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Tax-Exempt Organizations and Constitutional Law Bruce R. Hopkins,2012-09-11 A comprehensive guide to understanding the theory and implications of constitutional law as it relates to tax-exempt organizations Although the U.S. Constitution does not make any reference to nonprofit organizations—not surprising, since the Constitution is not a framework for the structure of the entirety of U.S. society—the Supreme Court has effusively shaped nonprofit law. Now, leading nonprofit law expert Bruce R. Hopkins discusses how tax-exempt organizations, including educational, religious, and healthcare institutions, are directly affected by constitutional law decisions and other pronouncements from the U.S. Supreme Court. Written by one of the country's leading legal authorities on tax-exempt organizations Provides a comprehensive, authoritative examination of constitutional law principles and their implications for tax-exempt organizations Includes coverage of the Supreme Court's perspective on nonprofit organizations and tax exemption, applicability of the Establishment and Free Exercise Clauses to nonprofit religious organizations, the import of Free Speech principles in the charitable fundraising context, the constitutionality of the individual health insurance mandate, and more Other titles by Bruce R. Hopkins: The Law of Tax-Exempt Organizations, Tenth Edition, The Law of Fundraising, Fourth Edition, and The Tax Law of Charitable Giving, Fourth Edition Should religious organizations be exempt from taxation? Should religious groups get tax exemptions not available to other organizations? Are state charitable solicitation acts constitutional? Is the health insurance mandate constitutional? Is the Affordable Care Act subject to legal challenge at this time? How many ways has the Supreme Court shaped nonprofit law? Get answers to these questions and many more from Tax-Exempt Organizations and Constitutional Law.

Courts, Politics and Constitutional Law Martin Belov,2019-10-16 This book examines how the judicialization of politics, and the politicization of courts, affect representative democracy, rule of law, and separation of powers. This volume critically assesses the phenomena of judicialization of politics and politicization of the judiciary. It explores the rising impact of courts on key constitutional principles, such as democracy and separation of powers, which is paralleled by increasing criticism of this influence from both liberal and illiberal perspectives. The book also addresses the challenges to rule of law as a principle, preconditioned on independent and powerful courts, which are triggered by both democratic backsliding and the mushrooming of populist constitutionalism and illiberal constitutional regimes. Presenting a wide range of case studies,

the book will be a valuable resource for students and academics in constitutional law and political science seeking to understand the increasingly complex relationships between the judiciary, executive and legislature.

Special Issue: Human Rights Austin Sarat, 2011-08-03 Presents advanced scholarship on human rights. This work examines both the theoretical dimensions and dilemmas of human rights in the modern world and particular cases in which the problems and possibilities of human rights are examined.

Rule of Law in India Harish Narasappa, 2018-04-28 Rule of law is the foundation of modern democracies. It envisages, inter alia, participatory lawmaking, just and certain laws, a bouquet of human rights, certainty and equality in the application of law, accountability to law, an impartial and non-arbitrary government, and an accessible and fair dispute resolution mechanism. This work's primary goal is to understand and explain the obvious dichotomy that exists between theory and practice in India's rule of law structure. The book discusses the contours of the rule of law in India, the values and aspirations in its evolution, and its meaning as understood by the various institutions, identifying reason as the primary element in the rule of law mechanism. It later examines the institutional, political, and social challenges to the concepts of equality and certainty, through which it evaluates the status of the rule of law in India.

