CONSTITUTIONAL HUMAN RIGHTS IN VIETNAM AND NORDIC COUNTRIES: A COMPARATIVE ANALYSIS

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Harma rights are the universal values of human being and measurement for every country's development and prosperity Empressing, protecting, and prospering barrier rights is an independent took and can be advanced in many ways, with the participation of all mornburs of excisty and especially the State, identified as having the highest level of responsibility and daty to implement and imposs barrier rights', playing a photomery role in the protection of human rights in the mant effective masses. The State's engagement in this report has been note from deflected parameters, and adding legislative, executive, and judicial perspectives, with the focus on its Constitution as a formal orthodox form of the superior law that acknowledges, respects, protects and posterior human rights. However, appetitute and promote human rights

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Nordic Reflections On Constitutional Law A Comparative Nordic Perspective

Amrei Müller

Nordic Reflections On Constitutional Law A Comparative Nordic Perspective:

Nordic Reflections on Constitutional Law Jaakko Husa, 2002 The author maintains that the Nordic constitutional legal culture possesses some unique fundamental qualities if compared to common law or Romano Germanic constitutional systems The book offers a Nordic comparative perspective on the basic questions of comparative constitutional law Also the question of the relationship between judicial review and parliamentary system is explored in the light of Nordic experiences The author analyses the discussion on the Constitution of Europe in its relation to the Nordic constitutional thinking and evaluates the possible future of the Nordic tradition in the more tightly integrated Europe of tomorrow Furthermore Nordic constitutional thinking seems to be in a crossroads of judicial activism and self restraint ltI Nordic Reflections on Constitutional Law brings together the latest development in Nordic constitutional law and highlights its possible role in Nordic Law in European Context Pia Letto-Vanamo, Ditlev Tamm, Bent Ole Gram Mortensen, 2018-12-12 Nordic law is often referred to as something different from other legal systems At the same time it is a common belief that the Nordic countries share more or less the same legal tradition and are very similar in their approach to the law Considering both of these points of view the book tells a story of how Nordic law and Nordic legal thinking differ from other legal systems and how there are many particularities in the law of each of the Nordic countries making them different from each other The idea of Nordic law also conceals national features. The basic premise of the book is that even if strictly speaking there is no such thing as a Nordic common law it still makes sense to speak of Nordic law and that acquiring a more than basic knowledge of this law is interesting not only for comparative lawyers but also helpful for those working with Nordic lawyers and dealing with guestions involving law in the Nordic countries Nordic And Other European Constitutional **Traditions** Joakim Nergelius, 2006 This book provides new insights based on perspectives from Member States such as Germany and Italy as well as the Nordic Countries It also deals with European legal and philosophical heritage in general as well as special issues like closer cooperation among Core States and the role of the Court of Justice in recent EC law Rethinking Nordic Courts Laura Ervo, Pia Letto-Vanamo, Anna Nylund, 2021-08-01 This open access book development examines whether a distinctly Nordic procedural or court culture exists and what the hallmarks of that culture are Do Nordic courts and court proceedings share a distinct set of ideas and values that in combination constitute the core of a regional legal culture How do Europeanisation privatisation diversification and digitisation influence courts and court proceedings in the Nordic countries The book traces the genesis and formation of Nordic courts and justice systems to provide a richer comprehension of contemporary Nordic legal culture and an understanding of the relationship between legal cultural stability and change In answering these questions the book provides models for conceptualising procedural culture Nordic procedural culture has partly developed organically and is partly also the product of deliberate efforts to maintain a certain level of alignment between the Nordic countries Studying Nordic cooperation enables us to gain a deeper understanding of

