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Philosophical Foundations of Labour Law Philosophical and Sociological Reflections on Labour Law in Times of Crisis The Right to Work Law, Labour and the Humanities The Philosophy of Labour Althusser and Law The Philosophy of Necessity Global Justice and International Labour Rights Labor in Its Relations to Law The Capability Approach to Labour Law The Philosophy of Necessity A Purposive Approach to Labour Law The Autonomy of Labour Law Great Debates in Employment Law The Democratic Aspects of Trade Union Recognition The Capability Approach to Labour Law Dialogues on Human Rights and Legal Pluralism Studies on the Elements of Labor Law The Philosophy of Labour Globalization and the Future of Labour Law The Unfree Market and the Law The Idea of Labour Law International Labour Law Law, Order and Freedom Labour Rights and the Catholic Church Philosophy of Law: A Very Short Introduction The Philosophy of Unfair Dismissal Law in Nigeria Global Law Without a State Family Law and Society in Europe from the Middle Ages to the Contemporary Era Labour and the Wage Law and the Shaping of the American Labor Movement Child Law Socialism and the Law Private Government Employment Law: A Very Short Introduction Labour Law Introduction to Dutch Law Employee Guide Labour Law of the Cayman Islands Deakin and Morris' Labour Law The Philosophy of Civilization

Introduction to Dutch Law Sep 27 2020 A standard legal resource since its first edition in 1978, Introduction to Dutch Law has proven itself the ideal overview of Dutch law for foreign lawyers. The Fourth Edition updates the subject with continuing changes in the Civil Code, including the major new law of succession of 2003, and with the ongoing Europeanisation of Dutch law observable in all legal areas, most recently in criminal procedural law. The various chapters have been written by experts, scholars, practitioners, jurists in particular fields, and provide an authoritative overview. The history of Dutch law is discussed, as well as Dutch legal culture, the judicial organisation, legal education, and the legal profession. This is followed by an introduction to essential issues of Dutch private and public law and Dutch labour law. The last chapter examines questions of legal philosophy. As a thorough guide to further research, Introduction to Dutch Law is unmatched. It offers practitioners, particularly foreign lawyers, a quick and reliable way into any area of Dutch law that they may be required to research. It will also be of great value to comparativists (especially those studying the influence of European law on national legal systems), scholars, and students. Like previous editions, the Fourth Edition of Introduction to Dutch Law has been prepared under the auspices of the Netherlands Comparative Law Association.

The Unfree Market and the Law Feb 10 2022 This book examines how legal systems and mechanisms give shape to the capitalist economic system. In this regard, it focuses on the most important of these systems, such as monetary and financial law, company law, fiscality, contract and labour law. Further, the book provides a thorough analysis of the underlying ethical values of said legal systems and mechanisms. It also gives an overview of several potentially devastating related effects, such as poverty, the increasing polarisation between rich and poor, climate change, and mounting debts at both the public and private level. The book concludes by presenting proposals for change. Given its critical analysis of legal systems and mechanisms in connection with the value choices dictated by economic ideologies, the book will be of particular interest to legal and economic academics, researchers and students, but also to policymakers, and, more generally, to anyone with a genuine concern for how the socio-economic order will evolve.

The Philosophy of Necessity Dec 23 2022

Labour and the Wage May 04 2021 Labour and the Wage: A Critical Perspective offers a new perspective on why labour law struggles to respond to problems such as low pay and under-inclusive employment. A Marxian-inspired ontological approach sheds new light on the role of labour law in a capitalist economy and on the limitations and potential of labour law when it comes to bringing about social change. It illustrates this through the lens of the wage. The book develops a legal genealogy that explores the shifting portfolio of concepts through which the wage has been conceptualized in legal discourse as capitalism has developed. This exploration spans from the Norman Conquest to the present day, and covers diverse issues such as the decasualization of the docks, sweated labour, the truck system, tax-credits, tips, and minimum wages. Labour and the Wage provides one of the most in-depth and comprehensive analyses of the wage to date, while, at the same time, shedding new light on the contradictory role, or function, of labour law in the context of capitalism.

