

Diritto Pubblico

This book presents the evolution of Italian administrative law in the context of the EU, describing its distinctive features and comparing it with other experiences across Europe. It provides a comprehensive overview of administrative law in Italy, focusing on the main changes occurred over the last few decades. Although the respective chapters generally pursue a legal approach, they also consider the influence of economic, social, cultural and technological factors on the evolution of public administration and administrative law. The book is divided into three parts. The first part addresses general issues (e.g. procedures and organization of public administrations, administrative justice). The second part focuses on more specific topics (e.g. public intervention in the economy, healthcare management, local government). In the third part, the evolution of Italian administrative law is discussed in a comparative perspective.

Il 21 settembre 1962 si compiono cento anni dalla morte del P. Luigi Taparelli d'Azeglio della Compagnia di Gesù. Ricopriva allora la carica di Superiore e Direttore della Civiltà Cattolica, il periodico dei gesuiti italiani al quale aveva dedicato gli ultimi dodici anni della sua vita, dopo averlo tenuto a battesimo nel 1850. Chiudeva gli occhi nel Collegio romano, centro di studi fondato da S. Ignazio di Loyola ed illustrato in tre secoli da uomini insigni nelle scienze sacre ed umane e del quale egli stesso era stato il primo Rettore, quando Leone XII, nel 1824, lo aveva restituito alla Compagnia di Gesù. Questa coincidenza di luogo era l'espressione di una continuità spirituale e di pensiero unificatore che aveva caratterizzato tutta la sua vita. Rettore del Collegio romano, P. Taparelli non era stato soltanto coscienzioso dirigente di un Istituto che raccoglieva per gli

studi umanistici il fiore della gioventu romana, e per le scienze sacre gli alunni dei Seminari di tutto il mondo, ma soprattutto un pioniere e capo di un movimento che doveva imprimere un indirizzo al pensiero cattolico. Eredi e partecipi delle ricchezze intellettuali e morali di questa figura di uomo di scienza e di fede, la Pontificia Universita Gregoriana e la Civiltà Cattolica hanno voluto commemorare degnamente il compiersi dei cento anni dalla sua morte.

Rule of law and constitutionalist ideals are understood by many, if not most, as necessary to create a just political order. Defying the traditional division between normative and positive theoretical approaches, this book explores how political reality on the one hand, and constitutional ideals on the other, mutually inform and influence each other.

Seventeen chapters from leading international scholars cover a diverse range of topics and case studies to test the hypothesis that the best normative theories, including those regarding the role of constitutions, constitutionalism and the rule of law, conceive of the ideal and the real as mutually regulating.

The "European Yearbook" promotes the scientific study of European organisations and the Organisation for Economic Co-operation and Development. Each volume contains a detailed survey of the history, structure and yearly activities of each organisation and an up-to-date chart providing a clear overview of the member states of each organisation. In addition, a number of articles on topics of general interest are included in each volume. A general index by subject and name, and a cumulative index of all the articles which have appeared in the "Yearbook," are included in every volume and provide direct access to the "Yearbook"'s subject matter. Each volume contains a comprehensive bibliography covering the year's relevant publications. This is an indispensable work of reference for anyone dealing with the European

institutions. It is bilingual (English and French).

Authors Costa and Zolo share the conviction that a proper understanding of the rule of law today requires reference to a global problematic horizon. This book offers some relevant guides for orienting the reader through a political and legal debate where the rule of law (and the doctrine of human rights) is a concept both controversial and significant at the national and international levels.

"Italian Studies in Law" is a new yearbook containing a selection of studies on Italian Law edited by the Italian Association of Comparative Law. Each volume will include essays on private law, public law, procedural law and other judicial disciplines that are of interest to jurists in other countries, which will allow them to form an opinion on developments in the study of law conducted in Italian legal faculties.

This book presents a comparative study on access to public information in the context of the main legal orders worldwide (inter alia

China, France, Germany, Japan, Russia, Sweden, United States). The international team of authors analyzes the Transparency- and Freedom-to-Information legislation with regard to the scope of the right to access, limitations of this right inherent in the respective national laws, the procedure, the relationship with domestic legislation on administrative procedure, as well as judicial protection. It particularly focuses on the Brazilian law establishing the right of access to information, which is interpreted as a benchmark for regulations in other Latin-American states.

