Record Nr. UNINA9910798240503321 Rethinking expropriation law I: public interest in expropriation // **Titolo** edited by Bjorn Hoops [and four others] Pubbl/distr/stampa The Hague:,: Eleven International Publishing,, [2015] ©2015 **ISBN** 94-6274-444-0 Descrizione fisica 1 online resource (411 p.) Disciplina 343.0252 Soggetti **Eminent domain** Eminent domain (International law) Compensation (Law) Rule of law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Includes bibliographical references. Nota di bibliografia Nota di contenuto Cover: Chapter 1 Rethinking Public Interest in Expropriation Law: Introductory Observations; 1.1 The Law, Good Governance, and Expropriation: 1.2 The Basic Requirements and Interpretative Challenges; 1.2.1 Questions of Scope; 1.2.2 Questions of Context; 1.3.1 Terminology and Interpretation; 1.3.2 Public Purpose in the Context of Good Governance: 1.3.3 Public Purpose and the Determination of Fair Compensation; 1.4 Urgent Need to Reconceptualize Expropriation; 1.5 Conclusion; Chapter 2 Public Interest in Takings Cases in Italy and France: The Constitutional and **Human Rights Dimension** 2.1 Introduction 2.2 The Right of Property at the Interface between National Legal Traditions and the ECHR; 2.3 Putting the Public Interest Requirement into Context: Scope and Meaning of the Protection of Property Rights; 2.4 Looking for the Meaning of Public Interest through the Lens of Courts; 2.5 Questioning the Public Interest of Takings: Which Standard of Judicial Review?; 2.6 Conclusion; Chapter 3 The Poverty of Precedent on Public Purpose/Interest; 3.1 Introduction; 3.2.1

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