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Wim Voermans



University Of Chicago Law Review Volume 81 Number 4 Fall 2014:

University of Chicago Law Review: Volume 81, Number 4 - Fall 2014 University of Chicago Law Review, 2014-12-17
The University of Chicago Law Review's 4th issue of 2014 features articles and essays from recognized legal scholars as well as extensive student research. Contents include Articles: The Legal Salience of Taxation by Andrew T Hayashi; Tax Loss Mechanisms by Jacob Nussim; Avraham Tabbach; Regulating Systemic Risk in Insurance by Daniel Schwarcz; Steven L Schwarcz; American Constitutional Exceptionalism Revisited by Mila Versteeg; Emily Zackin; Comments: Bursting the Speech Bubble Toward a More Fitting Perceived Affiliation Standard by Nicholas A Caselli; Payments to Not Parent Noncustodial Parents as the Recipients of Child Support by Emma J Cone; Roddy Too Small to Fail: A New Perspective on Environmental Penalties for Small Businesses by Nicholas S Dufau; Understanding Equal Sovereignty by Abigail B Molitor; Widespread Uncertainty: The Exclusionary Rule in Civil Removal Proceedings by Michael J O'Brien; Clogged Conduits: A Defendant's Right to Confront His Translated Statements by Casen B Ross; Integral Decisionmaking: Judicial Interpretation of Predispute Arbitration Agreements Naming the National Arbitration Forum by Daniel A Soto. Volume 81 Number 4 also features Review Essays by Lisa Bernstein, Avery W Katz, and Eyal Zamir analyzing three recent books on contract law and theory.

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The third issue of 2014 features three articles from recognized legal scholars as well as extensive student research. Contents include Articles: Following Lower Court Precedent by Aaron Andrew P Bruhl; Constitutional Outliers by Justin Driver; Intellectual Property versus Prizes: Reframing the Debate by Benjamin N Roin; Review: The Text, the Whole Text, and Nothing but the Text: So Help Me God: Unwriting Amar's Unwritten Constitution by Michael Stokes Paulsen; Comments: Standing on Ceremony Can Lead Plaintiffs' Claim: Injury from Securities That They Did Not Purchase by Corey K Brady; FISA's Fuzzy Line between Domestic and International Terrorism by Nick Harper; The Perceived Intrusiveness of Searching Electronic Devices at the Border: An Empirical Study by Matthew B Kugler; Comcast Corp v Behrend and Chaos on the Ground by Alex Parkinson; Maybe Once, Maybe Twice: Using the Rule of Lenity to Determine Whether 18 USC 924(c) Defines One Crime or Two by F Italia; Patti Let's Be Reasonable: Controlling Self-Help Discovery in False Claims Act Suits by Stephen M Payne; A Dispute Over Bona Fide Disputes in Involuntary Bankruptcy Proceedings by Steven J Winkelman. The University of Chicago Law Review first appeared in 1933, thirty-one years after the Law School offered its first classes. Since then, the Law Review has continued to serve as a forum for the expression of ideas of leading professors, judges, and practitioners as well as students and as a training ground for University of Chicago Law School students who serve as its editors and contribute Comments and other research. Principal articles and essays are authored by accomplished legal and economics scholars. Quality ebook formatting includes active TOC, linked notes, active URLs in notes, and all the charts, tables, and formulae found in the original print version. *Patents* Marc Baudry, Béatrice Dumont, 2017-11-02. The patent system is criticized today by some practitioners.

and economists In fact there is a partial disconnection between patent demographics and productivity gains but also the development of actors who do not innovate and who develop business models that their detractors equate with a capture of annuities or a dangerous commodification of patents This book provides a less Manichaeian view of the position of patents in the system of contemporary innovation It first recalls that these criticisms are not new before arguing that if these criticisms have been revived it is because of a partial shift from an integrated innovation system to a much more fragmented and open system This shift accompanied the promotion of a more competitive economy The authors show that this movement is coherent with a more intensive use of patents but also one that is more focused on their signal function than on their function of direct monetary incentive to innovation *University of Chicago Law Review: Volume 80, Number 4 - Fall 2013*