Official Journal of the European

Communities Information and notices Procedural
Autonomy of EU Member States: Paradise Lost? A
Study on the "Functionalized Procedural

Competence" of EU Member States Springer Science & Business Media

The Max Planck Handbooks in European Public Law series describes and analyses the public law of the European legal space, an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and, importantly, the domestic public laws of European states. Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners, it aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law. The first volume of the series begins this enterprise with an appraisal of the evolution of the state and its administration, with cross-cutting contributions and also specific country reports. While the former include, among others, treatises on historical antecedents of the concept of European public law, the development of the administrative state as such, the relationship between constitutional and administrative law, and legal conceptions of statehood, the latter focus on states and legal orders as diverse as, e.g., Spain and Hungary or Great Britain and Greece. With this, the book provides access to the systematic foundations, pivotal historic moments, and legal thought of states bound together not only by a

common history but also by deep and entrenched normative ties; for the quality of the *ius publicum europaeum* can be no better than the common understanding European scholars and practitioners have of the law of other states. An understanding thus improved will enable them to operate with the shared skills, knowledge, and values that can bring to fruition the different processes of European integration.

This publication compares for the first time how the regions in seven different countries (Austria, Belgium, France, Germany, Italy, Spain and the UK) are involved in EU governance. It is also the first book which tackles this matter from two different perspectives; that of EU law and that of comparative law. It includes contributions both from well-established scholars in the field of EU law and from younger scholars.

On 22 to 28 July 2018 the International Academy of Comparative Law organized its 20th General Congress in Fukuoka Japan. The General Congresses of the Academy are held every four years and address from a comparative perspective a multitude of topics that appear particularly relevant in our contemporary society. This book gathers a selection of the general contributions to the 20th General Congress dealing with current issues in Comparative Law. This is a premiere for the Academy. It seemed important for the Executive

Committee to have access to the general contributions offered during the General Congress which certainly deserve the same attention as the General Reports. Du 22 au 28 juillet 2018 l'Académie internationale de droit comparé a organisé son 20ème Congrès général à Fukuoka au Japon. Les congrès généraux de l'Académie se tiennent tous les quatre ans et abordent dans une perspective comparative une multitude de sujets qui apparaissent particulièrement pertinents dans notre société contemporaine. Ce livre rassemble une sélection des contributions générales du 20ème Congrès général qui traitent des questions actuelles du droit comparé. Il s'agit d'une première pour l'Académie. Il est apparu important pour le Bureau de pouvoir avoir accès aux contributions générales offertes pendant le Congrès général et qui méritent assurément la même attention que les rapports généraux.

This volume critically reassesses the history and impact of international law in Italy. It examines how Italy's engagement with international law has been influenced and cross-fertilized by global dynamics, in terms of theories, methodologies, or professional networks. It asks to what extent historical and political turning points influenced this engagement, especially where scholars were part of broader academic and public debates or even active participants in the role of legal advisers or politicians.

It explores how international law was used or misused by relevant actors in such contexts. Bringing together scholars specialized in international law and legal history, this volume first provides a historical examination of the theoretical legal analysis produced in the Italian context, exploring its main features, and dissident voices. The second section assesses the impact on international law studies of key historical and political events involving Italy, both international and domestically; and, conversely, how such events influenced perceptions of international law. Finally, a concluding section places the preceding analysis within a broader, contemporary perspective. This volume weighs in on the growing debate on the need to explore international law from comparative and local viewpoints. It shows how regional, national, and local contexts have contributed to shaping international legal rules, institutions, and doctrines; and how these in turn influenced local solutions. For fifty years, the first edition of *The Italian Legal System* has been the gold standard among English-language works on the Italian legal system. The book's original authors, Mauro Cappelletti, John Henry Merryman, and Joseph M. Perillo, provided not only an overview of Italian law, but a definition of the field, together with an important contribution to the general literature on comparative law. The book explains the unique "Italian style" in doctrine, law,

and interpretation and includes an extremely well-written introduction to Italian legal history, government, the legal profession, and civil procedure and evidence. In this fully-updated and revised second edition, authors Michael A. Livingston, Pier Giuseppe Monateri, and Francesco Parisi describe the substantial changes in Italian law and society in the intervening five decades—including the creation and impact of the European Union, as well as important advances in comparative law methodology. The second edition poses timely, relevant questions of whether and to what extent the unique Italian style of law has survived the pressures of European unification, American influence, and the globalization of law and society in the intervening period. The Italian Legal System, Second Edition is an important and stimulating resource for those with specific interest in Italy and those with a more general interest in comparative law and the globalization process.

