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Comparative law is the study of differences and similarities between the law of different countries. More specifically, it involves the study of the different legal "systems" in existence in

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the world, including the common law, the civil law, socialist law, Canon law, Jewish Law, Islamic law, Hindu law, and Chinese law. It includes the description and analysis of foreign legal systems, even where no explicit comparison is undertaken. The importance of comparative law has increased enormously

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constitutional, and international) law, in particular, should become part of the standard methodology of thinking about and interpreting international investment treaties.

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profession, takes pleasure in comparing the ways in which the same legal problem is dealt with in different legal systems*, Comparative law is an instrument of learning and Amowledge.

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the United States found it indispensable to
utilize the experience of mankind in

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various states and at various times, it would appear even more important to adopt the same procedure on a scientific basis now that developments in every country reflect immediately upon conditions in other countries. 8

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Fundamentals of Its Study

Comparative law, especially in relation to public law, has to embrace law and society, different regulatory mechanisms, self-reflections, traditions and legal cultures, politics, history, economics and intellectual roots. This scope makes the study of comparative law particularly

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engaging as well as challenging.

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Comparative public policy is an area of interdisciplinary study which uses public policy as its major unit of analysis for comparison across different systems and institutions, usually countries or

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governments. It typically asks questions about how, why, and to what effect different governments pursue different or similar policies.

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Objectives:the paper intends to provide a

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comparative analysis about the structure of government, legislative process and the role of the judiciary to have better understanding of the Indian polity.

Module– I: Public Law and It's Role in

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1.2 Distinction between public and private law

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Catherine Donnelly's contribution on
comparative public procurement
constitutes a more than overdue inquiry
into an area of law of utmost importance
in international investment law. 41 Albeit

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occasionally operating a little bit too generously regarding terminology, 42 Donnelly provides an astute study of four principles – transparency, legitimate expectations, due process, and proportionality – relevant both in domestic and European public procurement law and in international ...

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Stephan W. Schill (ed.). International Investment Law and ...

iInternational Investment Law and Comparative Public Lawr is timely, well structured, and thoroughly researched. It is impossible to do full justice to this important collection in this short review; it

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suffices to say that it constitutes a valuable contribution to legal scholarship and illustrates the extent to which convergence between international investment law and comparative public law ...

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Its goals are to (1) advance knowledge on public law and human rights issues primarily from the perspectives of international and comparative law and practice; (2) encourage and facilitate collaborative work within the Faculty of Law, The University of Hong Kong, and the broader community in the fields of

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comparative and public law; and (3) make the law more accessible to the community and more effective as an agent of social change.

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"Introduction to Public Law" is a historical
and comparative introduction to public

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law. The book traces back the origins of the "res publica" to Roman law and analyzes the course of its development, first during the monarchical age in continental Europe and England, and then during the republican age that began at the end of the eighteenth century with the democratic revolutions in the United

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States and France. For each period and country, the book analyzes the major concepts of public law and their transformations: sovereignty, the state, the statute, the separation of powers, the public interest, and administrative justice.

Investment treaty arbitration has a hybrid

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nature combining public international law (as regards its substance) with elements of international commercial arbitration (mainly as regards procedure). However, in essence and function it deals with a special, internationalised form of judicial review of governmental conduct that is more akin to the judicial control of

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governmental action provided for by national administrative and constitutional law than to either classic inter-state dispute resolution or international commercial arbitration. This has been recognised in some academic writing and several awards, where reference to national administrative law concepts and

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principles of international law-based judicial review of governmental action, such as international trade or human rights law, is used to help specify and apply the open-ended concepts of investment treaties. In-depth conceptualization is however often lacking. The current study is the first, pioneering effort to bring these

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under-developed ad hoc references to comparative and international administrative law concepts into a deeper theoretic and systematic framework. The book thus intends to develop a 'bridge' between treaty-based international investment arbitration and comparative administrative law on both a theoretical

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and practical level. The major obligations in investment treaties (indirect expropriation, fair and equitable treatment, national treatment, umbrella/sanctity of contract clause) and major procedural principles will be compared with their counterpart in comparative public law, both on the domestic as well as

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international level. That 'bridge' will allow international investment law to benefit from the comparative public law experience, which could enhance its legitimacy, its political acceptance, and its ability to develop more finely-tuned interpretations of central treaty obligations.

