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Nota di contenuto	Front Matter -- Copyright Page -- Preface -- Foreword -- Foreword -- About the Author -- Abbreviations -- Introduction -- Legal History -- Church -- France -- England -- Germany -- Country Reports: The Contemporary French and British Court System -- Core Patterns of Ordinary Judiciary, Representative throughout the European Union -- Protective Rationale of Ordinary Competence: the Court External Sphere -- Protective Rationale of Objective, General Standards: the Court Internal Sphere -- The Historic Comparison as Line of Arguments for the European Convention -- Legal History 'in Front of Court' -- Legal History as Mentor of Present and Future -- The Idea of Justness behind Ordinary Judicial Competences -- Back Matter -- Bibliography -- Index.
Sommario/riassunto	Throughout Europe, the exercise of justice rests on judicial independence by impartiality. In Reason and Fairness Ulrike Müßig reveals the combination of ordinary judicial competences with procedural rationality, together with the complementarity of procedural and substantive justice, as the foundation for the 'rule of law' in court constitution, far earlier than the advent of liberal constitutionalism. The ECHR fair trial guarantee reads as the historically-grown consensus of the functional judicial independence. Both before historical and contemporary courts, justice is done and seen to be done by means of

judgements, whose legal requirements combine the equation of 'fair' and 'legal' with that of 'legal' and 'rational.' This legal determinability of the judge's fair attitude amounts to the specific (rational) European idea of justice.

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