1. Record Nr. UNINA9910495230603321 The Indian Yearbook of Comparative Law 2019 / / edited by Mathew Titolo John, Vishwas H. Devaiah, Pritam Baruah, Moiz Tundawala, Niraj Kumar Pubbl/distr/stampa Singapore:,: Springer Nature Singapore:,: Imprint: Springer,, 2021 **ISBN** 981-16-2175-6 Edizione [1st ed. 2021.] 1 online resource (XI, 371 p. 3 illus., 2 illus. in color.) Descrizione fisica The Indian Yearbook of Comparative Law, , 2524-7050 Collana Disciplina 340.9 Soggetti Private international law Conflict of laws International law Comparative law Administrative law Constitutional law Mediation Dispute resolution (Law) Arbitration (Administrative law) Medical laws and legislation **Environmental Law** Private International Law, International and Foreign Law, Comparative Administrative Law Constitutional Law Dispute Resolution, Mediation, Arbitration Medical Law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia The Limits and Challenges of Comparativism -- A Call for Order: Intra-Nota di contenuto Disciplinary Challenges and 'Comparative Environmental Law' -- The Curious Case of Overfitting Legal Transplants -- The Concept of

Arbitral Award under the New York Convention: A Comparative Study of English, French and Indian Approaches -- A comparative assessment of the legal framework on cross-border consumer disputes -- Sustainable

Development Component in Model BITs - A Comparative Analysis -- Proportionality – A Balancing Act for Achieving Constitutional Rights (A Comparative Study) -- Authoritarian Constitutions: Audience and Purposes -- The Rechtsstaat as a German Concept? –An Attempt at Contouring and Contextualizing -- Does Authoritarian Legality Work for China?.

Sommario/riassunto

This book is a compilation of thematically arranged essays that critically analyze emerging developments, issues, and perspectives in the field of comparative law, especially in the field of comparative constitutional law. The book discusses limits and challenges of comparativism, comparative aspects of arbitral awards, cross-border consumer disputes, online hate speech, authoritarian constitutions, issues related to legal transplants, the indispensability of the idea of the concept of Rechtsstaat, interdisciplinary challenges of comparative environmental law, free exercise of religions, public interest litigation, constitutional interpretation and developments, and sustainable development in model BITs. It comprises seven 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, fourth, and fifth parts examine aspects of public law with special focus on constitutional law, human rights, environmental law, and economic laws. The last part of the book covers recent developments in the field of comparative law. The book intends to seamlessly tie together discussions on both public and private law aspects of comparative law. It encourages readers to gain a nuanced understanding of the working of law, legal systems, and legal cultures while aiding deliberations on the constituents of an ideal system of law.