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The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations Judicial Independence Judges Against Justice We Want Justice Justice and the Judiciary A Judge for the Ages National Courts and Preliminary References to the Court of Justice Enhancing the Rule of Law through the International Court of Justice The Judicial System The Nature of the Judicial Process Fifty Years of the International Court of Justice Courts on Trial The Faces of Justice and State Authority European judicial systems - Edition 2014 (2012 data) - Efficiency and quality of justice The Administration of Justice in British India The Justicide Brief On Law and Policy in the European Court of Justice The Nature of the Judicial Process The International Court of Justice and the Judicial Function Jurisdiction of the International Court of Justice Regional Integration and Courts of Justice Justice in America Judicial Protection in the European Communities Perils of Judicial Self-Government in Transitional Societies Judges The International Court of Justice and some contemporary problems The International Court of Justice Judicial Decisions on the Law of International Organizations The World Court:What It Is and How It Works The International Court of Justice and Municipal Courts The Application of Teachings by the International Court of Justice The International Court of Justice and Judicial Review:A Study of the Court's Powers with Respect to Judgments of the ILO and UN Administrative Tribunals Justice Versus Judiciary Goals of Civil Justice and Civil Procedure in Contemporary Judicial Systems Judicial Protection in the European Communities Conscience, Equity and the Court of Chancery in Early Modern England Civil Justice in Renaissance Scotland The Judge, the Judiciary and the Court The Court of Justice of the European Union The Mimetic Evolution of the Court of Justice of the EU

The Role of the International Court of Justice as the Principal Judicial Organ of the United Nations 2021-08-04

the role of the international court of justice as the principal judicial organ of the united nations is a thought provoking and valuable addition to the existing literature on the icj the book s originality lies in that it provides both the student and practitioner of international law and relations with a comprehensive evaluation of important but hitherto neglected aspects of the work of the world court

Judicial Independence 1985-01-01 this study discusses the many different aspects of judicial independence in israel it begins with an historical analysis of the concept of judicial independence in a comparative perspective emphasizing the conceptual roots of the judiciary in jewish law recent decades have witnessed a marked increase in the role played by the judiciary in society this general trend is apparent in israel where the highly significant social role played by the judiciary has been on the increase for some years the constitutional role of the judiciary in society is more pronounced in countries where the courts are empowered to review the constitutionality of legislative acts in israel the power of judicial review in decisions of the supreme court has been applied in a number of cases in which legislation of the israeli parliament the kneset has been set aside the increasingly prominent role of the judiciary in israel is further manifested by the frequent recourse to judicial commissions of inquiry chaired by judges who are often called upon to examine some of the major public controversies

Judges Against Justice 2014-09-11 this book explores concrete situations in which judges are faced with a legislature and an executive that consciously and systematically discard the ideals of the rule of law it revolves around three basic questions what happen when states become oppressive and the judiciary contributes to the oppression how can we from a legal point of view evaluate the actions of judges who contribute to oppression and thirdly how can we understand their participation from a moral point of view and support their inclination to resist

We Want Justice 2005 the debate in jamaica regarding the replacement of the judicial committee of the the privy council jcpc with the caribbean court of justice ccj has dominated public discussion from some time we want justice documents the presentations made by representatives of government and opposition during the debate pn the resolutions tabled in the houses of parliament in 2003 calling on members to express their support for the ratification by jamaica of the agreement to establish the ccj the presentations are accompanied by four other papers written by persons outside of parliament as well as a copy of the agreement establishing the ccj

Justice and the Judiciary 2012-08-01 the book analyses the concept and application of justice in every domain of life justice has a universal character relevant to every part of the world deviation from its norms brings injustice entailing denigration of human nature in all its expressions the book is worth reading by everyone interested in justice

A Judge for the Ages 2017 this innovative book examines why national courts refer preliminary references to the european court of justice ecj and what the referring court does with the answers jasper krommendijk highlights the three core stages in the interaction between national courts and the ecj question answer and follow up

shedding new light on this under explored area

National Courts and Preliminary References to the Court of Justice 2021-10-26 enhancing the rule of law through

the international court of justice edited by giorgio gaja and jenny grote stoutenburg explores the current and possible future contribution of the international court of justice to the rule of law in the international community
Enhancing the Rule of Law through the International Court of Justice 2014-07-10 this timely book explores the expansion of the role of judges and courts in the political system and the mixed reactions generated by these developments in this comprehensive book carlo guarnieri and patrizia pederzoli draw on a wealth of experience in teaching and research in the field moving beyond traditional legal analysis and providing a clear concise and all encompassing introduction to the phenomenon of the administration of justice and all of its traits