The Politics of Hate Speech Laws Alexander Brown, Adriana Sinclair, 2019-09-18 This book examines the complex relationship between politics and hate speech laws, domestic and international. How do political contexts shape understandings of what hate speech is and how to deal with it? Why do particular states enact hate speech laws and then apply, extend or reform them in the ways they do? What part does hate speech play in international affairs? Why do some but not all states negotiate, agree and ratify international hate speech frameworks or instruments? What are some of the best and worst political arguments for and against hate speech laws? Do political figures have special moral duties to refrain from hate speech? Should the use of hate speech by political figures be protected by parliamentary privilege? Should this sort of hyperpolitical hate speech be subject to the laws of the land, civil and criminal? Or should it instead be handled by parliamentary codes of conduct and procedures or even by political parties themselves? What should the codes of conduct look like? Brown and Sinclair answer these important and overlooked questions on the politics of hate speech laws, providing a substantial body of new evidence, insights, arguments, theories and practical recommendations. The primary focus is on the UK and the US but several other country contexts are also explored and compared in detail, including: Nigeria, Kenya, South Africa, India, China, Japan, Turkey, Germany, Hungary, and Italy. Methodologically, the two authors draw on approaches and concepts from a range of academic disciplines, including: law and legal theory, political theory, applied ethics, political science and sociology, international relations theory and international law.

Secrecy, Spirituality, and Political Education at Princeton. the Early 19th Century Russell Creech, 2008-07-13 Willison Center Reprints (www.lulu.com/recreech) offers this collection of rare Discourses by Princeton Presidents, Alumni, and Whig

or Cliosophic Society members to graduating Princetonians. The Secretive Whig-Clio member Discourses are presently very rare, and reveal political strategy and doctrines that are desperately needed today. (Yes, they would be appalled at our near crisis political condition!) All the featured speakers occupied high office, most notably Samuel Southard, who served as a New Jersey Governor, President of the U.S. Senate, and Secretary of Treasury and War, and Nicholas Biddle, President of the U.S. National Bank, 1823-36. The Whig-Clio Selections unveil the reasons for the secrecy each society required of its members, with the U.S. Constitution's Framers James Madison (Whig, 1771) perhaps being one of the best known practitioners of the Society's secret arts. Each individual Discourse has a Quote page, making a great source of ready references.

Discrimination Law Sandra Fredman FBA KC, 2022-11-28 This book is a challenging, thought-provoking yet highly accessible introduction to discrimination law. It takes a thematic approach, illuminating the major issues in discrimination law, while imparting an in-depth understanding of the strengths and weaknesses of legal responses to complex social problems of inequality. This is enhanced by the comparative approach. By considering equality law in the UK, US, India, Canada, and South Africa, as well as the European Union and under the European Convention on Human Rights, the book exposes common problems across different jurisdictions and canvasses a variety of differing solutions. As in the highly successful previous editions, the book locates discrimination law within its historical and social context. One of its major strengths is the development of an analytic framework of substantive equality, drawing on a range of sources, and the author's wide experience of equality law in many jurisdictions. As well as chapters charting the social challenges and legal responses, the book compares the ways in which different jurisdictions formulate grounds of discrimination or protected characteristics; the meaning of key concepts such as direct discrimination (disparate treatment); indirect discrimination (disparate impact); and when limitations on equality are legitimate. Later chapters test these concepts in some of the most challenging contexts: pregnancy and parenting, equal pay, reasonable accommodation, and sexual harassment; as well as to the particularly controversial issue of affirmative action or deliberate preference policies. Discussing at length how racism, sexism, LGBTQ+ rights, and other topics impact these contexts. The final chapter asks how the right to equality can be made more effective, critically assessing the paradigm individual complaints model, and possible alternatives, from class actions and strategic litigation to mainstreaming and positive duties to promote equality.

Vertical File Index, 2005

New State Voting Laws United States. Congress. Senate. Committee on the Judiciary. Subcommittee on the Constitution, Civil Rights, and Human Rights, 2011

Between Compliance and Particularism Marton Varju, 2019-02-08 The book examines how the interests of the member states, which provide the primary driving force for developments in European integration, are internalised and addressed by

the law of the European Union. In this context, member state interests are taken to mean the policy considerations, economic calculations, local socio-cultural factors, and the raw expressions of political will which shape EU policies and determine member state responses to the obligations arising from those policies. The book primarily explores the junctions and disjunctions between member state interests defined in such a manner and EU law, where the latter expresses either an obligation for the member states to comply with common policies or an acceptance of member state particularism under the common EU framework.

