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the book can be used as a introduction to dutch law for foreign students and others who are interested in the legal system of the netherlands previous knowledge of law is useful but not necessary each legal system has its peculiarities and dutch law is no exception to understand a legal system profoundly it is not enough to study the legal rules in isolation in this book the dutch legal system is explained in relation to its values and cultural background the basics of the main areas of law constitutional criminal and private law are discussed clearly in addition specific topics are introduced in which the connection between dutch law and its culture and values are investigated in detail legislation criminal drugs policy and family law the background of dutch law is given depth with an introduction to the system as a whole to legal history and the court system throughout the book the european context of the dutch system is taken into consideration bron flaptekst uitgeversinformatie

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this investigation of the dynamic intertwinement of law and morality argues that theoretical pluralism is better explained once law is accepted as an essentially ambiguous concept the book develops a robust theory of law that increases our grasp on global legal pluralism and the dynamics of law and also emphasises the theory of legal interactionism this helps us to understand apparent anomalies of modern law and does justice to the valuable core of truth in natural law and legal positivism

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

acclaim for the first edition it is a very important and immense book the elgar encyclopedia of comparative law is a treasure trove of honed knowledge of the laws of many countries it is a reference book for dipping into time and time again it is worth every penny and there is not another as comprehensive in its coverage as elgar's i highly recommend the elgar encyclopedia of comparative law to all english chambers this is a very important book that should be sitting in every university law school library i sally ramage the criminal lawyer containing newly updated versions of existing entries and adding several important new entries this second edition of the elgar encyclopedia of comparative law takes stock of present day comparative law scholarship written by leading authorities in their respective fields the contributions in this accessible book cover and combine not only questions regarding the methodology of comparative law but also specific areas of law such as administrative law and criminal law and specific topics such as accident compensation and consideration in addition the encyclopedia contains reports on a selected set of

countries' legal systems and as a whole presents an overview of the current state of affairs providing its readers with a unique point of reference as well as stimulus for further research this volume is an indispensable tool for anyone interested in comparative law especially academics students and practitioners

comparative contract law is the fourth edition of a widely acclaimed and well established textbook which uses extensive case studies and integrates extracts from legislation and court practice enabling students to experience comparative law in action it continues to promote a learning by doing approach offering a unique and seminal guide to european and international contract law

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

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

this significantly revised and expanded third edition of comparative contract law brings together extracts from legislation and court practice in a way that enables students to experience comparative law in action

in the netherlands the vast majority of forensic mental health assessment on an in patient basis is carried out at the pieter baan centre utrecht which has the legal status of a house of detention and observation centre suspects of serious offences are observed and assessed intensively for a period of seven weeks by a multidisciplinary team of experts not only has the enshrinement of forensic mental health diagnosis in the law led to the accentuation of an individualistic type of diagnosis but also makes it important for the expert to consider his position in the justice system the various parts of the forensic mental health assessment are described in this volume as well as the legal enshrinement of the assessment an international comparison of dutch criminal law the history of the hospital and a survey of relevant research the pieter baan centre has existed almost sixty years based on an extensive clinical experience the authors offer an account of the way in which this hospital provides for forensic mental health reporting

the 11 essays in this volume provide the first english language survey of the dutch criminal justice system which has been the basis for many important international research initiatives including many in the united states

containing cases decided in sri lanka ceylon by the court of appeal the supreme court and the court of criminal appeal varies

this publication gives an overview of the academic developments in the field of comparative law in the netherlands twenty seven extensive articles mainly in english cover all legal areas and give a state of affairs in the netherlands this includes the gentleman s agreement the institution of the trust and dutch law protection of persons in medical research the legal protection of biological material anonymous witnesses in the netherlands flexibilisation of working life the impact of the internet on legal bibliography information and communication technology

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