Globalization and the Future of Labour Law Mar 14 2022 How are national and international labour laws responding to the challenge of globalization as it re-shapes the workplaces of the world? This collection of essays by leading legal scholars and lawyers from Europe and the Americas was first published in 2006. It addresses the implications of globalization for the legal regulation of the workplace. It examines the role of international labour standards and the contribution of the International Labour Organization, and assesses the success of the European experiment with continental employment standards. It explores the prospects for hemispheric co-operation on labour standards in the Americas, and deals with the impact of international labour standards on the rights of women and migrant workers. As the nature and organization of work around the world is being decisively transformed, new regional and international institutions are emerging that may provide the platform for new labour standards, and for protecting existing ones.

The Democratic Aspects of Trade Union Recognition Aug 19 2022 Winner of the SLS Peter Birks Prize for Outstanding Legal Scholarship 2010. The long ascendancy of pluralism and 'collective laissez-faire' as a guiding ideology of British labour law was emphatically shattered by the New Right ideology of Thatcher and Major. When New Labour was finally returned to power in 1997, it did not, however, attempt to resurrect the pre-Thatcher preference for pluralist non-intervention in collective industrial relations. Instead, it purported to follow a 'Third Way'. A centrepiece of this new approach was the statutory recognition provision, introduced in Schedule A1 TULRCA 1992. By breaking with the tradition of voluntarism in respect of recognition of trade unions, New Labour sought to provide a model of collective labour law which combined legal support with control through juridification. A closer study of both the history of approaches to recognition and the current provisions opens up fundamental questions as to the nature of this new model and the ones it aimed to replace. This book uses political philosophy to elucidate the character of those historical approaches and the nature of the 'Third Way' itself in relation to statutory union recognition. In particular, it traces the progressive eclipse of civic republican values in labour law, in preference for a liberal political philosophy. The book articulates and defends a civic republican philosophy in terms of freedom as non-domination, the intrinsic value of democratic participation through deliberative democracy, and community. This can be contrasted with the rights-based individualism and State neutrality characteristic of the liberal approach. Despite the promise of civic community in the 'Third Way' rhetoric, this book demonstrates that the reality of New Labour's experiment in union recognition was an emphatic reassertion of liberalism in the sphere of workers' collective rights. This is the first monograph to offer a sustained critical analysis of legal approaches to trade union recognition. It will be of particular interest to labour lawyers, but also a wider audience of scholars in political philosophy and industrial relations.

A Purposive Approach to Labour Law Nov 21 2022 This volume explores the societal goals behind labour laws - through an analysis of normative justifications and critiques - and examines what actions are needed to better advance these goals, by way of purposive interpretation and legal reform.

The Philosophy of Unfair Dismissal Law in Nigeria Aug 07 2021 In Nigeria, the past three decades have witnessed a steady growing private sector, but the relationship between employers and employees continues to be a turbulent one and a source of unending litigation. This situation is worsened by the dwindling state of the economy. Paid employment continues to constitute the major source of livelihood of many families and this has made it an important source of livelihood in majority of the households in Nigeria. However, with the employment relationship comes an inherent conflict of interest between the employer and the employee. How best to manage this conflict has been left to the different nations to determine. In Nigeria, the law governs the cessation of an employment relationship but the statute governing dismissal is seemingly still a relic of the received English law as at 1900. The failure to bring the provisions of the statute on dismissal in tandem with the current day realities has brought about a distortion of the balance of interest between the employer and employee. In a bid to ensure stability, the concept of fair dismissal evolved. The aim of this paper is to critically examine the fundamental nature, attitudes, realities, existence and theories that act as guiding principles for unfair dismissal law in Nigeria. This paper examines the evolution of the labour law jurisprudence on unfair dismissal, and its jurisprudential foundation in Nigeria. It seeks to reveal the historical, moral, and cultural basis of unfair dismissal law. The article focuses on finding the answers to such abstract questions as "what is unfair dismissal law?" and "how do judges decide such cases?"