current regional European and global harmonisation processes within procedural law The influx of supranational European law increased use of alternative dispute resolution and growth in regulation density that produces a conflict between specialisation and coherence have tangible impact on the role of courts in a democratic society the form of court proceedings and court structures This book examines whether and why some trends exert more tangible or perhaps simply more perceptible influence on procedural culture than others Constitutional Review in Western Europe Kálmán Pócza, 2024-04-16 Recent confrontations between constitutional courts and parliamentary majorities in several European countries have attracted international interest in the relationship between the judiciary and the legislature Some political actors have argued that courts have assumed too much power and politics has been extremely judicialized Yet the extent to which this aggregation of power may have constrained the dominant political actors room for manoeuvre has never been examined accurately and systematically This volume fills this gap in the literature To explore the diversity and measure the strength of judicial decisions the authors have elaborated a new methodology that is intended to give a more nuanced picture of the practice of constitutional adjudication in Europe The work opens with an assessment of the existing literature on empirical analysis of judicial decisions with a special focus on Western Europe and a short summary of the methodology of the project This is followed by 11 country studies and a concluding chapter providing a comprehensive comparative analysis of the results A further ten countries are explored in the counterpart volume to this book Constitutional Review in Central and Eastern Europe Judicial Legislative Relations in Comparative Perspective The collection will be an invaluable resource for those working in the areas of empirical legal research and comparative constitutional law as well as political scientists interested in judicial politics The Constitutional Dilemma of the European Union Joakim Nergelius, 2009 This book discusses the future steps in European integration which are to be taken after the likely entry into force of the Lisbon Treaty in 2010 Against the background of the drafting of this new treaty and the constitutional discussion within EU law during the last decades the book questions whether the Treaty and leading EU law theorists have really grasped and addressed the true future challenges of European integration Instead of always trying to balance supra nationalism and inter governmentalism and seeing the EU as less democratic than a nation state at least the doctrine ought to embrace the most characteristic trait of European integration namely supra national decision making and discuss its future potential In the book recent changes in EU constitutional law and constitutional theory are observed Leading EU theorists such as Weiler Majone and Habermas are critically analyzed with a view to their inability to see the EU today for what it really is Finally alternative strategies for the next decades are discussed which may make the EU work more efficiently and at the same time bridge the gap between the Union and its citizens **Judicial Cosmopolitanism** Giuseppe Franco Ferrari, 2019-09-24 Judicial Cosmopolitanism The Use of Foreign Law in Contemporary Constitutional Systems offers a detailed account of the use of foreign law by supreme and constitutional Courts of Europe America and East Asia The individual contributions highlight the ways in which the use

of foreign law is carried out by the individual courts and the path that led the various Courts to recognize the relevance for the purpose of the decision to foreign law The authors try to highlight reasons and types of the more and more frequent circulation of foreign precedents in the case law of most high courts At the same time they show the importance of this practice in the so called neo constitutionalism Against the New Constitutionalism Tamas Gyorfi, 2016-09-30 Ever since the Second World War a new constitutional model has emerged worldwide that gives a pivotal role to judges Against the New Constitutionalism challenges this reigning paradigm and develops a distinctively liberal position against strong constitutional review that puts the emphasis on epistemic considerations The author considers whether the minimalist judicial review of Nordic countries is more in line with the best justification of the institution than the Commonwealth model that occupies a central place in contemporary constitutional scholarship Constitutionalism Joakim Nergelius, 2008 This book has its roots in a conference on recent developments in Nordic and German constitutional law that took place in Berlin in 2002 at the Nordic Cultural Centre That conference was organised within the project Konstitutionalism demokrati och den nordiska valfardsstaten Constitutionalism Democracy and the Nordic Welfare State financed by the Joint Committee for Nordic Research Councils for the Humanities and the Social Sciences NOS HS The volume contains the edited and updated papers which emerged from this meeting of minds They offer insight into some of the new exciting strands of constitutional thought that are currently present in the Nordic doctrine where many new paths have been opened in recent years The contrast with the situation two decades ago is indeed striking As far as German and European law are concerned some of the most important theoretical issues in the doctrine are analysed in a number of particularly rewarding and inspiring contributions