Law and Economics Dana Gold, 2009-05-08 Explores the relationship between law and economics principles and the promotion of social justice. This title includes chapters that invoke the lens of corporate law theory or the corporate context as part of their analysis of the intersection of economics and social justice.

The Handbook of Archival Practice Patricia C. Franks, 2021-09-12 To meet the demands of archivists increasingly tasked with the responsibility for hybrid collections, this indispensable guide covers contemporary archival practice for managing analog and digital materials in a single publication. Terms describing activities central to the archival process—such as appraisal, acquisition, arrangement, description, storage, access, and preservation—are included. In addition, responsibilities traditionally considered outside the purview of the archivist but currently impacting professional activities—such as cybersecurity, digital forensics, digital curation, distributed systems (e.g., cloud computing), and distributed trust systems (e.g., blockchain)—are also covered. The Handbook is divided into ten sections: current environment; records creation and recordkeeping systems; appraisal and acquisition; arrangement and description; storage and preservation; digital preservation; user services; community outreach and advocacy; risk management, security and privacy; and management and leadership. Some terms touch on more than one category, which made sorting a challenge. Readers are encouraged to consult both the table of contents and the index, as a topic may be addressed in more than one entry. A total of 111 entries by 105 authors are defined and described in The Handbook. The majority (79) of the contributors were from the US, 12 from Canada, 7 from the United Kingdom, 3 from Australia, 1 each from Germany, Jamaica, New Zealand, and the Russian Federation. Because archival practice differs among practitioners in different countries, this work represents an amalgamation. The Handbook was written primarily for archival practitioners who wish to access desired information at the point of need. However, can also serve as a valuable resource for students pursuing careers in the archival profession and information professionals engaged in related fields.

The Use of Preventive Detention Laws in Malaysia: A Case for Reform M. Ehteshamul Bari, Safia Naz, 2020-07-07 This book examines the extraordinary nature of the power of preventive detention, which permits executive dispensation of the personal liberty of an individual on the mere apprehension that, if free and unfettered, he may commit acts prejudicial to national security or public order. In light of the extraordinary scope of this power, it, therefore, contends that the scope of

the power should be confined to genuine emergencies threatening the life of the nation. Against the above background, this book sheds light on the fact that Article 149 of the Federal Constitution of Malaysia empowers the Parliament to enact preventive detention laws authorizing the executive branch of government to preventively detain individuals without the precondition of an emergency. Furthermore, the Constitution does not stipulate adequate safeguards for mitigating the harshness of preventive detention laws. This book makes it manifestly evident that the weaknesses of the constitutional provisions concerning preventive detention have enabled succeeding generations of executives in Malaysia to not only enact a series of preventive detention statutes for arrogating to themselves wide powers concerning preventive detention but also to rely on them for arbitrarily detaining their political adversaries. Consequently, on the basis of this analysis, this book puts forward concrete recommendations for insertion in the Constitution detailed norms providing for legal limits on the wide power of the executive concerning preventive detention. The insertion of such norms would ensure the maintenance of a delicate balance between protecting national interests and, simultaneously, observing respect for an individual's right to protection from arbitrary deprivation of liberty. This book is useful for academics and students of comparative constitutional law, human rights and Asian law. The extensive law reform analysis undertaken in this book also greatly benefits the policy makers in Malaysia and the policy makers of constitutional polities facing similar problems with the issue of circumscribing the scope of the powers concerning preventive detention.