The Philosophy of Civilization Jun 24 2020

Philosophy of Law: A Very Short Introduction Sep 07 2021 The concept of law lies at the heart of our social and political life. Legal philosophy, or jurisprudence, explores the notion of law and its role in society, illuminating its meaning and its relation to the universal questions of justice, rights, and morality. In this Very Short Introduction Raymond Wacks analyses the nature and purpose of the legal system, and the practice by courts, lawyers, and judges. Wacks reveals the intriguing and challenging nature of legal philosophy with clarity and enthusiasm, providing an enlightening guide to the central questions of legal theory. In this revised edition Wacks makes a number of updates including new material on legal realism, changes to the approach to the analysis of law and legal theory, and updates to historical and anthropological jurisprudence. ABOUT THE SERIES: The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area. These pocket-

sized books are the perfect way to get ahead in a new subject quickly. Our expert authors combine facts, analysis, perspective, new ideas, and enthusiasm to make interesting and challenging topics highly readable.

The Capability Approach to Labour Law Jan 24 2023 Forty years ago Amartya Sen introduced to the world a novel approach to the idea of equality: the notion of 'basic capability' as 'a morally relevant dimension' and the claim that we should focus upon equality of basic capabilities ('a person being able to do certain basic things'). These ideas, as developed by Sen and Martha C. Nussbaum, have launched an academic armada now proceeding under the flag of the 'capability approach' (CA). While that flag has ventured far and wide and engaged many areas of inquiry, this volume of essays is the first to explore how CA might shed light upon labour law. The capabilities approach can illuminate our understanding of labour law across three dimensions. Part I looks at the nature of the basic relationship between CA and labour law—do they share common ground or disagree about what is important? Can the CA provide a normative 'foundation' for labour law? Part II goes further by examining the relationship of the CA and other well-established perspectives on labour law, including economics, history, critical theory, restorative justice, and human rights. Part III examines the possible relevance of the CA to a range of specific labour law issues, such as freedom of association, age discrimination in the workplace, trade, employment policy, and sweatshop goods.

Private Government Dec 31 2020 Why our workplaces are authoritarian private governments—and why we can't see it One in four American workers says their workplace is a "dictatorship." Yet that number almost certainly would be higher if we recognized employers for what they are—private governments with sweeping authoritarian power over our lives. Many employers minutely regulate workers' speech, clothing, and manners on the job, and employers often extend their authority to the off-duty lives of workers, who can be fired for their political speech, recreational activities, diet, and almost anything else employers care to govern. In this compelling book, Elizabeth Anderson examines why, despite all this, we continue to talk as if free markets make workers free, and she proposes a better way to think about the workplace, opening up space for discovering how workers can enjoy real freedom.

The Philosophy of Labour Jun 28 2023 Originally published in 1925, C. Delisle Burns' *The Philosophy of Labour* attempts to lay down key aspects of labour and the working class of that time period, covering aspects such as economic obstacles, standards of living and patriotism. Burns does not draw on past philosophers or sociological thinkers of the working-class and instead chose to focus only on the attitude of the workers in factories, mines, roads, railways and other forms of manual labour. This title will be of interest to students of philosophy.

Child Law Mar 02 2021 Child Law starts with the question "Who is the Child?" In direct contrast to the CRC, which calls for putting the interests of the child first in all policies dealing with children, it appears that the interests of others are the major consideration de facto. In law, children's right to protection is severely limited by the presence of a maximum age limit, with no consideration of the starting point: current and ongoing scientific research has demonstrated the effects of this non-consideration in a number of abnormalities and diseases, not only in children, but in adults and the elderly. The WHO has published a number of studies to that effect and the 2012 Report on Endocrine Disruptors more than confirms this claim. This and other scientific insights that have largely been ignored show the flaws and inadequacies of the legal regimes intended to protect children, in a number of areas, from the basic public health to the right to normal development; child labor law conventions; in conflict situations; as a result of climate and other events; children as illegal migrants and as inmates in prison camps.