The Judicial System 2020-05-29 truly scientific in spirit and method presenting its subject with the balance restraint and clarity which have marked the author s distinguished service as a judge harlan f stone chief justice of the united states supreme court 1942 1946 in this classic treatise a supreme court justice describes in simple and understandable language the conscious and unconscious processes by which a judge decides a case he discusses the sources of information to which he appeals for guidance and analyzes the contribution that considerations of precedent logical consistency custom social welfare and standards of justice and morals have in shaping his decisions

The Nature of the Judicial Process 1960-09-10 to mark the fiftieth anniversary of the international court of justice a distinguished group of international judges practitioners and academics has undertaken a major review of its work the chapters discuss the main areas of substantive law with which the court has been concerned and the more significant aspects of its practice and procedure in dealing with cases before it it discusses the role of the court in the international legal order and its relationship with the political organs of the united nations the thirty three chapters are presented under five headings the court the sources and evidence of international law substance of international law procedural aspects of the court s work the court and the united nations it has been prepared in honour of sir robert jennings judge and sometime president of the court

Fifty Years of the International Court of Justice 1996-02-29 contents i the needless mystery of court house government ii fights and rights iii facts are guesses iv modern legal magic v wizards and lawyers vi the fight theory versus the truth theory vii the procedural reformers viii the jury system ix defenses of the jury system suggested reforms x are judges human xi psychological approaches xii criticism of trial court decisions the gestalt xiii a trial as a communicative process xiv legal science and legal engineering xv the upper court myth xvi legal education xvii special training for trial judges xviii the cult of the robe xix precedents and stability xx codification xxi words and music legislation and judicial interpretation xxii constitutions the merry go round xxiii legal reasoning xxiv da capo xxv the anthropological approach xxvi natural law xxvii the psychology of litigants xxviii the unblindfolding of justice xxix classicism and romanticism xxx justice and emotions xxxi questioning some legal axioms xxxii reason and unreason ideals

Courts on Trial 1973-09-21 in this work a legal scholar provides a comparative analysis of how justice is

administered in legal systems around the world and of the link between politics and justice the author aims to provide a new perspective that enables disparate procedural features to emerge as recognizable patterns

The Faces of Justice and State Authority 1986-01-01 the new edition of the report of the european commission for the efficiency of justice cepej which evaluates the functioning of the judicial systems in 45 council of europe member states and an observer state to the cepej israel remains in line with the process carried out since 2002 relying on a methodology which is already a reference for collecting and processing a wide number of quantitative and qualitative judicial data this unique study has been conceived above all as a tool for public policy aimed at improving the efficiency and the quality of justice to have the knowledge in order to be able to understand analyse and reform such is the objective of the cepej which has prepared this report intended for policy makers legal practitioners researchers as well as for those who are interested in the functioning of justice in europe

European judicial systems - Edition 2014 (2012 data) - Efficiency and quality of justice 2014-12-01 justice is dead the justicide brief traces the historical development of justice from the magna carta to the u s constitution describing the founders vision for justice as defined in the judiciary act of 1789 the justicide brief then continues by describing how that vision has been destroyed starting with the judiciary act of 1891 by silent approaches and slight deviations from legal modes of procedure the slow death of justice is detailed through to the present state of affairs where i decisions are made based upon the practically unreviewable whims of a judge ii the private american bar association has been given the power to determine who will be able to practice law and sit as judges and iii judges are absolutely immune from the consequences of any judicial misbehavior concluding with specific proposal to bring back to life the justice the founders had envisioned the justicide brief is a necessary read for anyone claiming to be an informed citizen

The Administration of Justice in British India 1858 in this legal classic a former associate supreme court justice explains the conscious and unconscious processes by which a judge decides a case in simple understandable language he discusses the ways rulings are guided and shaped by information precedent and custom and standards of justice and morals