First published in 1917 (Part 1) and 1918 (Part 2), with a second edition in 1946, this is the first English translation of Santi Romano's classic work, *L'ordinamento giuridico* (The Legal Order). The main focus of *The Legal Order* is the notion of institution, which Romano considers to be both the core and distinguishing feature of law. After criticising accounts of the nature of law centred on notions of rule, coercion or authority, he offers a compelling

conception, not merely of law as an institution, but of the institution as 'the first, original and essential manifestation of law'. Romano advances a definition of a legal institution as any group who share rules within a bounded context: for example, a family, a firm, a factory, a prison, an association, a church, an illegal organisation, a state, the community of states, and so on. Therefore, this understanding of legal institutionalism at the same time provides a groundbreaking theory of legal pluralism whereby 'there are as many legal orders as institutions'. The acme of a jurisprudential current long overlooked in the Anglophone environment (Romano's work is highly regarded in France, Germany, Spain and South America, as well as in Italy), *The Legal Order* not only proposes what Carl Schmitt described as a 'very significant theory'. More importantly, it offers precious insights for a thorough rethinking of the relationship between law and society in today's world.

The major Commentary on the Treaty on European Union (TEU) is a European project that aims to contribute to the development of ever closer conceptual and dogmatic standpoints with regard to the creation of a "Europeanised research on Union law". This publication in English contains detailed explanations, article by article, on all the provisions of the TEU as well as on several Protocols and Declarations, including the Protocols No 1, 2 and 30 and Declaration No 17, having steady regard to the application of Union law in the national legal orders and its interpretation by the Court of

Justice of the EU. The authors of the Commentary are academics from ten European states and different legal fields, some from a constitutional law background, others experts in the field of international law and EU law professionals. This should lead to more unity in European law notwithstanding all the legitimate diversity. The different traditions of constitutional law are reflected and mentioned by name thus striving for a common framework for European constitutional law.

The "European Yearbook" promotes the scientific study of European organisations and the Organisation for Economic Co-operation and Development. Each volume contains a detailed survey of the history, structure and yearly activities of each organisation and an up-to-date chart providing a clear overview of the member states of each organisation. In addition, a number of articles on topics of general interest are included in each volume. A general index by subject and name, and a cumulative index of all the articles which have appeared in the "Yearbook," are included in every volume and provide direct access to the "Yearbook"'s subject matter. Each volume contains a comprehensive bibliography covering the year's relevant publications. This is an indispensable work of reference for anyone dealing with the European institutions.

The third edition of EU Administrative Law provides comprehensive coverage of the administrative system in the EU and the principles of judicial review that apply in this area. This revised edition provides important updates on each area covered, including new case law; institutional developments; and EU legislation. These changes are located within the framework of broader developments in the EU. The chapters in the first half of the book deal with all the principal variants of the EU administrative regime. Thus there are chapters dealing with the history and taxonomy of the EU

administrative regime; direct administration; shared administration; comitology; agencies; social partners; and the open method of coordination. The coverage throughout focuses on the legal regime that governs the particular form of administration and broader issues of accountability, drawing on literature from political science as well as law. The focus in the second part of the book shifts to judicial review. There are detailed chapters covering all principles of judicial review and the discussion of the law throughout is analytical and contextual. It begins with the principles that have informed the development of EU judicial review. This is followed by a chapter dealing with the judicial system and the way in which reform could impact on the subject matter of the book. There are then chapters dealing with competence; access; transparency; process; law, fact and discretion; rights; equality; legitimate expectations; two chapters on proportionality; the precautionary principle; two chapters on remedies; and the Ombudsman.

The eighth edition of this directory supplies data on over 1000 financial institutions in Europe, principally banks, investment companies, insurance companies and leasing companies. Among the details given are names of chairmen, board members and senior management.

The Academy is a prestigious international institution for the study and teaching of Public and Private International Law and related subjects. The work of the Hague Academy receives the support and recognition of the UN. Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law. The courses deal with the theoretical and practical aspects of the subject, including legislation and case law. All courses at the Academy are, in principle, published in the language in which they were delivered in the "Collected Courses of the Hague Academy of International Law .

Environmental law and governance are the cornerstones of global efforts to conserve the environment, protect resources and ensure fair and equitable outcomes for all of the planet's inhabitants. This book presents a series of thought-provoking chapters which consider the place of governance and law in the defence against imminent and ongoing threats to ecological, social and cultural integrity. Written by an international team of both established and early-career scholars from various disciplines and backgrounds, the chapters cover the most pressing and contemporary issues in environmental law and governance. These include access and benefit-sharing; the right to food and water; climate change coping and adaptation; human rights; the rights of indigenous communities; public and environmental health; and many more. The book has a general focus on environmental governance and law in the European Union and offers points of comparison with Canada and North and South America.