Philosophical and Sociological Reflections on Labour Law in Times of Crisis Oct 01 2023 Starting from the assertion that crisis is part of the essence of labour law, this volume brings together researchers in the field who accepted the challenge to critically reflect on this branch of the discipline. As the COVID-19 pandemic has had a global impact, labour law across the world must come to terms with a new reality. In this context, it would be prudent to adapt to new circumstances by taking known paths. To this end, this book reflects on what effectively constitutes labour law, considering questions which are not usual within labour law. Insights from philosophical, sociological and even economic standpoints are mobilised to reconcile the past with the future of labour law.

The Autonomy of Labour Law Oct 21 2022 To what extent is labour law an autonomous field of study? This book is based upon the papers written by a group of leading international scholars on this theme, delivered at a conference to mark Professor Mark Freedland's retirement from his teaching fellowship in Oxford. The chapters explore the boundaries and connections between labour law and other legal disciplines such as company law, competition law, contract law and public law; labour law and legal methodologies such as reflexive governance and comparative law; and labour law and other disciplines such as ethics, economics and political philosophy. In so doing, it represents a cross-section of the most sophisticated current work at the cutting edge of labour law theory.

Global Law Without a State Jul 06 2021 This work deals with legal pluralism in an emerging world society. Its central thesis is that globalization of law tends to create a decentred law-making process which occurs in multiple sectors of civil society, independently of nation states. Technical standardization, professional rule production, human rights, intra-organizational regulation in multinational enterprises, contracting, arbitration and other institutions of *lex mercatoria* are forms of rule by private governments, claiming world-wide validity independently of the law of the nation states. They have come into existence not by formal acts of nation states but by strange paradoxical acts of self-validation.

Althusser and Law May 28 2023 Althusser and Law is the first book specifically dedicated to the place of law in Louis Althusser's philosophy. The growing importance of Althusser's philosophy in contemporary debates on the left has - for practical and political, as well theoretical reasons - made a sustained consideration of his conception of law more necessary than ever. As a form of what Althusser called 'Ideological State Apparatuses', law is at the forefront of political struggles: from the destruction of Labour Law to the exploitation of Patent Law; from the privatisation of Public Law to the ongoing hegemony of Commercial Law; and from the discourse on Human Rights to the practice of judicial courts. Is Althusser still useful in helping us to understand these struggles? Does he have something to teach us about how law is produced, and how it is used and misused? This collection demonstrates that Althusser's ideas about law are more important, and more contemporary, than ever. Indeed, the contributors to Althusser and Law argue that Althusser offers a new and invaluable perspective on the place of law in contemporary life.

Law, Order and Freedom Nov 09 2021 The central question in legal philosophy is the relationship between law and morality. The legal systems of many countries around the world have been influenced by the principles of the Enlightenment: freedom, equality and fraternity. The position is similar in relation to the accompanying state ideal of the democratic constitutional state as well as the notion of a welfare state. The foundation of these principles lies in the ideal of individual autonomy. The law must in this view guarantee a social order which secures the equal freedom of all. This freedom is moreover fundamental because in modern pluralistic societies a great diversity of views exist concerning the appropriate way of life. This freedom ideal is however also strongly contested. In *Law, Order and Freedom*, a historical overview is given pertaining to the question of the extent to which the modern Enlightenment values can serve as the universal foundation of law and society.