University of Chicago Law Review,2014-01-02 This fourth issue of 2013 features articles from internationally recognized legal scholars and extensive research in Comments authored by University of Chicago Law School students Contents of Vol 80 No 4 include ARTICLES Bankruptcy Law as a Liquidity Provider by Kenneth Ayotte David A Skeel Jr Impeaching Precedent by Charles L Barzun Copyright in Teams by Anthony J Casey Andres Sawicki Inside or Outside the System by Eric A Posner Adrian Vermeule REVIEW ESSAY Francis Lieber and the Modern Law of War by Paul Finkelman COMMENTS Having Their Cake and Eating It Too Post emancipation Child Support as a Valid Judicial Option by Lauren C Barnett Equal Opportunity Federal Employees Right to Sue on Title VII and Tort Claims by Kristin Sommers Czubkowski Using Severability Doctrine to Solve the Retroactivity Unit of Analysis Puzzle A Dodd Frank Case Study by Hannah Garden Monheit I Didn t Do It Third Party Debtors and the Securities Law Violation Exception to Discharge by Hillel Nadler Super Contacts Invoking Aiding and Abetting Jurisdiction to Hold Foreign Nonparties in Contempt of Court by Julia K Schwartz Taking Leases by Nicholas Spear Disability Claims Guidance Documents and the Problem of Nonlegislative Rules by Frederick W Watson Quality ebook editions feature active Contents linked footnotes and linked URLs in notes *The Story of Constitutions* Wim Voermans,2023-11-02 Adopts an interdisciplinary approach to trace the surprising story of written constitutions since the agricultural revolution of c 10 000 B C *The Routledge International Handbook of Criminal Responsibility* Thomas Crofts,Louise Kennefick,Arlie Loughnan,2024-12-23 Presenting cutting edge research and scholarship this extensive volume covers everything from abstract theorising about the meanings of responsibility and how we blame to analysing criminal law and justice responses and factors that impact individual responsibility Inviting exchanges across a burgeoning critical scholarship on criminal responsibility this Handbook showcases the diverse range of methodologies applied to the field including socio political approaches critical historical methods criminological and sociological perspectives and interdisciplinary studies bridging law and the mind sciences Spanning global networks of established and emerging scholars of responsibility for crime this book explores how we relate to one another as human beings under the spotlight of the criminal law In doing so it is hoped that the collection not only does justice to the vibrant landscape of criminal responsibility

studies but inspires new directions and future synergies in this compelling field The Routledge International Handbook of Criminal Responsibility will appeal to scholars and students of criminal law criminal justice criminology sociology psychology neuroscience philosophy and socio legal studies as well as practitioners and policymakers working in related fields *Law and Economics of Vertical Integration and Control* Roger D. Blair, David L. Kaserman, 2014-05-10 Law and Economics of Vertical Integration and Control focuses on the processes methodologies and approaches involved in the law and economics of vertical integration and control The publication first elaborates on transaction costs fixed proportions and contractual alternatives and variable proportions and contractual alternatives Discussions focus on sales revenue royalties ownership integration output royalties important product specific services successive monopoly advantages and limitations of internal transfers and transaction cost determinants The text then examines vertical integration under uncertainty and vertical integration without contractual alternatives The book ponders on legal treatment of ownership integration and per se illegal contractual controls Topics include tying arrangements public policy assessment resale price maintenance vertical integration and the Sherman Act market foreclosure doctrine and the 1982 Merger Guidelines The text also takes a look at contractual controls that are not illegal per se alternative legal rules and antitrust policy The publication is a dependable reference for researchers interested in the law and economics of vertical integration and control *Prosecutorial Discretion in the International Criminal Court* Farid Mohammed Rashid, 2021-12-15 This book provides the first scholarly investigation of prosecutorial discretion in the International Criminal Court ICC from an interdisciplinary perspective This work analyses the discretionary power of the ICC prosecutor and its scope It explains that there is a tendency to overlook the necessity of distinguishing between the various usages of discretion when exercised as a power authorised by the law and effect when applying indeterminate legal thresholds The author argues that the latter indeterminacy may give decision makers an unwarranted opportunity to exercise a wide range of discretion where extra legal factors may be considered In comparison prosecutorial discretion allows decision makers to consider extra legal considerations This book also discusses the relevance of political considerations within the decision making process in the context of the exercise of prosecutorial discretion It suggests that there need not be a conflict between the broad sense of justice as outlined in the Statute and political factors in giving effect to decisions This book will be of interest to students of international law global governance and international relations *Literature and Citizenship in the Age of Revolution* Mitchell Gauvin, 2024-09-11 Citizenship is at the forefront of popular imagination as political movements and state governments around the world traffic in anti immigrant rhetoric and call for increased policing of borders Literature and Citizenship in the Age of Revolution A Wish for Air and Liberty looks back to a critical historical juncture in the development of citizenship to uncover how literature contoured and contested imaginings of citizenship While territory and the nation state often frame our understanding of citizenship this book focuses on how non citizens foreigners and strangers have long been central to citizenship s coherence Rather than rootedness

literary texts exposed the circulations of persons ideas and affections at the heart of citizenship This book brings together an unlikely combination of writers Olaudah Equiano Jane Austen Mary Shelley and Herman Melville to show how literature in the Age of Revolution exposed contradictions in notions of liberty and slavery that impacted how citizenship was conceived and practiced **Institutions and Accounting Practices after the Financial Crisis** Victoria Krivogorsky,2019-01-30

