis of the concept of jurisdiction in international law The authors undertake a thematic analysis of its history its contemporary application and how it needs to adapt to encompass future developments in international law

International Law Carlo Focarelli, 2019 International Law provides a comprehensive theoretical examination of the key areas of international law In addition to classic cases and materials Carlo Focarelli addresses the latest relevant international practice to illustrate contemporary themes and trends in international law and to examine its most topical challenges

The Frontiers of Public Law Jason NE Varuhas, Shona Wilson Stark, 2020-01-09 This major collection contains selected papers from the third Public Law Conference an international conference hosted by the University of Melbourne in July 2018 The collection includes contributions by leading academics and senior judges from across the common law world including Australia Canada New Zealand the United Kingdom and the United States The collection explores the frontiers of public law examining cutting edge issues at the intersection of public law and other fields The collection addresses four principal frontiers public law and international law public law and indigenous peoples public law and other domestic fields specifically criminal law and private

law and public law and public administration In common with the two books from the previous Public Law Conferences this collection offers authoritative insights into the most important issues emerging in public law and is essential reading for those working in the field

Rightful Relations with Distant Strangers Aravind Ganesh, 2021-03-25 This book provides a philosophical critique of legal relations between the EU and distant strangers neither located within nor citizens of its Member States Starting with the EU's commitment in Articles 3 5 and 21 TEU to advance democracy human rights and the rule of law in all its relations with the wider world Ganesh examines in detail the salient EU and international legal materials and thereafter critiques them in the light of a theory of just global legal relations derived from Kant's philosophy of right In so doing Ganesh departs from comparable Kantian scholarship on the EU by centering the discussion not around the essay *Toward Perpetual Peace* but around the Doctrine of Right Kant's final and comprehensive statement of his general theory of law The book thus sheds light on areas of EU law EU external relations law standing to bring judicial review public international law jurisdiction global public goods and human rights human rights jurisdiction and also critiques the widespread identification of the EU as a Kantian federation of peace The thesis on which this book was based was awarded the 2020 Ren Cassin Thesis Prize English section

The Ethics of Climate Governance Aaron Maltais, Catriona McKinnon, 2015-09-03 The ethics of climate governance is of critical importance to current debates in climate justice yet until now it has been largely neglected This book explores the ethical dimensions of bringing the threat of global warming under effective political control It addresses problems of domination and vulnerability in international climate negotiations democratic legitimacy and equity in climate governance strategies for dealing with gridlock in climate governance and new problems of governance raised by the technologies of geoengineering and biomass incineration This hugely important and timely collection of essays showcases the latest work by established and the best emerging scholars in this field striking out in a new direction in the climate justice debate

Philosophical Foundations of Private International Law Roxana Banu, Michael S. Green, Ralf Michaels, 2024-05-22 Private international law has long been understood as a doctrinal and technical body of law without interesting theoretical foundations or implications By systematically exploring the rich array of philosophical topics that are part of the fabric of private international law *Philosophical Foundations of Private International Law* fills a significant and long standing void in the legal and philosophical literature The contributions to this volume are testimony to the significant potential for interaction between philosophy and private international law Some aim to expand and rethink classical jurisprudential theories by focusing on law beyond the state and on the recognition of foreign law and judgments in domestic courts Others bring legal and moral theories to bear on traditional debates in private international law such as legal pluralism transnational justice the interpretation of foreign legal policies and the boundaries of the legal system Several engage with the history of both private international law and legal and political philosophy They point to missed opportunities when philosophers ignored law's transnational dimensions or when private international law scholars failed to

position their theories within broader philosophical schools of thought Some seek to complete past attempts to articulate the philosophical dimensions of private international law that were never carried through Thought provoking and topical this volume displays the varied themes cutting through the disciplines of private international law and philosophy **Law and Legitimacy in the Supreme Court** Richard H. Fallon Jr.,2018-02-19 Richard Fallon offers theories of constitutional law and judicial legitimacy that accept many tenets of legal realism but reject its corrosive cynicism Based on an ideal of good faith his account both illuminates current practice and prescribes urgently needed responses to a legitimacy crisis in which the Supreme Court is increasingly enmeshed

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