Nordic Health Law in a European Context Elisabeth Rynning, Mette Hartlev, 2011-12-21 This anthology aims to provide Nordic perspectives on the young and evolving field of health law or biomedical law by reflecting on issues that have been explored within the activities of the Nordic Network for Research in Biomedical Law In the emergence of this fairly new legal discipline it has become very clear that the Nordic region forms a part of Europe that has been strongly influenced by both hard and soft law initiatives from the European Union and the Council of Europe but also that Nordic identity culture and collaboration clearly remain an important factor in the legal development of this particular region The book is divided thematically into three sections The first deals with foundational and general issues of health law the second with patients rights and the third with issues related to advancements in biomedical science Part One includes two chapters on the relationship between health law and human rights together with discussions on specific Nordic approaches to the organisation and regulation of health services to constitutional protection of the right to health and to the legal discipline of health law as such One chapter provides an overview of the mission and tasks of the Nordic Committee on Bioethics The section on patient s rights deals with the development or absence of special legislation on the status of patients but also with issues of coercive care and of cultural accommodation in health services as well as the implications that assessments and

decisions made in health care services may have for the patient s right to other entitlements e g sickness benefits In the third section on biomedical science one author explores the concept of human dignity while another discusses the challenges facing European integration of biomedical research regulation Specific topics such as different approaches to biobank regulation and genetic privacy in family relations are also addressed and in the final chapter the legal status of deceased foetuses While the volume provides Nordic perspectives on health law the issues discussed are general The book should therefore be of great interest not only to readers wanting a better understanding of the Nordic situation but also to anyone with an interest in the challenging health law issues facing society in our time The authors are members of the Nordic Network for Research in Biomedical Law Judicial Dialogue and Human Rights Amrei Müller, 2017-05-25 This book offers a comprehensive analysis of the extent method purpose and effects of domestic and international courts judicial dialogue on human rights The analysis covers national courts judicial dialogue from different regions of the world including Eastern Europe Latin America Canada Nigeria and Malaysia The text is complemented by studies on specific subject matters such as LGTBI people s and asylum seekers rights that further contribute to a better understanding of factors that stimulate or hold back judicial dialogue and by first hand insights of domestic and European Court of Human Rights judges into their courts involvement in judicial dialogue The book features contributions from leading scholars and judges whose combined perspectives provide an interesting and timely study Human Rights Peter Wahlgren, 2010 The Max Planck Handbooks in European Public Law: Volume I: The Administrative State Sabino Cassese, Armin von Bogdandy, Peter Huber, 2017-07-25 The Max Planck Handbooks in European Public Law series describes and analyses the public law of the European legal space an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and importantly the domestic public laws of European states Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners it aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law The first volume of the series begins this enterprise with an appraisal of the evolution of the state and its administration with cross cutting contributions and also specific country reports While the former include among others treatises on historical antecedents of the concept of European public law the development of the administrative state as such the relationship between constitutional and administrative law and legal conceptions of statehood the latter focus on states and legal orders as diverse as e g Spain and Hungary or Great Britain and Greece With this the book provides access to the systematic foundations pivotal historic moments and legal thought of states bound together not only by a common history but also by deep and entrenched normative ties for the quality of the ius publicum europaeum can be no better than the common understanding European scholars and practitioners have of the law of other states An understanding thus improved will enable them to operate with the shared skills knowledge and values that can bring to fruition the different processes of

European integration Making Peoples Heard Asbjørn Eide, Jakob Th. Möller, Ineta Ziemele, 2011-06-22 A leading theme in this impressive collection of essays in honour of Professor Gudmundur Alfredsson is the advancement of international rules and mechanisms to empower individuals groups and peoples everywhere to pursue their rights nationally regionally and internationally. The book deals with the many areas of international law and national policies and practices in which important progress has been made since the adoption of the Universal Declaration of Human Rights for better protection of human rights in the modern world It equally provides a critical discussion of the difficulties and failures in various areas and probes guestions and issues that are pending solution at the national regional or universal levels. The book begins with the examination by several authors from their different perspectives general international law international human rights law and humanitarian law of the existence and meaning of the right to peace Subsequent chapters examine in detail the standard setting monitoring and other ways of ensuring compliance by States and international organizations with the applicable human rights rules A special chapter is devoted to the rights of indigenous peoples and minorities an issue of particular interest and concern to Gudmundur Alfredsson The contributors are academics or practitioners in the field of international law and human rights nearly all of whom having in their own work been closely associated with Professor Alfredsson s various projects aimed at the promotion and protection of human rights This is a remarkable book written by insiders for one of the most prominent players in the international human rights system particularly at the UN level It can serve as a genuine commentary on many of the most burning issues within that system ranging from the performance of the UN Human Rights Council and the situation of UNmikistan Kosovo to the latest developments of the law on minorities and indigenous peoples both at the global and regional level H E Judge Bruno Simma International Court of Justice Current Publications in Legal and Related Fields ,2003 The Administrative State Armin von Bogdandy, Sabino Cassese, Peter M. Huber, 2017 This is the first volume of The Max Planck Handbooks of European Public Law Volume I The Administrative State frames the administrative regimes of Europe in a comparative perspective analysing the evolution of state and administration of major European jurisdictions and examining issues that cut across national boundaries

