

1. Record Nr.	UNINA9910781413303321
Titolo	The culture of judicial independence [[electronic resource]] : conceptual foundations and practical challenges / / edited by Shimon Shetreet, Christopher Forsyth
Pubbl/distr/stampa	Boston, : Martinus Nijhoff Publishers, c2012
ISBN	1-283-33476-3 9786613334763 90-04-21585-9
Descrizione fisica	1 online resource (689 p.)
Collana	Nijhoff eBook titles
Altri autori (Persone)	ShetreetShimon <1946-> ForsythC. F
Disciplina	347.012
Soggetti	Judicial independence Constitutional law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di contenuto	Preliminary Material / Shimon Shetreet and Christopher Forsyth -- General Introduction / Shimon Shetreet and Christopher Forsyth -- The Significance of the Independence of the Judiciary Creating a Culture of Judicial Independence: The Practical Challenge and the Conceptual and Constitutional Infrastructure / Shimon Shetreet -- The Failure of Institutions: The South African Judicial Service Commission and the Hlophe Saga / Christopher Forsyth -- Independence of the Judiciary: The European Perspective / Marcel Storme -- A Fresh Start: The Four Pillars of Civil Justice / Neil Andrews -- The Judiciary and the Other Branches of Government Judicial Independence and the Rule of Law: Exploring the European Experience / Carlo Guarnieri and Daniela Piana -- The Rule of Law vs. the Rule of Judges: A Brandeisian Solution / Stephen Goldstein -- The Threats to Judicial Independence: Experiences from the Commonwealth / Cyrus Das -- Corruption and Judicial Independence / Hiram E. Chodosh -- Judicial Independence in the Face of Violence / Wayne McCormack -- Judicial Independence and Judicial Hubris / Maimon Schwarzschild -- Judicial Independence in International Law and National Law The Independence and Impartiality

of the 'International Judiciary' / James Crawford and Joe McIntyre -- The Independence of International Judges in National Courts: Lessons from Bosnia Herzegovina / David Feldman -- The Impact of the ECHR Jurisprudence on the Austrian Practice in the Field of Judicial Independence / Walter Rechberger -- The Independence of International Arbitrators / H.E. Markus Buechel -- Judicial Independence as an Indicator of International Court Effectiveness: A Goal-Based Approach / Yuval Shany -- Separation of Powers and the International Judiciary – A Vision of Institutional Judicial Independence in International Law / Michael Bohlander -- Judicial Appointment, Judicial Conduct and Judicial Accountability The Supreme Court of Canada Appointment Process: Chronology, Context and Reform / Irwin Cotler -- The System of Judicial Appointment in Poland – A Question of the Legitimacy of the Judicial Power / Fryderyk Zoll -- Courts and the Media: Opening New Doors: Current Aspects of Court – Media Interaction in Israel / Eliezer Rivlin -- Independence and Judicial Discipline: The Italian Code of Judicial Conduct / Daniela Cavallini -- The Age of Judicial Responsibility: The Retirement and Resignation of Appellate Court Judges / Sir Louis Blom-Cooper QC -- Standards of Judicial Behaviour and the Impact of Codes of Conduct / Anton Cooray -- Country Studies of Judicial Independence Judicial Independence: The British Experience / Neil Andrews -- A Recent Challenge to Judicial Independence in Sri Lanka: The Issue of the Constitutional Council / Chandra R. de Silva -- Challenges of Judicial Independence—An Australian Perspective / H.P. Lee -- Shrinking Legal Aid, Unrepresented Litigants and Judicial Independence / Avrom Sherr -- The Northern Irish Judiciary in Times of Crisis: The Diplock Courts / Sophie Turenne -- The Challenge of Judicial Independence and the Experience of Pakistan / Mr. Justice Tassaduq Hussain Jillani.

Sommario/riassunto

The creation of a culture of Judicial Independence is of a central significance both in national domestic legal systems, as well as for the international courts and tribunals. The main aim of this volume is to analyze the development of a culture of Judicial Independence in comparative perspectives, to offer an examination of the conceptual foundations of the principle of judicial independence and to discuss in detail the practical challenges facing judiciaries in different jurisdictions. The proposed volume is based on the papers presented at the five conferences held in the framework of The International Project on Judicial independence. The editors of this volume and the contributors to it are leading scholars and distinguished experts on judicial independence and judiciaries.