In accordance with Article 102 of the Charter and the relevant General Assembly Resolutions, every treaty and international agreement registered or filed and recorded with the Secretariat since 1946 is published in the United Nations Treaty Series. At present, the collection includes about 30,000 treaties reproduced in their authentic languages, together with translations into English and French, as necessary. The Treaty Series, where treaties are published in the chronological order of registration, also provides details about their subsequent history (i.e., participation in a treaty, reservations, amendments, termination, etc.). Comprehensive Indices covering 50-volume-lots are published separately. A Standing Order service is available for the Series and out-of-print volumes are available on microfiche.

"This publication is a collection of papers of the second meeting of the Dornburg Research Group on New

Administrative Law which was held in London in May 2007"--Acknowledgments.

This book presents the results of extensive international comparative research into the effects of the economic and financial crisis on democratic institutions and social cohesion policies. The collected studies describe and analyse the measures (often referred to as "reforms") adopted to counter the crisis and the effects of these measures. It investigates three areas: the impact on the functioning of institutions, with respect to the relationship between representative institutions and governments, and the organisational structure of administrations at national and local levels; the impact that the austerity policies on public spending have on social rights; and the impact on traditional instruments of public action (administrative simplification, public services delivering, the use of common assets). The general findings highlight the effect of reducing the administrative and government capacity of the democratic institutions: the public sector, rather than being innovative and made more effective, declines, offering increasingly poor public services and making bad decisions, fuelling substantive or formal privatisation solutions, which in turn cause further weakening.

This book provides the first comprehensive overview of the most important water-related issues that centre on Italy, analysed from several disciplinary perspectives – such as hydrology, economics, law, sociology, environmental sciences and policy studies – in order to promote full understanding of the challenges the country is facing and the ways it could best tackle them. Despite the misconception that Italy is a water-scarce country, is in fact quite rich in water resources. Such resources, however, are unevenly distributed over the Italian territory. Italy's northern regions rely on quite an abundant quantity of freshwater, whereas in the southern area water endowment is limited. Moreover,

climatic differences between North and South contribute to widen the divide. This disparity has notable consequences of socio-economic character, some of which, in turn, feed back into the environmental conditions of Italian regions: pollution, floods, landslides and droughts are among the problems affecting the country. There are numerous features of water use and consumption that distinguish Italy from other comparable countries, such as the significant role played by agriculture (a water-intensive activity), a lead position in the consumption of bottled water, lower-than-average prices of water and a far-from-optimal efficiency of waterworks. All such aspects, and many others, make Italy an essential case study.

The Yearbook of the International Law Commission Volume II, contains summary records of the International Law Commission sessions on such subjects as: arbitral procedures, diplomatic immunities, Law of the Sea, nationality, Law of Treaties and Rights and Duties of States. Public management increasingly takes place in multilevel settings, since most countries are decentralized to one degree or another and most problems transcend and cut across administrative and geographical borders. A collaboration of scholars in the Transnational Initiative on Governance Research and Education (TIGRE Net), *Making Multilevel Public Management Work: Stories of Success and Failure from Europe and North America* brings together two strands of literature—multilevel governance and public management—and draws conclusions on practices of public management in multilevel governance settings. The book focuses on how to make multilevel public management work. Using an inductive logic, the editors study a particular case or a few selected cases, highlight lessons learned and implications, and identify trends and concerns. The book underscores factors essential to making multilevel public

management work, namely coordination and collaboration, and new skills and leadership capacities. It discusses the pitfalls of creating networks instead of managing them and the importance of finding the right leadership skills, institutional design, and network management mechanisms to avoid deadlock and manage conflict effectively. Multilevel public management creates multiple opportunities and their accompanying challenges. By bringing together case studies in Europe and North America, this book identifies conditions for success and those under which such governance arrangements fail. Demonstrating the insights gained by the cross-fertilization of ideas, the book has also been strengthened by the participation of researchers from various disciplines, including public management, political science and international relations, economics, as well as administrative law. The interdisciplinary nature of the scholarship provides a complete and compelling portrait of multilevel public management as practiced and studied on two continents. The book opens the debate on what is needed to make it work

Global Administrative Law has recently emerged as one of the most important contemporary fields in public law scholarship. Concerned with developing fuller understandings of patterns in global governance, it represents one of the most insightful ways of viewing the multifarious forms of public power that now exist beyond the State. The present collection brings together some of the leading scholars working in the field of global administrative law to address past and future challenges related to global governance. Each of the contributions picks up on the more general theme of the values that do or should inform global administrative law, and the book in this way provides a novel and thought-provoking commentary on this most engaging area of debate. Values in Global Administrative Law will be of interest to

public lawyers, social and political scientists and scholars of international relations. It will also be an invaluable resource for undergraduate and postgraduate courses that touch partly or exclusively on the challenges of global governance.

