

Judicial deliberations - a comparative analysis of judicial transparency and legitimacy

Oxford University Press - Judicial Deliberations : Mitchel De S.

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The conference will conclude on Saturday afternoon with a roundtable debate

between professor Lasser and magistrates from the European Court of Justice, the European Court of Human Rights, the French Cour de cassation, the Belgian Cour de cassation and the Dutch Court of cassation Hoge Raad. This drives the ECJ towards generating legitimacy by adopting a somewhat more transparent argumentative Subjects: , Contents: 1. Law-making per se may be limited to the legislature; but significant judicial normative administration is entrusted to State selected, trained, and sanctioned elites who are policed internally through hierarchical institutional structures.

Judicial Deliberations A Comparative Analysis Of Transparency And Legitimacy Oxford Studies In European Law PDF Book

American judges engage in extensive debates that subject them to public scrutiny and control. Lasser demonstrates that the French judicial system rests on a particularly unified institutional and ideological framework founded on explicitly republican notions of meritocracy and managerial expertise.

Judicial Deliberations in the European Court of Human Rights

The interests and imperatives of Justice Solomon and Justice Machine act like the proverbial angel on one shoulder and devil on the other. Today many continental European judges, mostly the ones sitting on constitutional courts, can express their dissent from their colleagues by writing a separate opinion. Only in this way can the judge fulfil the objectives of the judicial function, resolving the instant dispute and engaging in effective social governance.

Katalin Kelemen

Judicial deliberations a comparative analysis of transparency and legitimacy mitchel de s o le lasser oxford studies in european law offers a major comparative study of the judicial reasoning and interpretive processes of civil and common law systems and the european court of justice.

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