The Juristic Brief 2020-08-27 this book evaluates the concept of the function of law through the prism of the international court of justice it goes beyond a conventional analysis of the court s case law and applicable law to consider the compromise between supranational order and state sovereignty that lies at the heart of its institutional design it argues that this compromise prevents the court from playing a progressive role in the development of international law instead it influences the international legal order in more subtle ways in particular in shaping understanding of the nature or form of the international legal order as a whole the book concludes that the role of the court is not to advance some universal conception of international law but rather to decide the cases before it in the best possible way within its institutional limits while remaining aware of law s deeper theoretical foundations the book considers three key elements firstly it examines the historical aspects of the court s constitutive statute and the manner in which it defines its judicial character secondly it considers the

drafting process the function of a dissenting opinion and the role of the individual judge in an attempt to discern insights on the function of the court finally the book examines the court's practice in regard to three conceptual issues which assist in understanding the court's function its theory of precedent its definition of the international community and its theory on the completeness of the international legal order

On Law and Policy in the European Court of Justice 1986-06-24 jurisdiction of the international court of justice by judge xue hanqin introduces general concepts that underlie international adjudication and the basic rules and principles governing the competence and jurisdiction of the international court of justice

The Nature of the Judicial Process 1921 the success of european integration and the political stability and economic prosperity it offers to its members has found followers elsewhere several countries in different parts of world have been inclined to embark on projects of regional integration though the majority of them are limited to economic integration objectives some in particular regional groups in latin america profess to attain ambitious political goals and are constructed emulating the eu institutional structure in some cases this structure includes a regional court of justice entrusted with telling community law and solving differences between member states the aim of this book is to study the importance of such courts of justice as institutional actors for the development of regional integration in such a project the study of the eu and the european court of justice immediately presents itself as most relevant and important however the book expands the study beyond an examination of the eu to encompass a comparative approach with other regional courts of justice in particular the central american court of justice and subsidiarily the andean court of justice such a comparison allows both to assess the important differences between the courts as well as between the integration processes and to draw certain common features at present and for the future institutional evolution of other regional integration blocs katrin nyman metcalf has a phd in law from uppsala university in sweden specialised in public international and eu law she is associate professor at riga graduate school of law latvia and concordia university estonia as well as visiting professor at several other european universities apart from the academic work she works as a legal consultant mainly in east and central europe with legislation institution building and eu accession preparation ioannis papageorgiou has studied law in athens comparative politics in paris and holds a phd in development cooperation with specialization in latin america from the universit  libre de bruxelles ulb he is an attorney at law in athens a consultant on migration and refugee matters and since 2002 he teaches international migration in the school of sociology of the university of the aegean he also taught eu politics and constitution in the aristotle university of thessaloniki

The International Court of Justice and the Judicial Function 2014-05-29 i purpose of the book 1 the court of justice plays a significant role in the development of the european communities to some extent comparable with the role of the supreme court in the early years of the united states of america both are constitutional courts charged with the preservation and the development of the law in a new society the powers of both are in fact limited by the 1 existing political situation each court plays a vital role in the protection of the individual against a vast and increasingly influential administration in the present book the attempt is made to describe the nature of

the judicial protection within the sphere of european community law that is available to individuals and undertakings as well as to the member states the study is heavily based on the case law of the court of justice which in principle is described rather than criticized mainly for three reasons i the author has great admiration for the court of justice and for the manner in which it operates he considers that a detailed description of the court s case law portrays a fine legal system that is not susceptible to a great amount of fundamental criticism

Jurisdiction of the International Court of Justice 2017-08-16 this book investigates the mechanisms of judicial control to determine an efficient methodology for independence and accountability using over 800 case studies from the czech and slovak disciplinary courts the author creates a theoretical framework that can be applied to future case studies and decrease the frequency of accountability perversions

Regional Integration and Courts of Justice 2005 this book discusses the work of judges highlighting judicial values that are essential for earning and retaining public confidence in the judiciary these values include independence impartiality integrity propriety equality competence and diligence these core values commonly referred to as bangalore principles of judicial conduct were agreed upon by the judicial integrity group in bangalore india in february 2001 in 2003 the united nations human rights commission unhrc endorsed the above principles considered amongst common and civil law jurisdictions as the authoritative statement on the values that should inform judicial conduct judges must be independent and impartial independence means a judge should not take any instructions from anyone or be influenced in any way in determining any matter by anyone impartiality means that a judge should treat the parties before him equally providing them with equal opportunity to say their side of the story he should have no personal interest in the outcome of the case every judge is a product of his time it is through this prism that his objectivity must be assessed and critiqued the purpose of objectivity is to be dispassionate this objectivity is not always easy but it is attainable similarly the primary function of a judge is to dispense justice it has always been a revered principle of liberty and freedom that judges are no resisters of persons but the law ever vigilant to ensure that any governmental action is justified today s judge is required to give effect to the values of a pluralistic society that cherishes democracy human rights tolerance and diversity this book exemplifies these values

