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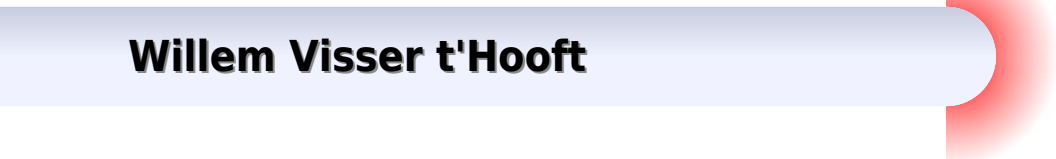
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East Asian Law Lucie Cheng, Arthur Rosett, Margaret Woo, 2003-09-02 This work explores the tension in East Asia between the trend towards a convergence of legal practices in the direction of a universal model and a reassertion of local cultural practices. The trend towards convergence arises in part from globalisation from rule of law programs promulgated by institutions such as the International Monetary Fund and the Asian Development Bank and from widespread migration in the region whilst the opposing trend arises in part from moves to resist such globalisation. This book explores a wide range of issues related to this key problem covering China in particular where resolving differences in conceptions about the rule of law is a key issue as China begins to integrate itself into the World Trade Organisation regime.

Constitutional Law in Japan Hiroyuki Hata†, Go Nakagawa†, Takehisa Nakagawa, Hiromi Nishimura, Takayoshi Okada, 2024-09-17 Derived from the renowned multi volume *International Encyclopaedia of Laws* this very useful analysis of constitutional law in Japan provides essential information on the country's sources of constitutional law its form of government and its administrative structure. Lawyers who handle transnational matters will appreciate the clarifications of particular terminology and its application. Throughout the book the treatment emphasizes the specific points at which

constitutional law affects the interpretation of legal rules and procedure Thorough coverage by a local expert fully describes the political system the historical background the role of treaties legislation jurisprudence and administrative regulations The discussion of the form and structure of government outlines its legal status the jurisdiction and workings of the central state organs the subdivisions of the state its decentralized authorities and concepts of citizenship Special issues include the legal position of aliens foreign relations taxing and spending powers emergency laws the power of the military and the constitutional relationship between church and state Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for both practising and academic jurists Lawyers representing parties with interests in Japan will welcome this guide and academics and researchers will appreciate its value in the study of comparative constitutional law The Internationalization of the Practice of Law Jens Drolshammer, Michael Pfeifer, 2021-08-04 The Oxford Handbook of Intellectual Property Law Rochelle C. Dreyfuss, Justine Pila, 2018-04-12 We live in an age in which expressive informational and technological subject matter are becoming increasingly important Intellectual property is the primary means by which the law seeks to regulate such subject matter It aims to promote innovation and creativity and in doing so to support solutions to global environmental and health problems as well as freedom of expression and democracy It also seeks to stimulate economic growth and competition accounting for its centrality to EU Internal Market and international trade and development policies Additionally it is of enormous and increasing importance to business As a result there is a substantial and ever growing interest in intellectual property law across all spheres of industry and social policy including an interest in its legal principles its social and normative foundations and its place and operation in the political economy This handbook written by leading academics and practitioners from the field of intellectual property law and suitable for both a specialist legal readership and an intelligent but non specialist legal and non legal readership provides a comprehensive account of the following areas The foundations of IP law including its emergence and development in different jurisdictions and regions The substantive rules and principles of IP and Important issues arising from the existence and operation of IP in the political economy World Criminal Justice Systems Richard J. Terrill, 2015-10-30 World Criminal Justice Systems Ninth Edition provides an understanding of major world criminal justice systems by discussing and comparing the systems of six of the world's countries each representative of a different type of legal system An additional chapter on Islamic law uses three examples to illustrate the range of practice within Sharia Political historical organizational procedural and critical issues confronting the justice systems are explained and analyzed Each chapter contains material on government police judiciary law corrections juvenile justice and other critical issues The ninth edition features an introduction directing students to the resources they need to understand comparative criminal justice theory and methodology The chapter on Russia includes consideration of the

turmoil in post Soviet successor states and the final chapter on Islamic law examines the current status of criminal justice systems in the Middle East