The importance of administration in the EU has been growing progressively together with the development of EU competences and tasks in the internal market. From the original model of a Community leaving enforcement with the Member States, the EU has become a complex legal order where administrative tasks are spread among different actors, including EU institutions, EU agencies and national administrations. Within this complex administrative law landscape, agencies and their powers have been essentially 'upgraded'. This volume asks whether any such 'upgrade' is compatible with EU law and its principles. Exploring both the case law of the CJEU and the regulation relating to EU agencies, the volume asks a crucial question about the legitimacy of the ever-increasing role of agencies in the enforcement of EU law.

Volumes 1 & 2 Guide to the MAJOR COMPANIES OF EUROPE 1991/92, Volume 1, arrangement of the book contains useful information on over 4000 of the top companies in the European Community, excluding the UK, over 1100 This book has been arranged in order to allow the reader to companies of which are covered in Volume 2. Volume 3 covers find any entry rapidly and accurately. over 1300 of the top companies within Western Europe but outside the European Community. Altogether the three Company entries are listed alphabetically within each country volumes of MAJOR

COMPANIES OF EUROPE now provide in section; in addition three indexes are provided in Volumes 1 authoritative detail, vital information on over 6500 of the largest and 3 on coloured paper at the back of the books, and two companies in Western Europe. indexes in the case of Volume 2. MAJOR

COMPANIES OF EUROPE 1991/92, Volumes 1 The alphabetical index to companies throughout the & 2 contain many of the largest companies in the world. The Continental EC lists all companies having entries in Volume 1 area covered by these volumes, the European Community, in alphabetical order irrespective of their main country of represents a rich consumer market of over 320 million people. operation. Over one third of the world's imports and exports are channelled through the EC. The Community represents the The alphabetical index in Volume 1 to companies within each world's largest integrated market.

Is the procedural autonomy of EU Member State a myth or a reality? What should this concept be taken to mean? Starting from the analysis of requirements and principles regulating, generally speaking, the relationships between Member States' and EU law, this book provides a definition of procedural autonomy able to account for the concept's inherent limits. Out of an analysis of the more relevant EU jurisprudence, the author identifies the rationale underlying the interventions of the ECJ on issues of

procedural autonomy and the common logic that emerges from it; and reveals how, in an unchanged context of 'procedural autonomy' of the Member States, national procedural law becomes more and more 'functionalized' to the requirements of effectiveness of substantive EU law. As such, we should speak of a 'functionalized procedural competence' rather than of procedural autonomy. But this is by no means a case of "Paradise Lost." The book includes a foreword by Prof. Jürgen Schwarze, one of the founding fathers of European Administrative Law.

The fifth edition of this directory supplies data on over 1000 financial institutions in Western Europe, principally banks, investment companies, insurance companies and leasing companies. Among the details given are names of chairman and board members and positions of senior management. This book represents a first attempt to investigate the relations between Law and Agroecology. There is a need to adopt a transdisciplinary approach to multifunctional agriculture in order to integrate the agroecological paradigm in legal regulation. This does not require a super-law that hierarchically purports to incorporate and supplant the existing legal fields; rather, it calls for the creation of a trans-law that progressively works to coordinate interlegalities between different legal fields, respecting their autonomy but emphasizing their

common historical roots in rus in the process. Rus, the rural phenomenon as a whole, reflects the plurality and interdependence of different complex systems based jointly on the land as a central point of reference. “Rural” is more than “agricultural”: if agriculture is understood traditionally as an activity aimed at exploiting the land for the production of material goods for use, consumption and private exchange, rurality marks the reintegration of agriculture into a broader sphere, one that is not only economic, but also social and cultural; not only material, but also ideal, relational, historical, and symbolic; and not only private, but also public. In approaching rus, the natural and social sciences first became specialized, multiplied, and compartmentalized in a plurality of first-order disciplines; later, they began a process of integration into Agroecology as a second-order, multi-perspective and shared research platform. Today, Agroecology is a transdiscipline that integrates other fields of knowledge into the concept of agroecosystems viewed as socio-ecological systems. However, the law seems to still be stuck in the first stage. Following a reductionist approach, law has deconstructed and shattered the universe of rus into countless, disjointed legal elementary particles, multiplying the planes of analysis and, in particular, keeping Agricultural Law and Environmental Law two separate fields.

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