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Institutions & Public Law: Comparative Approaches is a set of essays on the politics of law and courts by leading public law scholars in the United States, Europe, and Latin America. The essays share the view that understanding courts requires attention to the political dynamics

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topical policy areas like social welfare, environmental protection or migrant integration. Second, the book incorporates case law boxes discussing seminal judgments from federal systems worldwide and thus demonstrates the practical impact of constitutional jurisprudence on policymakers and

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citizens alike. “This is simply the best analysis of contemporary federalism currently available. It is comprehensive in its coverage, thorough in its analysis, and persuasive in its conclusions. Every student of federalism, from novice to expert, will find benefit from this volume.” Professor G Alan Tarr, Rutgers

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understanding of how it plays out in practice. Outstanding in the breadth of its scope, this magisterial survey will serve as a work of reference for generations of scholars who seek to understand how federalism works in developed as well as developing countries.” Professor Balveer Arora, Jawaharlal Nehru University New

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Kössler magnificently traverse from the ancient roots of federalism to the contemporary debates on ethno-cultural dimensions and participatory democracy. The book sets a new benchmark for the study of comparative federalism, providing new insights that are bound to influence practice in an era where federal

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arrangements are expected to deliver answers to key governance and societal challenges.” Professor Nico Steytler, University of the Western Cape

Through an extensive exploration of

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comparative constitutional endeavours past and present, near and far, Ran Hirschl shows how attitudes towards engagement with the constitutive laws of others reflect tensions between particularism and universalism as well as competing visions of who 'we' are as a political community. Drawing on insights from social theory,

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religion, history, political science, and public law, Hirschl argues for an interdisciplinary approach to comparative constitutionalism that is methodologically and substantively preferable to merely doctrinal accounts. The future of comparative constitutional studies, he contends, lies in relaxing the sharp divide

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between constitutional law and the social sciences.

This fully revised and updated second edition of *The Oxford Handbook of Comparative Law* provides a wide-ranging and diverse critical survey of comparative law at the beginning of the twenty-first

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century. It summarizes and evaluates a discipline that is time-honoured but not easily understood in all its dimensions. In the current era of globalization, this discipline is more relevant than ever, both on the academic and on the practical level. The Handbook is divided into three main sections. Section I surveys how

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comparative law has developed and where it stands today in various parts of the world. This includes not only traditional model jurisdictions, such as France, Germany, and the United States, but also other regions like Eastern Europe, East Asia, and Latin America. Section II then discusses the major approaches to

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comparative law - its methods, goals, and its relationship with other fields, such as legal history, economics, and linguistics. Finally, section III deals with the status of comparative studies in over a dozen subject matter areas, including the major categories of private, economic, public, and criminal law. The Handbook contains

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forty-eight chapters written by experts from around the world. The aim of each chapter is to provide an accessible, original, and critical account of the current state of comparative law in its respective area which will help to shape the agenda in the years to come. Each chapter also includes a short bibliography referencing

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the definitive works in the field.

The field of comparative constitutional law has grown immensely over the past couple of decades. Once a minor and obscure adjunct to the field of domestic constitutional law, comparative constitutional law has now moved front

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and centre. Driven by the global spread of democratic government and the expansion of international human rights law, the prominence and visibility of the field, among judges, politicians, and scholars has grown exponentially. Even in the United States, where domestic constitutional exclusivism has traditionally

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held a firm grip, use of comparative constitutional materials has become the subject of a lively and much publicized controversy among various justices of the U.S. Supreme Court. The trend towards harmonization and international borrowing has been controversial. Whereas it seems fair to assume that there ought to be great

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convergence among industrialized democracies over the uses and functions of commercial contracts, that seems far from the case in constitutional law. Can a parliamentary democracy be compared to a presidential one? A federal republic to a unitary one? Moreover, what about differences in ideology or national

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identity? Can constitutional rights deployed in a libertarian context be profitably compared to those at work in a social welfare context? Is it perilous to compare minority rights in a multi-ethnic state to those in its ethnically homogeneous counterparts? These controversies form the background to the

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field of comparative constitutional law, challenging not only legal scholars, but also those in other fields, such as philosophy and political theory. Providing the first single-volume, comprehensive reference resource, the 'Oxford Handbook of Comparative Constitutional Law' will be an essential road map to the field for all

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those working within it, or encountering it for the first time. Leading experts in the field examine the history and methodology of the discipline, the central concepts of constitutional law, constitutional processes, and institutions - from legislative reform to judicial interpretation, rights, and emerging trends.

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Entick v Carrington is one of the canons of English public law and in 2015 it is 250 years old. In 1762 the Earl of Halifax, one of His Majesty's Principal Secretaries of State, despatched Nathan Carrington and three other of the King's messengers to John Entick's house in Stepney. They

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broke into his house, seizing his papers and causing significant damage. Why? Because he was said to have written seditious papers published in the Monitor. Entick sued Carrington and the other messengers for trespass. The defendants argued that the Earl of Halifax had given them legal authority to act as they had.

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Lord Camden ruled firmly in Entick's favour, holding that the warrant of a Secretary of State could not render lawful actions such as these which were otherwise unlawful. The case is a canonical statement of the common law's commitment to the constitutional principle of the rule of law. In this collection,

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leading public lawyers reflect on the history of the case, the enduring importance of the legal principles for which it stands, and the broader implications of *Entick v Carrington* 250 years on. Winner of the American Society for Legal History Sutherland Prize 2016.

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