Deakin and Morris' Labour Law Jul 26 2020 Deakin and Morris' *Labour Law*, a work cited as authoritative in the higher appellate courts of several jurisdictions, provides a comprehensive analysis of current British labour law which explains the role of different legal and extra-legal sources in its evolution, including collective bargaining, international labour standards, and human rights. The new edition, while following the broad pattern of previous ones, highlights important new developments in the content of the law, and in its wider social, economic and policy context. Thus the consequences of Brexit are considered along with the emerging effects of the Covid-19 crisis, the increasing digitisation of work, and the implications for policy of debates over the role of the law in constituting and regulating the labour market. The book examines in detail the law governing individual employment relations, with chapters covering the definition of the employment relationship; the sources and regulation of terms and conditions of employment; discipline and termination of employment; and equality of treatment. This is followed by an analysis of the elements of collective labour law, including the forms of collective organisation, freedom of association, employee representation, internal trade union government, and the law relating to industrial action. The seventh edition of Deakin and Morris' *Labour Law* is an essential text for students of law and of disciplines related to management and industrial relations, for barristers and solicitors working in the field of labour law, and for all those with a serious interest in the subject.

Family Law and Society in Europe from the Middle Ages to the Contemporary Era Jun 04 2021 This volume addresses the study of family law and society in Europe, from medieval to contemporary ages. It examines the topic from a legal and social point of view. Furthermore, it investigates those aspects of the new family legal history that have not commonly been examined in depth by legal historians. The volume provides a new 'global' interpretative key of the development of family law in Europe. It presents essays about family and the Christian influence, family and criminal law, family and civil liability, filiation (legitimate, natural and adopted children), and family and children labour law. In addition, it explores specific topics related to marriage, such as the matrimonial property regime from a European comparative perspective, and impediments to marriage, such as bigamy. The book also addresses topics including family, society and European juridical science.

Dialogues on Human Rights and Legal Pluralism Jun 16 2022 Human rights have transformed the way in which we conceive the place of the individual within the community and in relation to the state in a vast array of disciplines, including law, philosophy, politics, sociology, geography. The published output on human rights over the last five decades has been enormous, but has remained tightly bound to a notion of human rights as dialectically linking the individual and the state. Because of human rights' dogged focus on the state and its actions, they have very seldom attracted the attention of legal pluralists. Indeed, some may have viewed the two as simply incompatible or relating to wholly distinct phenomena. This collection of essays is the first to bring together authors with established track records in the fields of legal pluralism and human rights, to explore the ways in which these concepts can be mutually reinforcing, delegitimizing, or competing. The essays reveal that there is no facile conclusion to reach but that the question opens avenues which are likely to be mined for years to come by those interested in how human rights can affect the behaviour of individuals and institutions.

Law and the Shaping of the American Labor Movement Apr 02 2021 Why did American workers, unlike their European counterparts, fail to forge a class-based movement to pursue broad social reform? Was it simply that they lacked class consciousness and were more interested in personal mobility? In a richly detailed survey of labor law and labor history, William Forbath challenges this notion of American "individualism." In fact, he argues, the nineteenth-century American labor movement was much like Europe's labor movements in its social and political outlook, but in the decades around the turn of the century, the prevailing attitude of American trade unionists changed. Forbath shows that, over time, struggles with the courts and the legal order were

crucial to reshaping labor's outlook, driving the labor movement to temper its radical goals.

Great Debates in Employment Law Sep 19 2022 This textbook is an ambitious and engaging introduction to the more advanced writings on employment law, primarily designed to allow students to 'get under the skin' of the topic and begin to build their critical thinking and analysis skills. Each chapter is structured around key questions and debates that provoke deeper thought and, ultimately, a clearer understanding. The aim of the book is therefore not to present a complete overview of theoretical issues in employment law, but rather to illustrate the current debates which are currently going on among those working in shaping the area. The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading.

