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STATE LIABILITY
Tort Law and Beyond

CAROL HARLOW

State Liability Tort Law And Beyond

Carol Harlow



State Liability Tort Law And Beyond:

State Liability Carol Harlow, 2004 The lectures presented in this volume examine the fast growing compensation culture and the consequential pressure on courts to widen the range of situations in which individuals can claim damages from the State Within domestic legal systems there has been a considerable extension of tortious liability which is impinging on the State and its resources These lectures address statutory and administrative compensation and examine the influence of group actions and of globalization Pressure on domestic legal systems has been increased by transnational courts notably the Court of Human Rights and the European Court of Justice Carol Harlow argues that this trend towards judicialization is undesirable and that greater use should be made of extrajudicial remedies She contends that the issue of compensation is too important to be left to the courts

Lunney & Oliphant's Tort Law Donal Nolan, Ken Oliphant, 2023 The seventh edition provides a complete authoritative guide to the subject The book combines clear overviews of the law with well chosen extracts from cases and materials supported by insightful commentary

Tort Liability in Warfare Haim Abraham, 2024-11-07 In the turbulent arena of armed conflicts Tort Liability in Warfare States Wrongs and Civilians Rights emerges as a groundbreaking exploration of civilians legal recourse against states for losses to life bodily integrity and property With a fresh perspective informed by corrective justice the law of war and substantive rule of law principles Haim Abraham constructs a novel framework for understanding the moral and legal obligation of states to civilians in the aftermath of combat and proposes that existing domestic tort law could and should address wrongful losses in this context This book boldly confronts the prevailing academic and legal orthodoxy which dismisses the application of tort law in times of war and offers a framework that empowers individuals to vindicate their rights and acts as a bulwark against abuse of public power By reviewing and analyzing the applicability of tort law to peacekeeping urban warfare counter terrorism activities and long range warfare in Australia Canada England Israel and the United States the book offers real world insights on how tort liability can serve as a mechanism for reparations and accountability Tort Liability in Warfare is a clarion call for a shift in legal paradigms urging a path towards effective remedies for civilians caught in the crossfire of nations at war It is an essential read for legal scholars practitioners and anyone invested in the pursuit of justice in the complex landscape of armed conflict This is an open access title available under the terms of a CC BY NC ND 4 0 International licence

The Right to Damages in European Law Andrea Biondi, Martin Farley, 2009-01-01 This is the first book to present an in depth discussion of the right of individuals to receive damages in European law Analyzing relevant ECJ cases the authors detail the substantive and procedural criteria that need to be satisfied in order for an individual to succeed in a claim for damages against Community institutions under Article 288 EC or against a defaulting Member State under the court created Francovich principle

Principles of Proper Conduct for Supranational, State and Private Actors in the European Union Jan Wouters, 2001 This book contains the proceedings of an international colloquium in honour of Professor Walter van Gerven

which was held in Leuven on 15 16 September 2000 and organized by the Universities of Leuven and Maastricht in the framework of the lus Commune Research School Walter van Gerven has been a professor of Law in Leuven for four decades and in Maastricht between 1994 and 2000 he has been Advocate General at the Court of Justice of the European Communities 1988 1994 and was Member of the Committee of Independent Experts which screened the European Commission in 1999 The book is built around three themes good governance in the European Union judicial review of administrative action and liability of supranational State and private actors A great number of very distinguished scholars have contributed to this book Lord Slynn of Hadley Deirdre Curtin Christiaan W A Timmermans Gil Carlos Rodriguez Iglesias Sacha Prechal J rgen Schwarze Takis Tridimas Bruno de Witte Jeremy Lever Pierre Larouche Francis G Jacobs Luc Gyselen Paul J G Kapteyn Arthur Hartkamp and Pieter VerLoren van Themaat *New Directions in European Public Law* Jack Beatson, Takis Tridimas, 1998 From two symposia in the winter and spring of 1997 at Cambridge England 13 essays analyze a cluster of issues arising in the European Union public law arena Some deal with issues of liability and the availability of remedies in European and domestic law Others take a broader view looking at the phenomenon of cross fertilization among national legal systems and between national systems and European Union law Distributed in the US by ISBS Annotation copyrighted by Book News Inc Portland OR *Oxford Principles of European Union Law* Robert Schütze, Takis Tridimas, 2018 Provides an analysis of the constitutional principles governing the European Union It covers the history of the EU the constitutional foundations the institutional framework legislative and executive governance judicial protection and external relations Publisher's website *Canada-United States Law Journal*, 1989 **Symposium**, 2009 Cases Argued and Decided in the Supreme Court of the United States United States. Supreme Court, 1885 *The Foundations of Legal Liability: Theory and principles of tort* Thomas Atkins Street, 1906 **UNB Law Journal**, 2007 Lawyers' Reports Annotated, 1899 **The Albany Law Journal**, 1873 **Weekly Notes of Cases Argued and Determined in the Supreme Court of Pennsylvania, the County Courts of Philadelphia, and the United States District and Circuit Courts for the Eastern District of Pennsylvania**, 1894 **Journal of American Insurance**, 1983 The Law of Automobiles Claude Perrin Berry, 1929 Guide to Multistate Litigation Victor E. Schwartz, 1985 **Insurance Law and Regulation** Kenneth S. Abraham, 1990 The Insurance Law Journal, 1980

Embracing the Beat of Phrase: An Psychological Symphony within **State Liability Tort Law And Beyond**

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