Law & Religion in the 21st Century Lisbet Christoffersen, Kjell Å Modéer, Svend Andersen, 2010 Caspar David Friedrich s painting on the cover of this book is a metaphor Scholarly relations between law religion seemed to be destroyed through modernity The book however argues for new life in the ruins Introducción al derecho constitucional comparado Roberto Scarciglia, 2011-06-05 La obra del Profesor Roberto Scarciglia nos parece una aportaci n extraordinariamente til y valiosa Y no s lo aunque tambi n porque venga a cubrir un vac o en verdad clamoroso en nuestro marco bibliogr fico sino porque viene a facilitarnos una visi n sint tica pero a la par omnicomprensiva del as grandes cuestiones que subyacen en esta disciplina del Derecho constitucional comparado cuyo desarrollo dicho sea al margen pudiera verse de nuevo potenciado en Espa a de resultas de su configuraci n como asignatura optativa en los nuevos planes de estudio de algunas de nuestras

Facultades de Derecho Este libros bastante m s que una mera introducci n al derecho constitucional comparado aunque ste sea el t tulo que el autor ha decidido darle pues en l son desarrollados de modo si as se le guiere considear conciso pero con una gran ambici n en los planteamientos un amplio elenco de problemas y de cuestiones nucleares para la adecuada comprensi n de esta disciplina que es el Derecho constitucional comparado que tanto auge ha experimentado desde muchos decenios atr s en Italia El autor D Roberto Scarciglia es Catedr tico de Derecho Constitucional Comparado Decano de la Facultad de Ciencias Pol ticas Universidad de Trieste Italia Esta obra pertenece a la colecci n Dykinson Constitucional Colecci n dirigida por D Francisco Fern ndez Segado Catedr tico de Derecho Constitucional de la Universidad Complutense de Madrid dentro de esta colecci n las ltimas obras publicadas son Pablo Lucas Verd Materiales para un museo de antig edades y curiosidades constitucionales David Ortega Guti rrez Los conceptos jur dicos indeterminados en la jurisprudencial constitucional espa ola Klaus Stern Jurisdicci n constitucional y legislador Alejandro Gonz lez Diego Valad s Derechos humanos aborto y eutanasia Alberto Oehling de los Reyes La dignidad de la persona Comparative Law in Times of Emergencies Giorgio Giannone Codiglione, Leonardo Pierdominici, 2022-12-23 I primi due decenni di questo secolo sono stati fortemente segnati da emergenze di ogni tipo terrorismo crisi finanziaria disastri naturali migrazioni cambiamenti climatici infine la pandemia di Covid 19 Come conseguenza della globalizzazione e della geopolitica globale gli effetti di gueste emergenze sono aumentati richiedendo interventi a diversi livelli anche sul piano giuridico Allo stesso tempo questa tensione globale spesso messa in discussione da un approccio pi locale alle questioni economiche e sociali Il presente volume raccoglie gli atti del XXVI Convegno biennale dell'Associazione italiana di diritto comparato dedicato alla indagine sulle conseguenze di tali emergenze per il diritto comparato Pu ragionevolmente discorrersi di un diritto comparato delle emergenze Se le emergenze sono diventante caratteristica strutturale del nostro mondo globalizzato dovranno i giuristi tradizionalmente inseguitori dei fenomeni sociali adattare il proprio approccio e adeguarsi al costante mutamento dei contesti giuridici DOI 10 13134 979 12 5977 137 7

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