# Studies in Legal Systems: Mixed and Mixing

Editors:

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# **Studies In Legal Systems Mixed Mixing**

**Patrick Vollmar** 

#### **Studies In Legal Systems Mixed Mixing:**

Studies in Legal Systems: Mixed and Mixing Esin Orucu, Elspeth Attwooll, Sean Coyle, 1996-02-13 All legal systems are mixed some more than others There are covert mixtures and overt mixtures stable mixtures and mixtures in transition This book brings together a wide range of legal orders some well known some not so often studied The analysis offered is far beyond a descriptive one the general aim being to provide a basis for discussion by covering paths methods and specific techniques consequences and implications of legal migration The newly emerging democracies of Eastern Europe for example are looking at the pool of models when re designing their systems Such systems in transition open up a whole new world of possibilities for research The two final chapters on spectral jurisprudence and the conceptual search bring into focus and widen the analysis further A Study of Mixed Legal Systems: Endangered, Entrenched or Blended Sue Farran, Esin Örücü, 2016-03-16 A Study of Mixed Legal Systems Endangered Entrenched or Blended takes the reader on a fascinating voyage of discovery It includes case studies of a number of systems from across the globe Cyprus Guyana Jersey Mauritius Philippines Quebec St Lucia Scotland and Seychelles Each combines its legal legacies in novel ways Large and small in Europe and beyond some are sovereign some part of larger political units Some are monolingual some bilingual some multilingual Along with an analytical introduction and conclusion the chapters explore the manner in which the elements of these mixed systems may be seen to be entrenched endangered or blended It explores how this process of legal change happens questions whether some systems are at greater risk than others and details the strategies that have been adopted to accelerate or counteract change The studies involve consideration of the colourful histories of the jurisdictions of their complex relationships to parent legal systems and traditions and of language legal education and legal actors The volume also considers whether the experiences of these systems can tell us something about legal mixtures and movements generally Indeed the volume will be helpful both for scholars and students with a special interest in mixed legal systems as well as anyone interested in comparative law and legal history in the diversity and dynamism of law Mixed Legal Systems, East and West Vernon Valentine Palmer, Mohamed Y. Mattar, 2016-07-22 Advancing legal scholarship in the area of mixed legal systems as well as comparative law more generally this book expands the comparative study of the world s legal families to those of jurisdictions containing not only mixtures of common and civil law but also to those mixing Islamic and or traditional legal systems with those derived from common and or civil law traditions. With contributions from leading experts in their fields the book takes us far beyond the usual focus of comparative law with analysis of a broad range of countries including relatively neglected and under researched areas The discussion is situated within the broader context of the ongoing development and evolution of mixed legal systems against the continuing tides of globalization on the one hand and on the other hand the emergence of Islamic governments in some parts of the Middle East the calls for a legal status for Islamic law in some European countries and the increasing focus on traditional and customary norms of governance in post

colonial contexts. This book will be an invaluable source for students and researchers working in the areas of comparative law legal pluralism the evolution of mixed legal systems and the impact of colonialism on contemporary legal systems It will also be an important resource for policy makers and analysts The Oxford Handbook of Comparative Law Mathias Reimann, Reinhard Zimmermann, 2019-03-26 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 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 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 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 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 the definitive works in the field Human Rights from a Comparative and International Law Perspective Joan Church, Christian Schulze, Hennie Strydom, 2007 In terms of the South African Constitution of 1996 there is a general need for an introduction to comparative law and one that covers what is technically known as applied comparative law more particularly applied comparative law that involves a study of the bills of rights in other countries

Comparative Law and Legal Traditions George Mousourakis,2019-11-01 The primary aim of this book is to provide clear and reliable information on a number of central topics in comparative law At a time when global society is increasingly mobile and legal life is internationalized the role of comparative law is gaining importance While the growing interest in this field may well be attributed to the dramatic increase in international legal transactions this empirical parameter is only part of the explanation The other part and at least equally important has to do with the expectation of gaining a deeper understanding of law as a social phenomenon and a fresh insight into the current state and future direction of one s own legal system In response to the internationalization of legal practice and theory law schools around the world have expanded their comparative law programs Within the legal subjects that form the core of the curriculum there is a greater interest in comparative legal analysis as well as greater attention to how global developments and international actors and institutions affect domestic law Transnational legal education based on comparative reasoning is intended to help shape a new generation of lawyers public servants and other professionals who recognize and respect cultural diversity in an

interconnected world The central topics discussed in this book include the nature and scope of comparative legal inquiries the relationship of comparative law to other fields of legal study the aims and uses of comparative law the origins and historical development of comparative law and the evolution and defining features of some of the world's predominant legal traditions It also deals with selected theoretical aspects such as the problem of comparability of legal events the classification of legal systems into families of law and the topics of legal transplants harmonization and convergence of laws Chiefly intended for students the book also discusses a number of fundamental issues concerning the development of comparative law and devotes certain sections to reviewing the salient features of the relevant literature on definitional terminological methodological and historical issues **Comparative International Law Approaches for Optimizing** Petro-Wealth in Nigeria: The Sustainable Development Pathway Dr. Onome Ejenavi, 2024-03-24 International and Comparative Law Approaches for Optimizing Petro Wealth in an SDGs Context and in harmony with sustainable development forms the core and subject of this book This book considers a beleaguered Nigerian oil industry and the pervasive contemporary struggles to sustain lucrative oil production in the 21st Century Currently Nigeria grapples with unrelenting and intractable challenges in its oil industry and apparently a plausible means of alleviating the extensive negative impacts of untenable oil exploitation patterns in the Niger delta have remained elusive From the foregoing the missing ingredient seems to be a dismal lack of sustainability endeared approaches to guarantee a green petroleum industry economic growth and poverty eradication which remain vital considerations for a developing state like Nigeria Apparently the development that meets the needs of the present without compromising the interests options and indeed the needs of future generations summed up in the definition of sustainable development appears to be a maxim with minimal recognition or import in the Niger Delta which remains the hub of oil exploitation in Nigeria This book is thus motivated by the constantly evolving yet irrefutable implications arising from the concept of Sustainable Development and how it can be realistically applied to oil and Concepts of Law Lukas Heckendorn Urscheler, 2016-05-23 Debates surrounding the concept of law are gas exploitation not new For a wide variety of reasons and in a wide variety of ways the meaning of law has long been an important part of Western thought both within legal scholarship and beyond The contributors to Concepts of Law are international experts from the fields of comparative law legal philosophy and the social sciences Combining theoretical analyses with case studies they explore various legal concepts and contexts from diverse national and disciplinary perspectives Legal and normative pluralism is a theme throughout Some chapters discuss the development of state law and legal systems Others wrestle with law s rhetoric and the potential utility of alternative vocabularies e g governance and governmentality Others reveal the rich polyjurality of the present from the local to the global The result is a rich picture of both present scholarship on laws and norms and the state of contemporary legal complexity each crossing traditional boundaries **Comparing Law** Catherine Valcke, 2018-10-25 The enterprise of comparative law is familiar yet its conceptual whereabouts remain somewhat obscure

Comparing Law Comparative Law as Reconstruction of Collective Commitments reconstructs comparative law scholarship into a systematic account of comparative law as an autonomous academic discipline. The point of that discipline is neither to harmonize world law nor to emphasize its cultural diversity but rather to understand each legal system on its own terms. As the proposed reconstruction exercise involves bridging comparative law and contemporary legal theory it shows how comparative law and legal theory both stand to benefit from being exposed to each other At a time when many courses are adding a transnational perspective Valcke offers a more theoretical broadened and refreshed view of comparative law

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