The Philosophy of Necessity Apr 26 2023

Socialism and the Law Jan 29 2021 Aus dem Inhalt: Raymond Plant: The Austin Lecture: Socialism, End States and the Law Chris Bertram: Would a socialist society be able to dispense with law? Andrew Vincent: Socialism, Law and the State Tradition Elizabeth Kingdom: Socialism, State and Law. Response to Andrew Vincent David Feldman: The Left, Judicial Review and Theories of the Constitution Hugh Collins: Social Market and the Law of Contract Michael Luntley: The Long Aim of the Law? Response to Hugh Collins Christine Sypnowich: Rights and Community, Feminism and Social Justice Roger Brownsword: A Synthesis of Rights and Community: in a different register? Response to Christine Sypnowich Bibliography

The Idea of Labour Law Jan 12 2022 Labour law is widely considered to be in crisis by scholars of the field. This crisis has an obvious external dimension - labour law is attacked for impeding efficiency, flexibility, and development; vilified for reducing employment and for favouring already well placed employees over less fortunate ones; and discredited for failing to cover the most vulnerable workers and workers in the "informal sector". These are just some of the external challenges to labour law. There is also an internal challenge, as labour lawyers themselves increasingly question whether their discipline is conceptually coherent, relevant to the new empirical realities of the world of work, and normatively salient in the world as we now know it. This book responds to such fundamental challenges by asking the most fundamental questions: What is labour law for? How can it be justified? And what are the normative premises on which reforms should be based? There has been growing interest in such questions in recent years. In this volume the contributors seek to take this body of scholarship seriously and also to move it forward. Its aim is to provide, if not answers which satisfy everyone, intellectually nourishing food for thought for those interested in understanding, explaining and interpreting labour laws - whether they are scholars, practitioners, judges, policy-makers, or workers and employers.

Global Justice and International Labour Rights Mar 26 2023 Presents innovative perspectives on the moral and legal obligations of individuals and institutions toward workers in the global era.

Employment Law: A Very Short Introduction Nov 29 2020 Very Short Introductions: Brilliant, Sharp, Inspiring In today's society, work takes up a vast proportion of the time and energy of ordinary people. Although use of the phrase 'work-life balance' is now commonplace in the media and ordinary conversation, people work longer hours than ever before. However, rather than purely a means to an end in terms of supporting oneself financially, the workplace is a place to develop skills and talents and build lasting friendships. For these reasons, people want to know about their rights in the workplace. Issues of equal pay, discrimination, discharge/dismissal, and redundancy are prevalent within the media, and there is a growing public appetite for knowledge of the law governing the employment relationship. This Very Short Introduction provides an overview of the main kinds of employment rights and labour laws found in many countries. It unpicks and evaluates some of the assumptions underpinning contemporary attitudes to such rights and laws in order to measure whether they are warranted. Throughout it also considers the economic, political, sociological, and social justifications for employment rights and laws. ABOUT THE SERIES: The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area. These pocket-sized books are the perfect way to get ahead in a new subject quickly. Our expert authors combine facts, analysis, perspective, new ideas, and enthusiasm to make interesting and challenging topics highly readable.

Labor in Its Relations to Law Feb 22 2023 This scarce antiquarian book is a facsimile reprint of the original. Due to its age, it may contain imperfections such as marks, notations, marginalia and flawed pages. Because we believe this work is culturally important, we have made it available as part of our commitment for protecting, preserving, and promoting the world's literature in affordable, high quality, modern editions that are true to the original work.

The Right to Work Aug 31 2023 The value of work cannot be underestimated in today's world. Work is valuable because productive labour generates goods needed for survival, such as food and housing; goods needed for self-development, such as education and culture; and other material goods that people wish to have in order to live a fulfilling life. A job also generally inspires a sense of achievement, self-esteem and the esteem of others. People develop social relations at work, which can be very important for them. Work brings both material and non-material benefits. There is no doubt that work is a crucial good. Do we have a human right to this good? What is the content of the right? Does it impose a duty on governments to promote full employment? Does it entail an obligation to protect decent work? There is also a question about the right-holders. Do migrants have a right to work, for example? At the same time many people would rather not work. What kind of right is this, if many people do not want to have it? The chapters of this book address the uncertainty and controversy that surround the right to work both in theoretical scholarship and in policymaking. They discuss the philosophical underpinnings of the right to work, and its development in human rights law at national level (in jurisdictions such as the United Kingdom, Australia, Japan, France and the United States) and international level (in the context of the United Nations, the European Social Charter, the International Labour Organization, the European Convention on Human Rights and other legal orders).

