

ANGLO-AMERICAN PERSPECTIVES ON PRIVATE INTERNATIONAL LAW

BY ALAN REED



Anglo American Perspectives On Private International Law

**Horatia Muir Watt, Diego P. Fernández
Arroyo**



Anglo American Perspectives On Private International Law:

Anglo-American Perspectives on Private International Law Matthew Alan Reed, 2003 Reed criminal and private law Sunderland University provides an account of the common themes related jurisprudence and theoretical underpinnings that have guided Anglo American traditions in family law tort jurisdiction choice of laws and recognition and enforcement of foreign judgments He strives to provide a global perspective by considering English common law practice model templates provided by the Brussels Lugano and Rome Conventions American jurisprudence and recent Commonwealth initiatives Annotation c 2003 Book News Inc Portland OR booknews com

Nineteenth Century Perspectives on Private International Law Roxana Banu, 2018-07-19 Private International Law is often criticized for failing to curb private power in the transnational realm The field appears disinterested or powerless in addressing global economic and social inequality Scholars have frequently blamed this failure on the separation between private and public international law at the end of the nineteenth century and on private international law s increasing alignment with private law Through a contextual historical analysis Roxana Banu questions these premises By reviewing a broad range of scholarship from six jurisdictions the United States France Germany the United Kingdom Italy and the Netherlands she shows that far from injecting an impetus for social justice the alignment between private and public international law introduced much of private international law s formalism and neutrality She also uncovers various nineteenth century private law theories that portrayed a social relationally constituted image of the transnational agent thus contesting both individualistic and state centric premises for regulating cross border inter personal relations Overall this study argues that the inherited shortcomings of contemporary private international law stem more from the incorporation of nineteenth century theories of sovereignty and state rights than from theoretical premises of private law In turn by reconsidering the relational premises of the nineteenth century private law perspectives discussed in this book Banu contends that private international law could take centre stage in efforts to increase social and economic equality by fostering individual agency and social responsibility in the transnational realm

Corporate Rescue Law--an Anglo-American Perspective Gerard McCormack, 2008-01-01 a highly readable and informative text and an excellent addition to insolvency scholarship In their entirety the chapters of Corporate Rescue Law An Anglo American Perspective represent one of the most incisive and relevant treatments of comparative insolvency regimes to date This book is an absolute boon it provides the reader with a mass of legal and practical insights into the workings of two ostensibly divergent systems and challenges received wisdom in a fluent and persuasive manner Not only are legal differences examined through the lens of practice but also commercial philosophical and social responses to failure are considered and highlighted as possible drivers of those real distinctions that do exist Professor McCormack has produced an exceptional work that should be required reading for academics practitioners and policy makers alike and is to be warmly congratulated Sandra Frisby Banking and Finance Law Review The issues are well chosen They are easily the most important

aspects of any corporate rescue law The careful analysis of the technical provisions the incorporation of the extensive scholarship on the two corporate rescue regimes and the reference to practice in the real world all help to make these chapters an indispensable tool for any scholar wishing to gain a better understanding of the similarities and differences of English and American corporate rescue laws This monograph could not have come at a better time The comparative account in this book will help law reformers judges and scholars to have a better grasp of the issues and appreciate better how the two systems have dealt with them Comparative law has a critical role to play in promoting mutual understanding and respect It is hoped that this monograph will help in that respect Wee Meng Seng Singapore Journal of Legal Studies This book offers an unprecedented and detailed comparative critique of Anglo American corporate bankruptcy law It challenges the standard characterisation that US law in the sphere of corporate bankruptcy is pro debtor and UK law is pro creditor and suggests that the traditional thesis is at best a potentially misleading oversimplification Gerard McCormack offers the conclusion that there is functional convergence in practice while acknowledging that corporate rescue as distinct from business rescue still plays a larger role in the US The focus is on corporate restructurings with in depth scrutiny of Chapter 11 of the US Bankruptcy Code and the UK Enterprise Act and offers other comparative oversights Integrating theoretical and practical insights this book will be of great interest to academics and practitioners and also to policymakers in the DTI Insolvency Service and regulatory bodies

Yearbook of Private International Law Petar Sarcevic, Andrea Bonomi, Paul Volken, 2006-06-30 The Yearbook of Private International Law is published by Sellier ELP in cooperation with the Swiss Institute of Comparative Law This annual publication provides analysis and information on private international law developments world wide The editors commission articles of enduring importance concerning the most significant trends in the field The Yearbook also devotes attention to the important work and research carried out in the context of the Hague Conference the Hague Academy the United Nations Commission on International Trade Law UNCITRAL and the International Institute for the Unification of Private Law UNIDROIT The authority of the editors and the lasting nature of the works included make the Yearbook an integral addition to the libraries of international law scholars and practitioners Volume VII includes various topics such as Hague Convention of 30 June 2005 on Choice of Court Agreements General Problems of Private International Law in Modern Codifications De Lege Lata and De Lege Europea Ferenda Maintenance in Private International Law in the United States What's New In Latin American Private International Law International Subcontracting in EC Private International Law Recognition of Foreign Insolvency Proceedings National Reports from South Africa Ukraine Brazil and Italy Case Law Texts Materials and Recent Developments

