

1. Record Nr.	UNINA9910154984503321
Titolo	Interpreting precedents : a comparative study // edited by D. Neil MacCormick and Robert S. Summers
Pubbl/distr/stampa	Abingdon, Oxon : , : Routledge, , 2016
ISBN	1-351-92644-6 1-315-25190-6
Descrizione fisica	1 online resource (598 pages)
Collana	Applied Legal Philosophy
Altri autori (Persone)	MacCormickNeil SummersRobert S
Disciplina	340
Soggetti	Stare decisis Law - Interpretation and construction
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	First published 1997 by Ashgate Publishing.
Nota di bibliografia	Includes bibliographical references at the end of each chapters and index.
Nota di contenuto	1. Introduction / D. Neil MacCormick, Edinburgh and Robert S. Summers, Ithaca -- 2. Precedent in the Federal Republic of Germany / Robert Alexy, Kiel and Ralf Dreier, Gottingen -- 3. Precedent in Finland / Aulis Aarnio, Tampere -- 4. Precedent in France / Michel Troper, Paris and Christophe Grzegorzcyk, Paris -- 5. Precedent in Italy / Michele Taruffo, Pavia and Massimo La Torre, Florence -- 6. Precedent in Norway / Svein Eng, Oslo -- 7. Precedent in Poland / Lech Morawski, Torun and Marek Zirk-Sadowski, Lodz -- 8. Precedent in Spain / Alfonso Ruiz Miguel, Madrid and Francisco J. Laporta, Madrid -- 9. Precedent in Sweden / Gunnar Bergholtz, Lund and Aleksander Peczenik, Lund -- 10. Precedent in the United Kingdom / Zenon Bankowski, Edinburgh, D. Neil MacCormick, Edinburgh and Geoffrey Marshall, Oxford -- 11. Precedent in the United States (New York state) / Robert S. Summers, Ithaca -- 12. Precedent in European community law / John J. Barcelo, Ithaca -- 13. Institutional factors influencing precedents / Michele Taruffo, Pavia -- 14. The binding force of precedent / Aleksander Peczenik, Lund -- 15. Rationales for precedent / Zenon Bankowski, Edinburgh. [et al.] -- 16. What is binding in a precedent / Geoffrey Marshall, Oxford -- 17. Departures from precedent / Robert S. Summers, Ithaca and Svein Eng, Oslo -- 18.

Further general reflections and conclusions / D. Neil MacCormack, Edinburgh and Robert S. Summers, Ithaca.

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Sommario/riassunto

This book contains a series of essays discussing the uses of precedent as a source of law and a basis for legal arguments in nine different legal systems, representing a variety of legal traditions. Precedent is fundamental to law, yet theoretical and ideological as well as legal considerations lead to its being differently handled and rationalised in different places. Out of the comparative study come the six theoretical and synoptic essays that conclude the volume.

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