The Condition of Democracy Jürgen Mackert, Hannah Wolf, Bryan S. Turner, 2021-07-12 Recent years have seen contestations of democracy all around the globe. Democracy is challenged as a political as well as a normative term, and as a form of governance. Against the background of neoliberal transformation, populist mobilization, and xenophobic exclusion, but also of radical and emancipatory democratic projects, this collection offers a variety of critical and challenging perspectives on the condition of democracy in the 21st century. The volumes provide theoretical and empirical enquiries into the meaning and practice of liberal democracy, the erosion of democratic institutions, and the consequences for citizenship and everyday lives. With a pronounced focus on national and transnational politics and processes, as well as postcolonial and settler colonial contexts, individual contributions scrutinize the role of democratic societies, ideals, and ideologies of liberal democracy within global power geometries. By employing the multiple meanings of *The Condition of Democracy*, the collection addresses the preconditions of democratic rule, the state this form of governance is in, and the changing ways in which citizens can (still) act as the sovereign in liberal democratic societies. The books offer both challenging theoretical perspectives and rigorous empirical findings of how to conceive of democracy in our times, which will appeal to academics and students in social and political science, economics, and international relations amongst other fields. The focus on developments in the Middle East and North Africa will furthermore be of great usefulness to academics and the wider public interested in the repercussions of western democracy promotion as well as in contemporary struggles for democratization

‘from below’. During the last 50 years, liberal democracies have been exposed to a fundamental reorganization of their politico-economic structure that transformed them through the impact of neo-liberal economic doctrines focused on low taxation, free markets, and out-sourcing that have little regard in reality for democratic institutions or liberal values. The failures of the neoliberal ‘remedy’ for capitalism are now dramatically obvious through the banking crisis of 2008-2011, the increase in income inequality, the social and psychological damage caused by the austerity packages across Europe, and widespread dependence on experts whose influence over government policies typically goes without public scrutiny. While this has only accelerated the destruction of the social fabric in modern Western societies, the dramatic redistribution of wealth and an open ‘politics for the rich’ have also revealed the long-time well-covered alliance of the global oligarchy with the Far Right that has the effect of undermining democracy. The contributions to this volume discuss a wide variety of processes of transformation, the social consequences, dedemocratization and illiberalization of once liberal democracies through the destructive impact of neoliberal strategies. These strongly politico-economic contributions are complemented with general sociological analyses of a number of cultural aspects often neglected in analyses of democracy.

A Guide to Oil Marginal Field Law Mervyn Martin, Ifeanyichukwu Paschal Aniede, 2024-10-01 This book offers unique insight regarding the Nigerian government oil marginal field farm-out exercise which raised international concern over its ability to be fair, justified, and legal whilst requiring a cautionary application to avoid driving away investors. It demonstrates the prudence in developing oil marginal fields alongside renewable energy to aid the development and gradual switch to renewable energy. It traces the authority behind natural resources development and foreign direct investment in resolutions and policy statements of the UN and OPEC. It discusses petroleum business arrangements and Nigerian oil marginal field regulations, and reviews Nigerian marginal field development. Concluding the legality of the government farm-out exercise was drawn from a combination of the United Nations resolutions on developing countries sovereignty over natural resources and declaratory statements of the OPEC on member countries making policy development to take charge of their natural resources.

Judicial Authority in EU Internal Market Law Vilija Velyvyte, 2022-11-17 This book examines the role of the European Court of Justice in the regulation of the internal market from a competence perspective. However, rather than focusing on the Court's role in enforcing the limits of EU competence in the EU's political decision making, it explores a related, albeit understudied, question: to what extent does the Court observe the constitutional limits of EU competence and its own institutional powers in the interpretation of EU internal market law laid down in the Treaties? The book provides an answer to this question through the analysis of EU free movement case law in light of the constitutional principles that govern the allocation of competences and powers in the EU: conferral, subsidiarity and proportionality, on the vertical level, and institutional balance, on the horizontal level. Why should the Court be bound by these principles? What do they mean when

applied to judicial practice? To what extent are they observed in the free movement case law? The book argues that the Court's observance of the four principles has been inconsistent, thereby creating substantive and constitutional tensions in the EU's relationship with the Member States and upsetting the institutional balance of powers between the EU legislature and judiciary. Shortlisted for the UACES Best Book Prize 2023

