Record Nr. UNINA9910461245903321 **Titolo** Law and outsiders: norms, processes and 'othering' in the Twenty-first century / / edited by Penny Green, Cian C. Murphy Pubbl/distr/stampa Oxford;; Portland, Oregon:,: Hart Publishing,, 2011 **ISBN** 1-4725-6542-8 1-283-23161-1 9786613231611 1-84731-634-4 Edizione [1st ed.] Descrizione fisica 1 online resource (305 p.) 340.1 Disciplina Law - Social aspects Soggetti Law - Social aspects - European Union countries Marginality, Social - Political aspects Marginality, Social - Political aspects - European Union countries Minorities - Legal status, laws, etc Minorities - Legal status, laws, etc - European Union countries Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Selection of essays presented at the International Graduate Legal Research Conference at King's College London, in June 2008. Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Towards proportionality as a proportion between means and ends --Martin Luteran -- Blown out of proportion: the case against proportionality as an independent ground of judicial review -- Paul Daly -- Constitutional judicial review: the eclectic approach to constitutional interpretation -- Nelson Dordelly-Rosales -- End of the pillars? A single EU legal order after Lisbon -- Eulalia Sanfrutos Cano -- Rule and let rule: four strategies to overcome the 'democractic deficit' in the EU and their implementation in the Treaty of Lisbon --Matthias C. Kettermann -- Human rights protection in ECHR and EU law: a claim of non-divergence -- Marton Varju -- Directive 2003 --109 on long-term residence for third-country nationals: possible future interpretation in the European Court of Justice -- Diego Acosta --

Coexistent yet interdependent spheres of competence: the interface

between immigration and the internal market -- Stephen Coutts -- Social human rights and third-country nationals in the EU: the case of social dumping? -- Egle Dagilyte -- What have women got to do with peace? A gender analysis of the laws of war and peacemaking -- Benedetta Faedi Duramy -- Europe's changing approach towards blasphemy: the 'right' not to be offended, sensitive identities and relativism -- Dorota A. Gozdecka -- Particular or universal? National identity and human rights: a legal approach -- Vincent Depaigne -- Judgment and solidarity: toward a phenomenology of moral and legal judging in Arendt and Adorno -- Craig Reeves.

## Sommario/riassunto

Law and Outsiders is a collection of 13 essays from leading young scholars covering five important areas of legal scholarship: adjudication, European law and politics, migration, vulnerable minorities and legal values. The recurring theme in the volume is the way in which rules and processes are contributing to the creation of twenty-first-century 'others' in areas such as domestic constitutional systems, international security and migration, and global human rights discourses. The essays are drawn from the second International Graduate Legal Research Conference, held at King's College London in June 2008