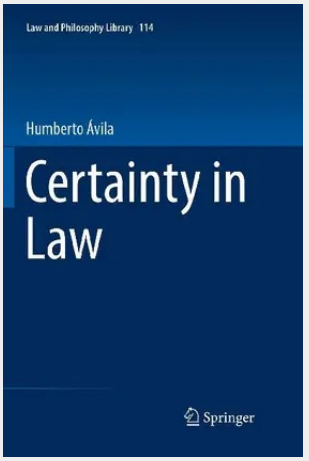
Ávila

Certainty in Law



Instead of the usual apologetic treatment found in legal doctrine, linked to the determinacy, immutability or predictability of norms, this book treats legal certainty innovatively, holistically and in depth. Using a method at once analytical and functional, Professor Ávila examines the structural elements of legal certainty, from its definition and foundations to its various dimensions, normative forces and efficacies, citing a wealth of examples from case law to support each of the theses defended.

No subject is more important and topical than legal certainty. Problems relating to lack of understanding, instability and unpredictability of law intensify day by day everywhere, in civil law and common law countries alike. Normative sources are increasingly diverse in origin (national, international, community) and multiple in nature (legal, contractual, jurisprudential). They change constantly, and present increasingly frequent problems of ambiguity and vagueness that significantly hinder their comprehension. This state of affairs, which to a greater or lesser extent is true of any legal order, justifies a return to the subject of legal certainty. In this book, essential questions are answered such as: Legal certainty in what sense? Certainty of what, for whom, in whose vision and by whom? When, to what extent, and to what end?

“(…) it is probably the most comprehensive and systematic study ever produced on this subject using the analytical method.” (Riccardo Guastini, Professor of Jurisprudence, University of Genoa, Italy)

Instead of the usualapologetic treatment found in legal doctrine, linked to the determinacy,immutability or predictability of norms, this book treats legal certaintyinnovatively, holistically and in depth. Using a method at once analytical andfunctional, Professor Ávila examines the structural elements of legalcertainty, from its definition and foundations to its various dimensions,normative forces and efficacies, citing a wealth of examples from case law tosupport each of the theses defended.Nosubject is more important and topical than legal certainty. Problems relatingto lack of understanding, instability and unpredictability of law intensify dayby day everywhere, in civil law and common law countries alike. Normativesources are increasingly diverse in origin (national, international, community)and multiple in nature (legal, contractual, jurisprudential). They changeconstantly, and present increasingly frequent problems of ambiguity andvagueness that significantly hinder their comprehension. This state of affairs,which to a greater or lesser extent is true of any legal order, justifies areturn to the subject of legal certainty. In this book, essential questions areanswered such as: Legal certainty in what sense? Certainty of what, for whom,in whose vision and by whom? When, to what extent, and to what end?"(...) it is probably themost comprehensive and systematic study ever produced on this subject using theanalytical method." (Riccardo Guastini, Professor of Jurisprudence, Universityof Genoa, Italy)

171,19 €
159,99 € (zzgl. MwSt.)

Lieferfrist: bis zu 10 Tage

Artikelnummer: 9783319815046
Medium: Buch
ISBN: 978-3-319-81504-6
Verlag: Springer
Erscheinungstermin: 30.05.2018
Sprache(n): Englisch
Auflage: Softcover Nachdruck of the original 1. Auflage 2016
Serie: Law and Philosophy Library
Produktform: Kartoniert
Gewicht: 8073 g
Seiten: 520
Format (B x H): 155 x 235 mm

Kundenservice Verlag Dr. Otto Schmidt KG
Neumannstraße 10, 40235 Düsseldorf | kundenservice@otto-schmidt.de | 0221-93738-997 (Inland)