Justice in America 1984 this book groups together recent studies of some of the most significant features of contemporary public international law it straddles some five differing aspects of the living law of the united nations although written on diverse occasions and for different purposes they are nevertheless animated by the common ideal of analysing and synthesising current issues with which the international court of justice the united nations organization itself and related law making organs and institutions have been grappling in the last five years or so the treatment of the subjects with which they deal and the manner of their orientation naturally differ both in scope and in depth of analysing depending upon the particular aspects of international law under consideration they open up not only new horizons but also as one of its chapters indicates new conceptions and perspectives in current international law old topics are re examined from new angles some new topics are studied in such a way as to relate them to their customary roots and pristine significance in legal thought there

are five main parts the first and inevitably the longest division deals with the international judicial process in nearly all its modern ramifications as exemplified in the work of the court the first study deals with problems of method associated with the internal judicial practice of the court from the moment the public hearings have been completed up to the delivery of the judgment in other words how the court judges a case

Judicial Protection in the European Communities 2013-11-11 the international court of justice is the principal judicial organ of the united nations and epitomizes the very notion of international judicial institution yet it decides inter state disputes only with the parties consent this makes it more similar to international arbitral tribunals than other international courts however the permanent nature of the court the predetermination of procedural rules by the statute and the rules of court the public character of proceedings the opportunity for third states to intervene in a case under articles 62 and 63 of the statute and the court s role as the principal judicial organ of the united nations mark a structural difference between the icj and non institutionalized international arbitral tribunals this book analyses if and to what extent these features have influenced the approach of the icj and of the pcij before it to its own judicial function and have led it to depart from the principles established in international arbitration

Perils of Judicial Self-Government in Transitional Societies 2016-04 the first casebook of its kind judicial decisions on the law of international organizations contains relevant excerpts of leading court opinions and decisions on the law of international organizations international institutional law and critical commentaries written by leading experts in the field

Judges 2020-03-17 as in previous editions this book offers all who are interested in international affairs and the organs through which they are conducted a guide and introduction to the international court of justice and how it works

The International Court of Justice and some contemporary problems 2013-11-11 recent decades have brought international and municipal courts much closer together and induced meaningful cooperation this holds true also for the international court of justice and domestic judicial institutions as they engage actively in an inter judicial dialogue particularly on the normative level due to the impact of globalisation and internationalisation the world court has expanded its jurisprudence to also accommodate references and analysis of external judicial organs and their pronouncements likewise icj decisions are referred to and consulted by municipal courts as authoritative statements of international norms or assistance in fact determination this monograph examines this inter judicial dialogue in a comprehensive manner by identifying and analysing all its aspects as evidenced in respective jurisprudence surprisingly the mutual conversation in judicial decisions between the world court and national judicial institutions has drawn little attention from international legal scholarship and the book is designed to fill this lacuna

The International Court of Justice 2014-06-23 the first book length systematic examination of how teachings are used in practice in international law

Judicial Decisions on the Law of International Organizations 2016 a study of the court s powers with respect to judgments of the ilo and un administrative tribunals t p

The World Court: What It Is and How It Works 1995-03-09 there can be no dispute that the judges of the high courts and the supreme court of india wield tremendous powers however power comes with a price which bestows huge responsibility and calls for strict adherence to dos and don ts this book builds upon this narrative and advocates that judges must be made accountable not only in respect of their personal conduct and integrity but also in respect of the judicial verdicts they deliver the work emphasizes that the need for judicial accountability has increased in recent times as the judiciary is nowadays performing not only judicial functions but virtually executive functions also for which the government is accountable to the people the author in particular critically discusses articles 141 142 and 144 which make the supreme court the most powerful institution in the country and articles 32 and 136 which also confer wide powers on it using these powers the apex court sometimes unmindful of the budgetary and other vital implications passes orders which are simply not implementable for example the intervention of the supreme court in the matter of the interlinking of rivers a policy decision which falls clearly in the domain of the executive the book advocates the need for judicial accountability to save the institutions of justice from turning autocratic and narcissistic