Labour Rights and the Catholic Church Oct 09 2021 This book explores the extent of parallelism and cross-influence between Catholic Social Teaching and the work of the world's oldest human rights institution, the International Labour Organisation (ILO). Sometimes there is a mutual attraction between seeming opposites who in fact share a common goal. This book is about just such an attraction between a secular organisation born of the political desire for peace and justice, and a metaphysical institution much older founded to bring peace and justice on earth. It examines the principles evident in the teachings of the Catholic Church and in the secular philosophy of the ILO; together with the theological basis of the relevant provisions of Catholic Social Teaching and of the socio-political origins and basis of the ILO. The spectrum of labour rights covered in the book extends from the right to press for rights, i.e., collective bargaining, to rights themselves – conditions in work – and on to post-employment rights in the form of social security and pensions. The extent of the parallelism and cross-influence is reviewed from the issue of the Papal Encyclical of Pope Leo XIII *Rerum Novarum* (1891) and from the founding of the ILO in 1919. This book is intended to appeal to lay, professional and academic alike, and will be of interest to researchers and academics working in the areas of international human rights, theology, comparative philosophy, history and social and political studies. On 4 January 2021 it was granted an Imprimatur by the Roman Catholic Archbishop of Liverpool, Malcolm P. McMahon O.P., meaning that the Catholic Church is satisfied that the book is free of doctrinal or moral error.

International Labour Law Dec 11 2021 No one will deny that labour standards comprise a necessary framework for balanced economic and social development. Yet on a global level such balanced development has not occurred, despite the existence of a rigorous body of international labour law that has been active and growing for almost one hundred years. The implementation of this law devolves upon states; yet many states have failed to honour it. If we are to take serious steps toward a remedy for this situation, there is no better place to start than a thorough, well-researched survey and analysis of existing international labour law - its sources, its content, its historical development, and an informed consideration of the barriers to its full effectiveness. This book is exactly such a resource. It provides in-depth interpretation of the crucial International Labour Organisation (ILO) instruments - Constitution, conventions, declarations, resolutions, and recommendations - as well as such other sources of law as the OECD Guidelines for Multinational Enterprises and various model and actual corporate codes of conduct. Among the substantive areas of labour law covered in this book are the following: • the relationship between international labour law and economic competition • standards on industrial relations • collective bargaining and dispute settlement procedures • protection of trade unions • prohibitions on enforced and child labour • promotion of equal opportunity and treatment • time and rest provisions • wage determination and protection • occupational health and safety provisions • special issues on non-standard forms of employment • foreign and migrant workers • social security provisions • privacy protection The presentation demonstrates that these rules and standards offer invaluable benchmarks to governments, judiciaries, employers, and trade unions. The book's combination of detailed commentary and an overarching social policy will make it especially valuable to legislators, human resources managers, employers ? organizations, trade unions, jurists, and academics concerned with the role of work in our globalized social system. This fifth edition of the book by Jean-Michel Servais analyses the potential of those standards in a globalized world, and the necessary evolution. It examines the actual implementation of those rules in the national context, comparing different experiences. It integrates the latest instruments. It examines the most recent public debates on labour regulation (dealing with health and security at work, personal data, minimum wages, social security, strikes, etc.), updates the bibliography and opens some perspectives for the future work of the global institutions.

Labour Law Oct 28 2020 Written by prominent UK labour lawyers, this textbook is comprehensive and engaging, with detailed commentary and integrated materials.

