

Admin Law, Semester 1, 2021

Reasonableness And Proportionality

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Reasonableness And Law Reasonableness And Law

Valentina Vadi



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Reasonableness and Law Giorgio Bongiovanni, Giovanni Sartor, Chiara Valentini, 2009-08-19 Reasonableness is at the centre of legal debate both in academic circles and in practice This unique reference work adopts an interdisciplinary perspective merging jurisprudence legal theory political philosophy and the different branches of law All aspects relating to reasonableness and law are addressed by the most prominent scholars in the field In the first part of the book the focus is on jurisprudential analyses of the concept of reasonableness and on its moral political and constitutional implications In the second part reasonableness is examined in the different fields of law like Public Private and International Law Here in more detail the practical consequences of reasonableness are worked out making this work of interest to practitioners as well as legal theorists Proportionality, Reasonableness and Standards of Review in International Investment Law and Arbitration

Valentina Vadi, 2018-04-27 International investment law is one of the most dynamic fields of international law and yet it has been criticised for failing to strike a fair balance between private and public interests In this valuable contribution to the current debate Valentina Vadi examines the merits and pitfalls of arbitral tribunals use of the concepts of proportionality and reasonableness to review the compatibility of a state s regulatory actions with its obligations under international investment law

Reasonableness and Responsibility: A Theory of Contract Law Martín Hevia, 2012-09-14 If as John Rawls famously suggests justice is the first virtue of social institutions how are we to understand the institution of contract law This book proposes a Rawlsian theory of contract law It argues that justice requires that we understand contract rules in terms of the idea of reasonable terms of interaction that is terms that would be accepted by reasonable persons moved by a desire for a social world in which they as free and equal can cooperate with others on terms they accept On that basis the book explains the main doctrines of contract law including those governing third parties in both the Common Law and the Civil Law

The Reasonable Person Valentin Jeutner, 2024-06-06 The first comprehensive account of the history and function of the common law s reasonable person *Policyholder's Reasonable Expectations* Yong Qiang Han, 2016-11-03 Over the past two decades protecting contractual parties reasonable expectations has incrementally gained judicial recognition in English contract law In contrast however the similar doctrine of policyholder s reasonable expectations has been largely rejected in English insurance law This is injurious firstly to both the consumer and business policyholder s reasonable expectations of coverage of particular risks and secondly to consumer policyholder s reasonable expectations of bonuses in with profits life insurance To remedy these problems this book argues for an incremental but definite acceptance of the conception of policyholder s reasonable expectations in English insurance law It firstly discusses the homogeneity between insurance law and contract law as well as the role of reasonable expectations and their relevance to the emerging duty of good faith in contract law Secondly following a review and re characterisation of the American insurance law doctrine of reasonable expectations the book addresses the conventional English objections to the reasonable expectations approach in insurance

law In passing it also rethinks the approach to the protection of policyholder s reasonable expectations of bonuses in with profits life insurance through a revisit to the in famous case *Equitable Life Assurance Society v Hyman* 2000 UKHL 39 particularly to its relevant business and regulatory background *Sourcebook on Contract Law* Oughton,2000-10-17 This book examines the role and function of the law of contract comparing it with other aspects of the law of obligations It also covers the issues of contract formation such as the enforcement of promises agreement and good faith the construction and context of contracts adjustments in long term relationships the control of contract power and remedies for breach of contract

The Demise of the Reasonable Man Michael Saltman,2011-12-31 Judges in most societies often resort to resolving disputes by means of applying a criterion of reasonableness In *The Demise of the Reasonable Man* Michael Saltman explores the ways in which reasonableness varies from one legal culture to another defined by the relative presence or absence of centralized political power In non politically centralized societies Saltman says judges seek meanings underlying human behavior and try to place reasonableness within a societal and cultural context This is possible because primitive societies are relatively homogenous in their values and tend towards consensus when determining what constitutes reasonable behavior In contrast modern judges resort to standards of reasonableness only when the legal standard is unclear Saltman contrasts judges in politically centralized societies who in the absence of such consensus have the authority to determine on the basis of that authority what constitutes reasonableness This rich volume references case studies drawn from ethnographic fieldwork historical sources and law reports to demonstrate differences in judicial attitudes toward reasonableness

Reasonable Expectations of Privacy Paul Friedl,2025-03-05 Reasonable expectations of privacy have become a cornerstone concept in privacy and data protection legislation worldwide extending today from US constitutional law to the GDPR Article 8 ECHR and various Asian and African data protection frameworks This book offers a comprehensive analysis of this complex and ambiguous legal concept addressing the many questions regarding its proper function interpretation and application Tracing the notion s evolution from the 1967 Supreme Court ruling in *Katz v United States* to its status as a widespread paradigm of global privacy discourse the work illuminates the many fallacies that pervade both academic and judicial interpretations At its core the book explores and evaluates four distinct models of reasonable expectations analysing their normative foundations and practical implications in depth In doing so the book also contributes to broader discussions within privacy and data protection theory as it identifies and evaluates different strategies for regulating privacy conflicts such as interest balancing or social norms based regulation Finally the book also makes significant contributions to the scholarship on the EU General Data Protection Regulation GDPR and Article 8 ECHR evaluating how reasonable expectations operate within these contexts from empiric and normative perspectives

The Reasonableness of Law Lindsay G. Arthur,1965 **A2 Law for AQA** Jimmy O'Riordan,2003 *A2 Law for AQA* follows the same format as the AS book but in the depth required for A2 It is tailored to the specification and covers all the AQA options

for A2 It builds on what students learnt at AS to ensure they reach the levels expected of them in their A2 exams

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