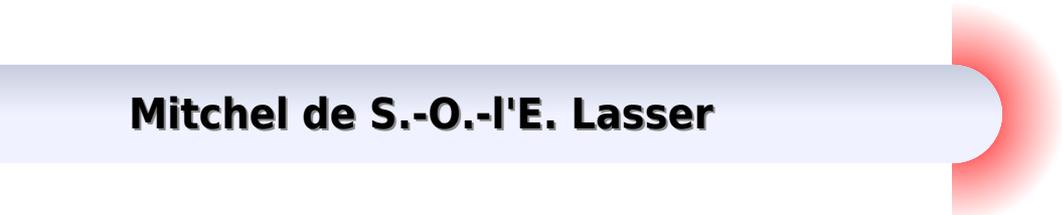


# Understanding Dutch Law



# Understanding Dutch Law

**Mitchel de S.-O.-l'E. Lasser**



## **Understanding Dutch Law:**

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"Cape Times" *Law Reports* Cape of Good Hope (South Africa). Supreme Court, 1909

**Fed up with the right to food?** Otto Hospes, Bernd van der Meulen, 2023-09-04 There is no one in this world who would deny the importance of access to adequate food for every human being In fact access to food has been declared a human right in 1948 with the Universal Declaration of Human Rights In spite of the right to food to be more than half a century old many are not aware misunderstand or even marginalize this human right This book serves two purposes and many audiences First it is meant for those who want to get a better understanding of the right to food and how this right has been developed in international law Second it also explains why this human right has been marginalized by one of the richest countries in the world the Netherlands As such this unique collection of articles provides an exciting view on the making of law and policy with contributions from lawyers sociologists and human rights defenders

Judicial Review of Legislation Gerhard van der Schyff, 2010-06-16 Constitutionalism is the permanent quest to control state power of which the judicial review of legislation is a prime example Although the judicial review of legislation is increasingly common in modern societies it is not a finished project This device still raises questions as to whether judicial review is justified and how it may be structured Yet judicial

review's justification and its scope are seldom addressed in the same study thereby making for an inconvenient divorce of these two related avenues of study To narrow the divide the object of this work is quite straightforward Namely is the idea of judicial review defensible and what influences its design and scope This book addresses these matters by comparing the judicial review of legislation in the United Kingdom the Human Rights Act of 1998 the Netherlands the Halsema Proposal of 2002 and the Constitution of South Africa of 1996 These systems present valuable material to study the issues raised by judicial review The Netherlands is of particular interest as its Constitution still prohibits the constitutional review of acts of parliament while allowing treaty review of such acts The Halsema Proposal wants to even out this difference by allowing the courts also to apply constitutional norms to legislation and not only to international norms The Human Rights Act and the South African Constitution also present interesting questions that will make their study worthwhile One can think of the issue of dialogue between the legislature and the judiciary This topic enjoys increased attention in the United Kingdom but is somewhat underexplored in South African thought on judicial review These and similar issues are studied in each of the three systems to not only gain a better understanding of the systems as such but also of judicial review in general

Contract Interpretation in Investment Treaty Arbitration Yuliya Chernykh, 2022-01-17 Contracts are relevant frequently central for a significant number of investment disputes Yet the way tribunals ascertain their content remains largely underexplored How do tribunals interpret contracts in investment treaty arbitration How should they interpret contracts Does national law have any role to play Contract Interpretation in Investment Treaty Arbitration A Theory of the Incidental Issue addresses these questions The monograph offers a valuable insight into the practice and theory of contract interpretation in investment treaty arbitration By proposing a theoretical frame for seamless integration of contract interpretation into the overall structure of decision making the book contributes to predictability coherence sufficiency and correctness of the tribunals interpretative practices in investment treaty arbitration

**Compensation for Wrongful Convictions** Wojciech Jasiński, Karolina Kremens, 2023-03-14 This book presents a comprehensive comparative analysis of the substantive and procedural aspects of compensation for wrongful convictions in European countries and the USA as well as the standard derived from the case law of the European Court of Human Rights The collection draws comparative conclusions as to the similarities and differences between selected jurisdictions and assesses the effectiveness of the national compensation schemes This enables the designing of an optimum model of compensation offering accessibility and effectiveness to the victims of miscarriages of justice and being acceptable to jurisdictions based on common law and civil law traditions as well as inquisitorial and adversarial types of criminal process Moreover the discussion of the minimum European standard as established in the case law of the European Court of Human Rights enables readers to identify how the Strasbourg Court can contribute to strengthening the compensation scheme The book will be essential reading for students academics and policymakers working in the areas of criminal law and procedure

*Judicial Transformations* Mitchel de S.-O.-l'E. Lasser, 2009-07-30 The

importance of fundamental rights is exploding across all areas of law in Europe Grounded in comparative law and political science this book explores the causes of the rights revolution and its impact on European judiciaries *Formation and Third Party Beneficiaries* Mindy Chen-Wishart, Alexander Loke, Stefan Vogenauer, 2018-01-19 Studies in the Contract Laws of Asia provides an authoritative account of the contract law regimes of selected Asian jurisdictions including the major centres of commerce where limited critical commentaries have been published in the English language Each volume in the series aims to offer an insider's perspective into specific areas of contract law remedies formation parties contents vitiating factors change of circumstances illegality and public policy and explores how these diverse jurisdictions address common problems encountered in contractual disputes A concluding chapter draws out the convergences and divergences and other themes All the Asian jurisdictions examined have inherited or adopted the common law or civil law models of European legal systems Scholars of legal transplant will find a mine of information on how received law has developed after the initial adaptation and transplant process including the mechanisms of and influences affecting these developments At the same time many points of convergence emerge These provide good starting points for regional harmonization projects Volume II of this series deals with contract formation and contracts for the benefit of third parties in the laws of China India Japan Korea Taiwan Singapore Malaysia Hong Kong Korea Vietnam Cambodia Thailand Indonesia and Myanmar Typically each jurisdiction is covered in two chapters the first deals with contract formation while the second deals with contracts for the benefit of third parties **Cases Decided in the Supreme Court of the Cape of Good Hope During the Years 1880-?-1909 ...** Cape of Good Hope. Supreme Court, Sir Henry Hubert Juta, Clarkson Henry Tredgold, W. Porter Buchanan, Frederick George Gardiner, Alexander Fraser Russell, P. S. Twentyman-Jones, H. C. Payne, Basil Kellett Long, Gerard Molyneux Swift, 1901

**The Sugar Sentinel**, 1911 Includes Congressional documents extracts from the press and other matters dealing with the sugar trust *A History of the District and Supreme Courts of Natal, 1846-1910* Peter Spiller, 1986 **Reports of Cases Decided in the Supreme Court of the Cape of Good Hope** Cape of Good Hope (South Africa). Supreme Court, Sir Henry Hubert Juta, Clarkson Henry Reedgold, William Porter Buchanan, Frederick George Gardiner, H. C. Payne, Basil Kellett Long, P. S. Twentyman-Jones, Gerard Molyneux Swift, 1901 **The Juridical Review**, 1908 **Journal of the Society of Public Teachers of Law**, 1929 **The Story of New Amsterdam** William Robert Shepherd, 1917 **Year Book of the Holland Society of New York ...** Holland Society of New York, 1917 **Year Book of the Holland Society of New-York**, 1917 **Debates of the ... Session of the ... Parliament of the House of Assembly** South Africa. Parliament. House of Assembly, 1959

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