

1. Record Nr.	UNINA9910815303903321
Autore	Reid Elspeth
Titolo	Private law and human rights [[electronic resource]] : bringing rights home in Scotland and South Africa // edited by Elspeth Reid and Daniel Visser
Pubbl/distr/stampa	Edinburgh, : Edinburgh University Press, 2013
ISBN	0-7486-8418-2
Descrizione fisica	1 online resource (577 p.)
Altri autori (Persone)	ReidElspeth VisserD. P
Disciplina	344.1107
Soggetti	Civil rights - Scotland Civil rights - South Africa Civil law - Scotland Civil law - South Africa
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Title Page; Imprint; Contents; Preface; Contributors; Table of Cases; Table of Statutes; Chapter 1 Introduction; Chapter 2 Private Law in the Age of Rights; Chapter 3 The Politics of Private Law: Sexual Minority Freedom in South Africa and Scotland; Chapter 4 Child Law: Respecting the Rights of Children; Chapter 5 Property Deprivation of an Absentee in Emulation of the Laws of Succession: The Laws of Scotland and South Africa Compared; Chapter 6 The Right to Personal Security; Chapter 7 Privacy ; Chapter 8 Defamation and Freedom of Expression; Chapter 9 Strict Liability Chapter 10 Liability of Public Authorities and Public OfficialsChapter 11 Nuisance; Chapter 12 Contract Law and Human Rights; Chapter 13 Principles, Policy and Practice: Human Rights and the Law of Contract; Chapter 14 Juristic Persons and Fundamental Rights; Chapter 15 Examining the Labour Law and Social Dimension of Human Rights: The UK and South Africa; Chapter 16 Rights in Security ; Chapter 17 Access to Credit, the Law of Suretyship and Unfair Suretyships; Chapter 18 The Human Right of Property in Land Law: Comparing South Africa and Scotland

Chapter 19 The Margin of Appreciation Doctrine of the European Court of Human Rights: Protection of Ownership and the Right to a Home
Chapter 20 Environment and Human Rights: The Right to Water in South Africa and Scotland; Index

Sommario/riassunto

A comparative investigation into the revolution in private law in the era of human rights. Scotland and South Africa are mixed jurisdictions, combining features of common law and civil law traditions. Over the last decade a shared feature in both Scotland and South Africa has been a new and intense focus on human rights. In Scotland the European Convention on Human Rights now constitutes an important element in the foundation of all domestic law. Similarly, the Constitution of the Republic of South Africa, adopted in 1996, has as its cornerstone a Bill of Rights that binds not only the legislat