Japanese Contract and Anti-Trust Law Willem Visser t'Hooft, 2003-09-02 This book describes the role of Japanese contract law in protecting the distributor against unilateral terminations of distribution agreements Based primarily on Japanese language legal material

The Development of Jury Service in Japan Anna Dobrovolskaia, 2016-08-19 This book presents a comprehensive account of past and present efforts to introduce the jury system in Japan Four legal reforms are documented and assessed the implementation of the bureaucratic and all judge special jury systems in the 1870s the introduction of the all layperson jury in the late 1920s the transplantation of the Anglo American style jury system to Okinawa under the U S Occupation and the implementation of the mixed court lay judge saiban in system in 2009 While being primarily interested in the related case studies the book also discusses the instances when the idea of introducing trial by jury was rejected at different times in Japan s history Why does legal reform happen What are the determinants of success and failure of a reform effort What are the prospects of the saiban in system to function effectively in Japan This book offers important insights on the questions that lie at the core of the law and society debate and are highly relevant for understanding contemporary Japan and its recent and distant past

Popular Participation in Japanese Criminal Justice Andrew Watson, 2016-10-26 This book analyses the mixed courts of professional and lay judges in the Japanese criminal justice system It takes a particular focus on the highly public start of the mixed court the saiban in system and the jury system between 1928 1943 This was the first time Japanese citizens participated as decision makers in criminal law The book assesses reasons for the jury system s failure and its suspension in 1943 as well as the renewed interest in popular involvement in criminal justice at the end of the twentieth century Popular Participation in Japanese Criminal Justice proceeds by explaining the process by which lay participation in criminal trials left the periphery to become an important national matter at the turn of the century It shows that rather than an Anglo American jury model outline recommendations made by the Japanese Judicial Reform Council were for a mixed court of judges and laypersons to try serious cases Concerns about the lay judge saiban in system are raised as well as explanations for why it is flourishing in contemporary society despite the failure of the jury system during the period 1928 1943 The book presents the wider significance of Japanese mixed courts in Asia and beyond and in doing so will be of great interests to scholars of socio legal studies criminology and criminal justice

Routledge Handbook of Asian Law Christoph Antons, 2016-11-03 Law and legal institutions in East Asia s high growth episodes Conclusion East Asia law and development and today s developing countries Chapter 4 A new China model for the era post global financial crisis Legal dimensions Introduction The East Asian model its progeny and their problems The emerging post Washington post Beijing consensus PWBC Implications of the PWBC for the China model The decision in light of the PWBC The implications of the decision for legal reforms Conclusion

Translation and the Law Marshall Morris, 1995-12-21 This long needed reference on the innumerable and increasing ways that the law intersects with

translation and interpreting features essays by scholars and professions from the United States Australia Hong Kong Iceland Israel Japan and Sweden The essays range from sophisticated treatments of historical and hence philosophical variations in concept and practice to detailed practical advice on self education Essays show a particular concern for the challenges of courtroom discourse when the parties not only use different languages but operate from different cultural and legal traditions

