

1. Record Nr.	UNINA9910350246303321
Titolo	The Indian Yearbook of Comparative Law 2018 // edited by Mahendra Pal Singh, Niraj Kumar
Pubbl/distr/stampa	Singapore : , : Springer Singapore : , : Imprint : Springer, , 2019
ISBN	981-13-7052-4
Edizione	[1st ed. 2019.]
Descrizione fisica	1 online resource (XIX, 398 p. 9 illus.)
Collana	The Indian Yearbook of Comparative Law, , 2524-7042
Disciplina	340.9 340.2
Soggetti	Private international law Conflict of laws Public law Human rights Criminal law Private International Law, International & Foreign Law, Comparative Law Public Law Human Rights Criminal Law and Criminal Procedure Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Part I: Comparative Law: General Themes -- Comparative Law and Globalization in Asian Perspectives: Two Proposals of Methodological Frameworks (Yasuda Nobuyuki) -- On the Origin of Legal Diversity by Means of Comparative Law, or the Role of Legal Education in the Solution of Legal Conflicts (Rostam J. Neuwirth) -- Part II Private Law -- Contribution by Prof. Anil Kumar Rai -- Part III Public Law -- Section A- Constitutional Law -- A Comparative and Jurisprudential Analysis of the "Umbrella Movement" - Is It a Constitutional Moment? (LIN Feng) -- Varying Approaches to Religion under the Electoral Law (Virendra Kumar) -- South Asian Constitutionalism in Comparative Perspective: the Indian "prototype" and some recent borrowings in the 2015 Nepalese Constitution (Domenico Amirante and Pasquale Viola) -- Commonalities in the Law and Development Movement and the Indian

Public Interest Litigation: Reconsidering the Roots of Their Current Difficulties (Hajime Sato) -- Justifying Privacy: The Indian Supreme Court's Comparative Analysis (Pritam Baruah and Zaid Deva) -- Judicial Interpretation in China (Liu Jianlong) -- Section B-Human Rights -- Rethinking 'Memory Laws' from a Comparative Perspective (Kanika Gauba) -- Settlement of Indigenous Land Disputes by the CHT Land Dispute Resolution Commission of Bangladesh: Challenges and Solutions (Dr. Mohammad Moin Uddin) -- The Protection of People with Disabilities in China: Current Status and Challenges (Han Dayuan) -- Section C: Economic Regulations -- Legitimate Expectations in Investment Arbitration: A Comparative Perspective (Aniruddha Rajput and Sarthak Malhotra) -- A Century Of Evolution Of The Mexican Central Bank: The Road Towards Its Constitutional Autonomy (Jorge Vargas Morgado) -- Part IV: Criminal Law -- Giving Precedence to the Indian Penal Code (Stanley Yeo) -- The Immutability of the Marital Rape Exemption Clause in Indian Rape Law (B.B. Pande) -- Part V: Recent Developments -- Review of: Transformative Constitutionalism in Latin America: The Emergence of a New *Ius Commune* (Akshaya Chandani).

Sommario/riassunto

This yearbook is a compilation of thematically arranged essays that critically analyse emerging developments, issues, and perspectives across different branches of law. It consists of research from scholars around the world with the view that comparative study would initiate dialogue on law and legal cultures across jurisdictions. The themes vary from jurisprudence of comparative law and its methodologies to intrinsic details of specific laws like memory laws. The sites of the enquiries in different chapters are different legal systems, recent judgements, and aspects of human rights in a comparative perspective. It comprises five parts wherein the first part focuses on general themes of comparative law, the second part discusses private law through a comparative lens, and the third part examines aspects of public law with special focus on constitutional law, human rights and economic laws. The fourth part engages with criminal law and the last part of the book covers recent developments in the field of comparative law. This book intends to trigger a discussion on issues of comparative law from the vantage point of Global South, not only focusing on the Global North. It examines legal systems of countries from far-east and sub-continent and presents insights on their working. It encourages readers to gain a nuanced understanding of the working of law, legal systems and legal cultures, adding to existing deliberations on the constituents of an ideal system of law. .