Islamic Revivalism in Syria Line Khatib, 2012-05-23 Contemporary studies on Syria assume that the country's Ba'thist regime has been effective in subduing its Islamic opposition, placing Syria at odds with the Middle East's larger trends of rising Islamic activism and the eclipse of secular ideologies as the primary source of political activism. Yet this assumption founders when confronted with the clear resurgence in Islamic militantism in the country since 2004. This book examines Syria's current political reality as regards its Islamic movement, describing the country's present day Islamic groups - particularly their social profile and ideology - and offering an explanation of their resurgence. The analysis focuses on: Who are today's Syrian Islamic groups? Why and how are they re-emerging after 22 years of relative silence as an important socio-economic and political force? How is the Syrian state dealing with their re-emergence in light of Syria's secularism and ideologically diverse society? Bridging area studies, Islamic studies, and political science, this book will be an important reference for those working within the fields of Comparative Politics, Political Economy, and Middle Eastern Studies.

Learning Legal Skills and Reasoning Sharon Hanson, 2015-08-14 Language skills, study skills, argument skills and legal knowledge are vital to every law student, professional lawyer and academic. Learning Legal Skills and Reasoning discusses the main sources of English law and explains how to work with legal texts in order to construct credible legal arguments which can be applied in coursework, exams or presentations. Learning Legal Skills and Reasoning Discusses how to find and understand sources of both domestic and European Union Law Develops effective disciplined study techniques, including referencing, general reading, writing and oral skills and explains how to make good use of the university print and e-library Contains chapters on writing law essays, problem questions and examinations, and on oral skills including presentations and mediation skills Packed full of practical examples and diagrams across the range of legal skills from language and research skills to mooting and negotiation, this textbook will be invaluable to law students seeking to acquire a range of discreet legal skills in order to use them together to produce competent assessed work.

Ethics of Human Rights A. Reis Monteiro, 2014-03-11 This volume focuses on the ethical significance of human rights, aiming at contributing to a universal culture of human rights with deep roots and wide horizons. Its purpose, scope and rationale are reflected in the three-part structure of the manuscript. Part I has a broad introductory historical, theoretical and legal character. Part II submits that an Ethics of Human Rights is best understood as an Ethics of Recognition of human worth, dignity and rights. Moreover, it is argued that human worth consists in the perfectibility of the human species, rooted in its semiotic nature, to be accomplished through the perfecting of human beings, for which the right to education is key. In

Part III, the main legal and political outcomes of the Human Rights Revolution are described and answers to the most lasting and common criticisms of human rights are provided. To conclude, the human stature of the Big Five drafters of the Universal Declaration of Human Rights is profiled and the priority that should be recognized to human rights education is highlighted. Some appendices supplement the manuscript. While making a case for the high value and liberating power of the idea and ideal of human rights, objections, controversies and uncertainties are not at all overlooked and emerging issues are explored. The diversity of content of this volume meets many needs of the typical syllabus for a human rights course.

Testimonio Catherine Nolin, Grahame Russell, 2021-10-25 What is land? A resource to be exploited? A commodity to be traded? A home to cherish? In Guatemala, a country still reeling from thirty-six years of US-backed state repression and genocides, dominant Canadian mining interests cash in on the transformation of land into “property,” while those responsible act with near-total impunity. Editors Catherine Nolin and Grahame Russell draw on over thirty years of community-based research and direct community support work in Guatemala to expose the ruthless state machinery that benefits the Canadian mining industry—a staggeringly profitable juggernaut of exploitation, sanctioned and supported every step of the way by the Canadian government. This edited collection calls on Canadians to hold our government and companies fully to account for their role in enabling and profiting from violence in Guatemala. The text stands apart in featuring a series of unflinching testimonios (testimonies) authored by Indigenous community leaders in Guatemala, as well as wide-ranging contributions from investigative journalists, scholars, Lawyers, activists, and documentarians on the ground. As resources are ripped from the earth and communities and environments ripped apart, the act of standing in solidarity and bearing witness—rather than extracting knowledge—becomes more radical than ever.

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