Intellectual Property Harmonisation Within ASEAN and APEC Christopher Heath, 2004-01-01 In several major areas of international trade particularly software and technology transfer a harmonised regime of intellectual property law is a crucial prerequisite to success Yet this legal concept appears to be extraordinarily difficult to establish on any agreed upon basis among countries And nowhere has the sought for harmonisation proven more intractable than in the countries of the Asia Pacific region Intellectual Property Harmonisation in ASEAN and APEC investigates the complex issues that lie at the root of this major block to the unhampered global flow of commerce based on intangible assets By highlighting the background of Asian legal systems both in terms of culture and intellectual property systems the authors suggest how the current obstacles towards greater harmonisation and integration may be overcome Defining the accepted principles enshrined in TRIPS the Paris Convention and other international agreements the presentation describes the relatively successful European experience and then goes on to develop strategic variations geared to relate more precisely to harmonisation integration and co operation in the East Asian region Among the important elements of the problem and its potential solutions discussed in this book are the following the strong influence of legal culture in the different Asian countries the limits of IP harmonisation in Europe the importance of understanding the political and cultural perceptions that prevail in the various Asian countries the non uniform approach of different Asian countries due in part to bilateral free trade agreements and the experience of patent office cooperation and its potential as a model for smaller countries The contributing authors have all worked in the IP field for more than a decade and have followed closely the developments of intellectual property law since the advent of the TRIPS Agreement Their collective expertise includes both academic and practical considerations on IP harmonisation Intellectual Property Harmonisation in ASEAN and APEC will be of great value and interest to policymakers seeking effective enforcement of intellectual property rights to international lawyers counseling clients on Asia and to academics working in the fields of intellectual property or Asian law

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The Blackwell Companion to Criminology Colin Sumner, 2008-04-15 The Blackwell Companion to Criminology provides a contemporary and global resource to scholarship in both classical and topical areas of criminology Written accessibly and with its international perspective and first rate scholarship this is truly the first global handbook of criminology Editors and contributors are international experts in criminology offering a comparative perspective on theories and systems Contains full discussion of key debates and theories the implications of new topics studies and ideas and contemporary developments Coverage includes class gender and race criminal justice juvenile

delinquency punishment mass media international crimes and social control **Public Law in East Asia** Albert H. Y. Chen, 2017-07-05 Public Law in East Asia is a collection of the leading English language articles on constitutional and administrative law in the Asian region written by many of the leading scholars from this area. The region has its own distinct legal and political traditions and its systems of government have facilitated dynamic economic growth but the role of public law has not been well understood. Covering a wide range of jurisdictions in a single volume, this collection provides insights into the ways in which institutions of Western origin have been integrated into Asian political and legal cultures producing new syntheses. Foreign Social Science Bibliographies, 1965 **Bibliography of Social Science Periodicals and Monograph Series** United States. Bureau of the Census, United States. Bureau of the Census. Foreign Demographic Analysis Division, 1965 The Yearbook of Consumer Law 2009 Annette Nordhausen, Geraint Howells, 2016-02-17 The Yearbook of Consumer Law provides a valuable outlet for high quality scholarly work which tracks developments in the consumer law field with a domestic regional and international dimension. The 2009 volume presents a range of peer reviewed scholarly articles analytical in approach and focusing on specific areas of consumer law such as credit consumer redress and the impact of the European Union on consumer law. The book also includes a section dedicated to significant developments during the period covered such as key legislative developments and important court decisions. It is an essential resource for all academics and practitioners working in the areas of consumer law and policy. *Bibliography of Social Science Periodicals and Monograph Series: Japan* United States. Bureau of the Census, 1961 **American Comparative Law** David Scott Clark, 2022 Historical Comparative Law and Comparative Legal History. Legal history and comparative law overlap in important respects. This is more apparent with the use of some methods for comparison such as legal transplant, natural law or nation building. M. N. S. Sellers nicely portrayed the relationship. The past is a foreign country; its people strangers and its laws obscure. No one can really understand her or his own legal system without leaving it first and looking back from the outside. The comparative study of law makes one's own legal system more comprehensible by revealing its idiosyncrasies. Legal history is comparative law without travel. Legal historians, perhaps especially in the United States, have been skeptical about the possibility of a fruitful comparative legal history, preferring in general to investigate the distinctiveness of their national experience. Comparatists, however content with revealing or promoting similarities or differences between legal systems by their nature, strive toward comparison. Some American historians, especially since World War II, see the value in this.

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