

1. Record Nr.	UNINA9910787932403321
Titolo	The culture of judicial independence : rule of law and world peace // edited by Shimon Shetreet
Pubbl/distr/stampa	Leiden, Netherlands : , : Brill Nijhoff, , 2014 ©2014
ISBN	90-04-25781-0
Descrizione fisica	1 online resource (600 p.)
Disciplina	340/11
Soggetti	Judicial independence Rule of law Peace
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Preliminary Material / Shimon Shetreet -- General Introduction / Shimon Shetreet -- Judicial Independence, Liberty, Democracy and International Economy / Shimon Shetreet -- Accountability of Judicial Service Commissions to the Law: The Case of South Africa / Christopher Forsyth -- Reflections on Judicial Independence: Past Achievements and Future Agenda / Marcel Storme -- Judging the Independence and Integrity of Foreign Courts / Neil Andrews -- The Protection of Religious Liberty in the United States: The Supreme Court Jurisprudence / Maimon Schwarzschild -- The Culture of Peace and Human Rights: The Development of Human Rights Protection in the European Union / Shimon Shetreet -- Globalization of Human Rights and Mutual Influence between Courts: The Innovative Reverse Path of the Right to the Truth / Arianna Vedaschi -- The Independence of the Judiciary in Belgium / Marc Bossuyt -- On Fairness / Sir Louis Blom-Cooper QC -- The Conceptual Definition of the Constitutional Court in Italy / Giuseppe Franco Ferrari -- The Scope of Judicial Review and the Rule of Law: Between Judicial Restraint and Judicial Activism / Sir Louis Blom-Cooper QC -- Entering the Political Thicket: The Role of the Judiciary as an Arbiter in Relation to Making and Implementation of Public Policy / Anton Cooray -- On Judges Writing Commentaries: Is It Appropriate for a Judge to Engage in Outside Activities? / Fryderyk Zoll

-- Procedural Guarantees of Independence and Impartiality of Judges in Russia / Sergey Nikitin -- The Relationship of the Judiciary and Legislature in Australia / HP Lee -- Relations Between the Court and the Parties in the Managerial Age / Neil Andrews -- Independence of Court Proceedings: Impartiality and Fairness / Dmitry Magonya -- Recusal of Judges: A Commonwealth Survey of the Applicable Tests / Cyrus Das -- The Status of Codes of Judicial Conduct in Comparative Perspectives / Shimon Shetreet -- Judicial Independence in the Context of International Investment Law / Guiguo Wang -- Judicial Impartiality in International Courts: Of Law and Corruption / Wayne McCormack -- Arbitral Awards and Errors of English Law: Refining The Law – Making Function of The Judicial Appeal System / Neil Andrews -- The Influence of the European Convention on Human Rights on Judicial Independence in Criminal Procedural Law in Switzerland / Gian Andrea Danuser -- Recent Developments in Judicial Elections in the United States and their Impact on Impartiality of Judges / Chandra R. de Silva -- Culture and Judicial Independence in Civil Procedure / Dmitry Maleshin -- Constitutional Adjudication and Appointments to the uk Supreme Court / Sophie Turenne -- Appointment of Judges and Legal Responsibility of Judges: Guarantees of Independence in Russia / Sergey Nikitin -- The Bumpy Road Towards Judicial Independence: Past, Present and Future Prospects of Mainland China / Liu Hao -- Administrative Justice System in Italy / Giuseppe Franco Ferrari -- Judicial Independence and the Three Highest Courts in Austria / Walter H. Rechberger -- Analysis of the Amendments to the Mt. Scopus International Standards of Judicial Independence / Shimon Shetreet.

Sommario/riassunto

The Culture of Judicial Independence: Rule of Law and World Peace , is the third book by Shimon Shetreet on Judicial Independence. The first was Judicial Independence: The Contemporary Debate (edited by Shimon Shetreet and Jules Deschênes, Nijhoff, 1985). The second was The Culture of Judicial Independence: Conceptual Foundations and Practical Challenges (Edited by Shimon Shetreet and Christopher Forsyth, Nijhoff, 2012). This volume contains essays by senior academics, judges and practitioners across jurisdictions offering an analysis of several central issues relative to the culture of Judicial Independence. These include judicial review, human rights, democracy, the rule of law and world peace, constitutional position of top courts, relations between the judiciary and the other branches of government, impartiality and fairness of the judicial process, judicial ethics, dispute resolution in arbitral awards and international investments, international courts and cross country issues, judicial selection. The volume also offers an update report on the International Project of Judicial Independence of the International Association of Judicial Independence and World Peace, including the relations of top courts and international courts, administrative judges, culture of judicial independence and public inquiries by judges.