Law, Labour and the Humanities Jul 30 2023 The ontology of work and the economics of value underpin the legal institution, with the existence of modern law predicated upon the subject as labourer. In contemporary Europe, labour is more than a mere economic relationship. Indeed, labour occupies a central position in human existence: since the industrial revolution, it has been the principal criterion of reciprocal recognition and of universal mobilization. This multi-disciplinary volume analyses labour and its depictions in their interaction with the latest legal, socio-economic, political and artistic tendencies. Addressing such issues as deregulation, flexibility, de-industrialization, the pervasive enlargement of markets, digitization and virtual relationships, social polarisation and migratory fluxes, this volume engages with the existential role played by labour in our lives at the conjunction of law and the humanities. This book will be of interest to law students, legal philosophers, theoretical philosophers, political philosophers, social and political theorists, labour studies scholars, and literature and film scholars.

The Capability Approach to Labour Law Jul 18 2022 Forty years ago Amartya Sen introduced to the world a novel approach to the idea of equality: the notion of 'basic capability' as 'a morally relevant dimension' and the claim that we should focus upon equality of basic capabilities ('a person being able to do certain basic things'). These ideas, as developed by Sen and Martha C. Nussbaum, have launched an academic armada now proceeding under the flag of the 'capability approach' (CA). While that flag

has ventured far and wide and engaged many areas of inquiry, this volume of essays is the first to explore how CA might shed light upon labour law. The capabilities approach can illuminate our understanding of labour law across three dimensions. Part I looks at the nature of the basic relationship between CA and labour law-do they share common ground or disagree about what is important? Can the CA provide a normative 'foundation' for labour law? Part II goes further by examining the relationship of the CA and other well-established perspectives on labour law, including economics, history, critical theory, restorative justice, and human rights. Part III examines the possible relevance of the CA to a range of specific labour law issues, such as freedom of association, age discrimination in the workplace, trade, employment policy, and sweatshop goods.

Studies on the Elements of Labor Law May 16 2022

The Philosophy of Labour Apr 14 2022

Employee Guide Labour Law of the Cayman Islands Aug 26 2020 The principle part of this book is the broad application of democratic principles. "You have the American system!" exclaimed my Oxford educated professor, uncharacteristically grabbing me by the shoulders. That was his reaction sixty years ago to my theory of government. Imagine my shock when I received the application papers for citizenship only to discover that the Oath of Allegiance denied the American Democratic System by removing the individual's responsibility for what he does under orders. The individual conscience is paramount in democratic philosophy. The individual is fully responsible for what he does under orders. I don't believe that obeying orders justifies man's inhumanity to man. I have great difficulty with items which have been added to the Oath to the U.S. Constitution. I could have answered certain questions, but they were questions, which in my judgment, a democratic government had no right to ask. To answer such questions would, it seemed to me, concede the right to ask the questions. But the way I read it, I have to be prepared to give up both body and soul to become a U.S. citizen. " if the law requires it," without qualification or limitation implies no limitation although limitation is explicit in democratic philosophy and in the constitution which outlines the way to adhere to those principles. The Oath of Allegiance lists substantially the same contents without those additions I find objectionable and unconstitutional. Eventually I applied with the request that I be permitted to take the Oath just to the Constitution and not to the additions. I explained that for me the additions removed the safeguards of the Constitution, in effect contradicted the Constitution. And that to take an oath to what I perceived compromised my principles and conscience, could be done only with a mental reservation. To become an American Citizen I would have to deny the American system. What a catch 22! Although I have not the slightest hesitation in defending the U.S., my country, my children's and grandchildren's country I cannot give carte blanche to the government, allow any openings for laws that deny the restraints set by the constitution.

Philosophical Foundations of Labour Law Nov 02 2023 The first book to explore the philosophical foundations of labour law in detail, including topics such as the meaning of work, the relationship between employee and employer, and the demands of justice in the workplace.

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