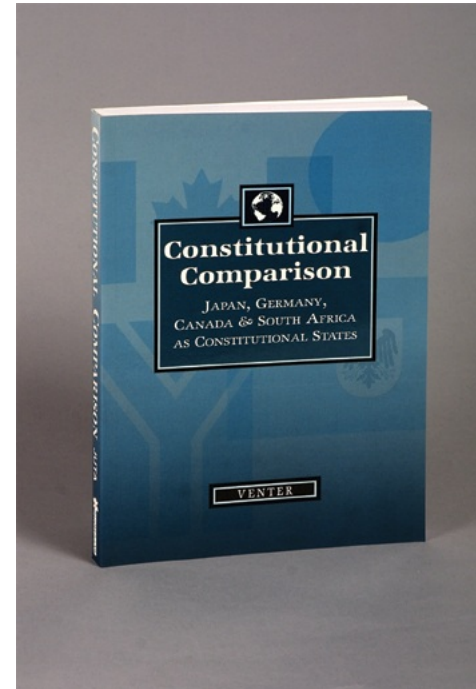


Constitutional Comparison: Japan, Germany, Canada, South Africa as Constitutional States

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About this Publication:

In our globalized era it has become impossible to deal effectively with constitutional law and related subjects such as fundamental rights, administrative law and political science without a knowledge of foreign systems. Although a wealth of literature is available, the constitutionalist faces a formidable problem: which foreign systems should I explore in order to make relevant comparisons, and how should I go about it? This book addresses the issues of comparability and appropriate comparative methodology.

Contents Include:

- Considerations of comparative methodology
 - Law and state as common denominators of humanity
 - Comparative Law: nature and issues
 - Comparison in the field of constitutional law
 - A matrix for constitutional comparison
- Predominance of the constitution
 - Why is the constitution supreme?
 - History and foundations of the predominance of the constitution
 - The impact of the predominance of the constitution
 - Comparative conclusions
- Constitutional rights
 - The classification of constitutional rights
 - Analysis of selected constitutional rights
 - Limiting and balancing interests
 - Constitutional rights in the contemporary constitutional state
- Democracy and the distribution of authority

- The vertical distribution of authority
- Democracy and authority in the constitutional state
- Comparing constitutions in 2000
 - Motives for practising comparative constitutional law
 - Limitations of constitutional comparison
 - A method for comparing constitutions

Of Interest and Benefit to:

- Constitutional lawyers
- Libraries
- Academics
- Students