International Law in Comparative Perspective William E. Butler, 2024-11-04 Private International Law and Global Governance Horatia Muir Watt, Diego P. Fernández Arroyo, 2014-12-18 Contemporary debates about the changing nature of law engage theories of legal pluralism political economy social systems international relations or regime theory global constitutionalism and public international law Such

debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority. However, private international law tends to stand aloof, claiming process-based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond those of the nation state. As a result, the discipline is paradoxically ill equipped to deal with the most significant cross border legal difficulties from immigration to private financial regulation which might have been expected to fall within its remit. Contributing little to the governance of transnational non state power, it is largely complicit in its unhampered expansion. This is all the more a paradox given that the new thinking from other fields which seek to fill the void theories of legal pluralism, peer networks, transnational substantive rules, privatized dispute resolution and regime collision have long been part of the daily fare of the conflict of laws. The crucial issue now is whether private international law can or indeed should survive as a discipline. This volume lays the foundations for a critical approach to private international law in the global era. While the governance of global issues such as health, climate and finance clearly implicates the law and particularly international law, its private law dimension is generally invisible. This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields. It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state. To do so, it must shed a number of assumptions entrenched in the culture of the nation state, but this will permit the discipline to expand its potential to confront major issues in global governance.

Contemporary International Law Issues: Sharing Pan-European and American Perspectives American Society of International Law, Nederlandse Vereniging voor Internationaal Recht, 1992-03-26

Contemporary International Law Issues: Sharing Pan-European and American Perspectives is the record of the First Joint Conference of The American Society of International Law and the Nederlandse Vereniging voor Internationaal Recht which was held in The Hague, The Netherlands on July 4-6, 1991. At this event, international scholars, practitioners and experts gathered to discuss the latest developments in such areas as trade and investment, the environment, human rights, settlement of disputes and commercial arbitration, with particular reference to the Middle East, Central and Eastern Europe and the European Community. The conference focused especially on Pan-European perspectives on current international legal issues. The content of these Proceedings is evidence of the wide range of dialogue that occurred during the Joint Conference. The book provides a record of this dialogue and directs the reader to issues which might form suitable subjects for further research and elaboration in other scholarly work. The book will be of interest to academics and diplomats as well as legal practitioners.

International Maritime Law from the Russian Perspective Vasilii Gutsulyak, 2018-07. This book is one of the most comprehensive guides to international maritime law from the Russian perspective. It consists of three relatively independent sections: Russian Maritime Law, International Public Maritime Law and International Private Maritime Law. First section discusses the development of the maritime law as a branch of the Russian

law It examines concepts and sources of the Russian federal laws secondary legislation and customs including the influences guiding the future of Russian law of the sea The second section examines International Public Maritime Law including the principles sources subjects as well legal status of the vessel including the vessel s state flag her name state registration the problem of flags of convenience vessel s documents the crew and the master This section further details the current international legal regime of maritime spaces provisions concerning legal protection of marine environments ensuring navigation safety international legal regulation of the work of seamen international inter governmental marine organizations and settlement of international public marine disputes The third section is devoted to International Private Maritime Law and discusses its principles and sources conflict of law rules structure and types and the main choice of law principles used today in international private maritime law This section also discusses the following institutions and sub branches within international private maritime law including carriage of cargoes and passengers by sea general average salvage collisions of vessels marine insurance limitation of liability international non governmental maritime organizations and settlement of international private marine disputes

The Four Hague Conferences on Private International Law, the Object of the Conferences and Probable Results Friedrich Meili, 1905 *Trends of Private International Law* Pavel

Kalenský, 1972-07

Adopting the Tune of Appearance: An Emotional Symphony within **Anglo American Perspectives On Private International Law**

In a global consumed by screens and the ceaseless chatter of quick interaction, the melodic elegance and emotional symphony produced by the written term usually diminish in to the backdrop, eclipsed by the persistent noise and distractions that permeate our lives. However, located within the pages of **Anglo American Perspectives On Private International Law** a wonderful fictional value filled with fresh thoughts, lies an immersive symphony waiting to be embraced. Crafted by a wonderful musician of language, that interesting masterpiece conducts readers on a mental trip, well unraveling the concealed songs and profound impact resonating within each cautiously constructed phrase. Within the depths of this touching analysis, we can discover the book is main harmonies, analyze their enthralling writing type, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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