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Titolo	Proportionality in Law : An Analytical Perspective // edited by David Duarte, Jorge Silva Sampaio
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Descrizione fisica	1 online resource (XI, 192 p. 5 illus.)
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Soggetti	Law—Philosophy Law Political science Human rights International law Theories of Law, Philosophy of Law, Legal History Philosophy of Law Human Rights Sources and Subjects of International Law, International Organizations
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Nota di contenuto	Part I The principle of proportionality and fundamental rights: Jan Sieckmann, Proportionality as a human rights principle -- Laura Clérico, Proportionality in social rights adjudication: making it workable -- David Duarte, Gains and losses in balancing social rights -- Jorge Silva Sampaio, Proportionality in its narrow sense and measuring the intensity of restrictions on fundamental rights -- Luka Burazin, Conflicts between fundamental rights norms -- Part II Proportionality, balancing and legal principles: Giovanni Sartor, Balancing principles and making rules -- Pedro Moniz Lopes, Balancing principles and a fortiori reasoning -- Rúben Ramiao, Some fundamental problems concerning Alexy's notion of legal principles -- David Martínez Zorrilla, Some thoughts about the limits of Alexy's conception of principles and balancing.
Sommario/riassunto	This book addresses the principle of proportionality, which is currently

one of the most important instruments of judicial review, from both analytical and theory of law perspectives. As such, the analysis provided is far more comprehensive and can be applied to all areas of law, not just constitutional law. On the one hand, the volume offers a broad perspective on several aspects related to proportionality, such as its structure, the balancing methodology and the distinction between rules and principles. On the other, it provides an innovative, normativist and analytical approach to proportionality, helping readers understand its structure and behaviour.