Financial globalization paired with the relaxation of constraints on capital flows between countries before the 2008 crisis increased merger activities among the World s largest stock exchanges The financial crisis of 2008 had a severe impact on the development of equity markets corporate financial stability and corporate governance and a multi step approach is needed to fully appreciate the causes and effects of this event This book engages the separate strands of literature to advance a more holistic understanding of whether and how the national institutional environments in selected countries around the world has been changed after the crisis **Institutions and Accounting Practices after the Financial Crisis International Perspective** sets out a framework for the analysis of institutional environments and accounting practices in in selected countries around the world during the pre crisis period followed by an examination of the impact of the crisis It scrutinizes the changing roles of debt and equity markets the shift in accounting practices and capital financing choices due to the economic downturn and the lessons that can be obtained from the financial crisis while considering the institutional architecture of international business environments This ongoing process of integration and globalization increases interdependence between world markets and allows shocks to propagate across national and continental lines making the understanding of international markets vitally important to American investors Aimed at primarily researchers academics and students in the fields of international accounting management and finance **Institutions and Accounting Practices after the Financial Crisis International Perspective** will additionally be of value to practitioners and policy makers supplying them with information regarding the changes in accounting practices and risk evaluation due to the crisis **The Affordable Care Act Decision** Fritz Allhoff,Mark Hall,2014-02-18 Interest in NFIB v Sebelius has been extraordinarily high from as soon as the legislation was passed through lower court rulings the Supreme Court s grant of certiorari and the decision itself both for its substantive holdings and the purported behind the scene dynamics Legal blogs exploded with analysis bioethicists opined on our collective responsibilities and philosophers tackled concepts like coercion and the activity inactivity distinction This volume aims to bring together scholars from disparate fields to analyze various features of the decision It comprises over twenty essays from a range of academic disciplines namely law philosophy and political science Essays are divided into five units context and history analyzing the opinions individual liberty Medicaid and future implications ***The Right to Equality in European Human Rights Law*** Charilaos Nikolaidis,2014-07-25 A right to equality and non discrimination is widely seen as fundamental in democratic legal systems But failure to identify the human interest that equality aims to uphold reinforces the argument of those who attack it as morally empty or unsubstantiated and weakens its status as a fundamental human right

This book argues that an understanding of the human interest which equality aims to uphold is feasible within the jurisprudence of the European Court of Human Rights ECtHR and the European Court of Justice ECJ In comparing the evolution of the prohibition of discrimination in the case law of both Courts Charilaos Nikolaidis demonstrates that conceptual convergence within the European Convention on Human Rights ECHR and the EU on the issue of equality is not as far as it might appear initially While the two bodies of equality law are extremely divergent as to the requirements they impose their interpretation by the international judiciary might be properly analysed under a common light to emphasise the substantive dimension of equality in European Human Rights law The book will be of great use and interest to scholars and students of human rights discrimination law and European politics

Psycho-Legal Concepts for Parenting in Child Custody and Child Protection Vol. 4 Don Tustin, 2024-12-01 This book provides an overview of changes in legislation in Australia concerning both family law and child protection law The topic is important as the Australian Government has identified that the rate of mental disorder in some cohorts of children is high and rising These cohorts of children live in families where they are vulnerable because they are exposed to risk factors that can be changed by a coordinated effort from parents therapists and lawyers The aim of the book is to identify psycho legal concepts that need to be understood by professionals who work in the fields of child custody and child protection and to bring these concepts together to improve coordination between the two fields of practice The purpose of the book is to be a practice manual for professionals from the disciplines of law social work and psychologists who work in specialized legal roles dealing with families where children are vulnerable to developing mental health difficulties Volume 4 of the book provides a perspective from a mental health clinician about concepts and principles that arise in Australian family oriented courts and that need to be shared between disciplines This book proposes that some concepts be identified as psycho legal as the concepts need to be shared between disciplines who work with court involved families The book also proposes that psycho legal concepts be shared between the jurisdictions of child custody and child protection In this book proposals are made to improve collaboration between disciplines and to maximize the best interests of children

Infanticide Rachel Dixon, 2023-02-02 Infanticide examines medical expert evidence in infanticide cases focusing specifically on the shifting notion of certainty in medical testimony Beginning in the Early Modern period and concluding in the mid twentieth century it considers how courts determined whether an infant died from natural causes or other reasons including violence The book explores expert evidence in cases of infanticide and examines the extent of certainty created by medical specialists who founded their testimony on anatomical exploration and science As the book progresses it becomes clear that medical specialists were unable to scientifically establish cause of death and in doing so conveyed uncertainty in court proceedings Rather than being regarded as a professional failing Dixon argues that the uncertainty created by medical specialists redirected the outcomes of infanticide cases The combination of uncertainty and the changing perceptions of infanticidal women by the court lead juries to find infanticidal women not guilty of a capital