The International Court of Justice and Municipal Courts 2024-01-29 this book is a collection of papers that address a fundamental question what is the role of civil justice and civil procedure in the various national traditions in the contemporary world the book presents striking differences among a range of countries and legal traditions but also points to common trends and open issues it brings together prominent experts professionals and scholars from both civil and common law jurisdictions it represents all main legal traditions ranging from europe germanic and romanic countries scandinavia ex socialist countries and russia to the americas north and south and china mainland and hong kong while addressing the main issue the goals of civil justice the book discusses the most topical concerns regarding the functioning and efficiency of national systems of civil justice these include concerns such as finding the appropriate balance between accurate fact finding and the right to a fair trial within a reasonable time the processing of hard cases and the function of civil justice as a specific public service in the mosaic of contrasts and oppositions special place is devoted to the continuing battle between the individualistic liberal approach and the collectivist paternalistic approach the battle in which seemingly paternalistic tendencies regain momentum in a number of contemporary justice systems

The Application of Teachings by the International Court of Justice 2021-03-04 judicial equity developed in england during the medieval period providing an alternative access to justice for cases that the rigid structures of the common law could not accommodate where the common law was constrained by precedent and strict procedural and substantive rules equity relied on principles of natural justice or conscience to decide cases and right wrongs overseen by the lord chancellor equity became one of the twin pillars of the english legal system with the court of chancery playing an ever greater role in the legal life of the nation yet whilst the chancery was commonly and still sometimes is referred to as a court of conscience there is remarkably little consensus about what this actually means or indeed whose conscience is under discussion this study tackles the difficult subject of the place of conscience in the development of english equity during a crucial period of legal history addressing

the notion of conscience as a juristic principle in the court of chancery during the sixteenth and seventeenth centuries the book explores how the concept was understood and how it figured in legal judgment drawing upon both legal and broader cultural materials it explains how that understanding differed from modern notions and how it might have been more consistent with criteria we commonly associate with objective legal judgement than the modern more subjective concept of conscience the study culminates with an examination of the chancellorship of lord nottingham 1673 82 who because of his efforts to transform equity from a jurisdiction associated with discretion into one based on rules is conventionally regarded as the father of modern systematic equity from a broader perspective this study can be seen as a contribution to the enduring discussion of the relationship between formal accounts of law which see it as systems of rules and less formal accounts which try to make room for intuitive moral or prudential reasoning

The International Court of Justice and Judicial Review: A Study of the Court's Powers with Respect to Judgments of the ILO and UN Administrative Tribunals 2000-09-28 drawing on archival research into jurisdictional change litigation and dispute settlement this book provides a fundamental reassessment of the origins of a central court in scotland arguing for the overriding significance of the foundation of the college of justice in 1532

Justice Versus Judiciary 2019-07-12 revealing analysis of how judges work as individuals and collectively to uphold judicial values in the face of contemporary challenges

Goals of Civil Justice and Civil Procedure in Contemporary Judicial Systems 2014-01-11 the court of justice then now and tomorrow anthony arnull preliminary rulings to the cjeu and the swedish judiciary current developments ulf bernitz a dynamic analysis of judicial behaviour the auto correct function of constitutional pluralism ana bob c pre ratification judicial review of international agreements to be concluded by the european union graham butler serving two masters cjeu case law in swedish first instance courts and national courts of precedence as gatekeepers mattias derlén and johan lindholm the role of the court in limiting national policy making requiring safeguards against the arbitrary use of discretion angelica ericsson institutional balance as constitutional dialogue a republican paradigm for the eu desmond johnson house of cards in luxemburg a brief defence of the strategic model of judicial politics in the context of the european union olof larsson and daniel naurin referring court influence in the preliminary ruling procedure the swedish example anna wallerman citizen control through judicial review anna wetter ryde the scandinavians the foot dragging supporters of european law marlene wind on specialisation of chambers at the general court ulf berg mohamed ali and pauline sabouret

Judicial Protection in the European Communities 2013-11-21 this book provides fresh perspectives in the legal study of the court of justice of the european union in the context of european studies the court has mainly been analysed in light of its central role in the process of continental integration moreover the court has traditionally been studied by specialists for its important role as an agent of comparative law this book studies the evolution of the court itself rather than that of the eu legal order in its judge made dimension and addresses several institutional aspects of its structure and organization selected and constructed as a complete range of symptomatic figures of judicial institutionalisation in doing so the author seeks to showcase how the development

and the institutional evolution of the cjeu happened through a selective internalization of comparative influences

Conscience, Equity and the Court of Chancery in Early Modern England 2016-05-23

Civil Justice in Renaissance Scotland 2009-04-07

The Judge, the Judiciary and the Court 2021-04-29

The Court of Justice of the European Union 2018-01-25

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