offence in many cases This book will be of great interest to students and scholars of Criminology Law and History The Digital Rights Delusion Andrea Monti,2023-03-31 This book examines the ever increasing impact of technology on our lives and explores a range of legal and constitutional questions that this raises It considers the extent to which concepts such as cyberspace and digital rights advance or undermine our understanding of this development and proposes a number of novel approaches to the effective protection of our rights in this rapidly evolving environment Finally it shows how the abuse of the adjective digital has demoted legal rights into subjective and individual claims The work will be of particular interest to scholars of privacy artificial intelligence and free speech as well as policymakers and the general reader **Controllable Artificial Intelligence and the Future of Law** Hugo Luz dos Santos,2025-11-08 This book broaches the newly crafted concept of algorithmic dictatorship that draws on a plethora of human biases that creep into the algorithm and feeds into an automated decision that comes to the expense of citizens lives freedoms health property fair lending and credit scoring This book sheds a keen light on the slew of reasons in view of which artificial intelligence should be both interpretable and controllable as opposed to merely explainable The reason for that is straightforward the skewed data baked into the bigoted algorithms machine biases spawns harrowing effects with which criminal justice has been grappling for a long haul drawn out Tallyingly and perhaps unsurprisingly law enforcement evinces biases that run along both gender and race lines No surprise springs from the fact that computer generated algorithms that propel predictive policing are often flagged as tools whereby racial discrimination abounds It should not therefore be pegged as flabbergasting that this sort of shady algorithmic governance is a byproduct of a grueling algorithmic dictatorship that is shaping up to crumble the foundations of Rule of Law upon which stands modern societies This is one of the key takeaways of this book Disturbingly enough brain computer interfaces are poised to be converted into shady tools to collate gauge thoughts emotions sentiments and crime related information that would be otherwise inaccessible to the governments rogue nations or unscrupulous actors prying eyes Much to our dismay an eerily dystopian world is unfolding before our very eyes This is the gist of transhumanism a byproduct of convolutional neural networks that revolve around deep learning genetic algorithms that will overhaul the current legal landscape beyond recognition This book charts the path ahead as to draw set in stone boundaries to prevent jurisdictions from careening into the chaos of genetic plutocracy that should be wished away *The Normative Foundations of European Competition Law* Oles Andriychuk,2017-08-25 Does competitive process constitute an autonomous societal value or is it a means for achieving more meritorious goals welfare growth integration and innovation The hypothesis of The Normative Foundations of European Competition Law is that the former is the case This insightful book analyses the phenomenon of competition from philosophical legal and economic perspectives demonstrating exactly why competitive process should not be viewed only as an instrument It consolidates various normative theories of freedom market and competition and explains how exactly they can be operationalized effectively in the matrix of the EU competition policy Land Law and Disputes in

Asia Yuka Kaneko, Narufumi Kadomatsu, Brian Z. Tamanaha, 2021-09-16 Through an in depth legal analysis by leading scholars this book searches for the exact legal causes of land related disputes in Asia within the histories legal systems and social realities of the respective countries It consists of four main parts examining the relationship between law and development land taking in developmental stages common ownership and proposals for new approaches to land law and dispute resolution With a combination of orthodox legal interpretations and the empirical approach of legal sociology the contributors undertake an extensive comparative legal analysis across common and civil law traditions Most importantly they propose pathways forward for legal transformations in the pursuit of sustainable development in Asia This book is vital contribution to the study of comparative law and especially property law in East and Southeast Asia **Environmental Law and Economics** Michael G. Faure, Roy A. Partain, 2019-10-10 A detailed overview of the law and economics methodology developed and employed by environmental lawyers and policymakers The Contribution of the Postal and Delivery Sector Pier Luigi Parcu, Timothy Brennan, Victor Glass, 2018-03-08 This book addresses major issues facing postal and delivery services throughout the world Worldwide there is currently a considerable amount of interest in postal and delivery economics The industry is in a state of near crisis and drastic change is needed The European Commission and member States are still wrestling with the problem of how to implement entry liberalization into postal markets how to address digital competition and how to maintain the universal service obligation USO The Postal Accountability and Enhancement Act of 2006 in the U S has perhaps created and exacerbated the problems faced by USPS Post Offices POs have been slow to address the threat of electronic competition On the other hand e commerce presents opportunities for POs to expand their presence in parcel delivery and perhaps help finance or redefine the USO A major aim of this book is to address strategies POs can use to reinvent themselves for the digital age This book compiles original essays by prominent researchers in the field which will be selected and edited from papers presented at the 25th Conference on Postal and Delivery Economics held in Barcelona Spain May 24 27 2017 That conference and this volume commemorates the memory of Michael Crew who organized twenty four prior conferences and co edited previous conference volumes This book is a useful tool not only for graduate students and professors but also for postal administrations consulting firms and Federal Government departments

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