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Law is a lasting social institution,

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but it must also be open to change. How is law made, and what prompts change? How can society influence the law, and how does the law respond to societal change? The first volume of *Shaping Tomorrow's Law* examined human rights and European law. In this second

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volume Mary Arden turns her attention to domestic law, providing a judge's viewpoint on the roles of society, government, and the judiciary in the transformation and reform of the law. The first section of Common Law and Modern Society explains what we mean by

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judge-made law and shows how the law responds to the needs of a changing society. Adaptation may be in response to shifting values, or in response to constitutional change. This is demonstrated in chapters on assisted reproduction and assisted dying, both modern

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concerns, and a far older example, that of the law on water, which has been evolving over the centuries in response to society's changing demands. The law also needs to reflect constitutional change, as in the case of Welsh devolution. The second section of the book looks at

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the necessary simplification of the law and systematic legal reform.

These tasks lie at the heart of the work of the Law Commission, which celebrated its 50th anniversary in 2015. Drawing on her own experience as former Chairman of the Law Commission, Mary Arden

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argues that statute law can be made simpler by codification, and that the success of codification may vary depending on the field of law. The final section looks ahead to tomorrow's judiciary. The accountability of judges is a continuing area of discussion, and

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this includes ensuring that the reasoning behind their decisions is understood by the relevant people. Mary Arden goes on to argue that the vision for the judiciary today and tomorrow should be one of greater diversity in the widest sense. This will help to ensure not



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only greater fairness and wider opportunity but also better decision-making. The book concludes with advice and encouragement for future legal professionals.

This book, one of two volumes, is an anthology that analyses, through selected examples, the role played

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in the development of private law by  
the pursuit of goals serving  
modernisation or national  
ideologies in various countries,  
cultural spheres, and periods.  
In this volume, the Study Group and  
the Acquis Group present the first  
academic Draft of a Common Frame

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of Reference (DCFR). The Draft is based in part on a revised version of the Principles of European Contract Law (PECL) and contains Principles, Definitions and Model Rules of European Private Law in an interim outline edition. It covers the books on contracts and other

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juridical acts, obligations and corresponding rights, certain specific contracts, and non-contractual obligations. One purpose of the text is to provide material for a possible "political" Common Frame of Reference (CFR) which was called for by the

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developments in the law and the  
markets in the continuing aftermath  
of the Global Financial Crisis. One  
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gives equal coverage to both the  
equity and debt sides of corporate  
finance law, and seeks, where



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possible, to compare the two. This book covers a broad range of topics regarding the debt and equity-raising choices of companies of all sizes, from SMEs to the largest publicly traded enterprises, and the mechanisms by which those

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providing capital are protected. Each chapter analyses the present law critically so as to enable the reader to understand the difficulties, risks and tensions in this area of law, and the attempts made by the legislature and the courts, as well as the parties

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involved, to deal with them. This  
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practitioners, academics and students  
engaged in the practice and study of  
corporate finance law.

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analytical techniques to identify

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targets for police intervention with the goal of preventing crime, solving past crimes, or identifying potential offenders and victims. These tools are not a substitute for integrated approaches to policing, nor are they a crystal ball. This guide assesses

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in an effective way.

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potential issues or debates within the law so that you can contribute in classes with confidence. Beginning Business Law is an ideal first introduction to the subject for LLB, GDL or ILEX and especially international students, those enrolled

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Personal property security is an important subject in commercial practice, as it is the key to much of the law of banking and sale. This second edition has been fully

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28 updated and expanded to cover all important issues and changes within this highly complex area of law. It explains traditional methods of securing debts (such as mortgages, charges, and pledges) on property other than land, describing how these

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are created, how they must be registered (or otherwise 'perfected') if they are to be valid, the rights and duties of the parties, and how the security is enforced if the debt is not paid. The new edition includes an expanded section on priorities in

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which it explains how 'priority'  
disputes between competing interests  
over the same property are resolved.  
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governing other transactions that  
perform a similar economic function  
(such as finance leases, retention of

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title clauses, and sales of a  
company's book debts). These are  
not currently treated by the law as  
security and are therefore subject to  
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priority, and enforcement. There is  
much expansion of the discussion

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relating to enforcement including the  
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the right of appropriation under  
FC/FCAR and the Cukurova case.

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2009 in relation to tiered holdings



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and the Cape Town Convention's  
extensions made to coverage of asset-  
backed security over equipment. It  
also addresses the changes brought  
about by the abolition of Slavenburg  
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relevant points from the Banking

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Act 2009 concerning its impact on security, such as the power to protect certain interests on a transfer of property, and also considers amendments regarding liquidators' expenses under the Insolvency Rules. The authors additionally deal with

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the role of step-in rights and why they are part of the statutory definition of project finance in the Enterprise Act. Previously published as The Law of Personal Property Security, this new edition brings together all of the law on this

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complex area, providing guidance in  
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**of scenarios and,  
unfortunately, has had little  
detailed scrutiny of its  
overarching structure over the  
years. It is a system and can  
best be understood as a  
system. Indeed, without**

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understanding it as a system,  
it becomes much more  
difficult to comprehend. The  
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**law of personal property in  
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assignment of choses in  
action. It also looks at**



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**defective transfers of property  
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contingent on tracing, the tort  
of conversion, bailment and  
security interests. By bringing  
together areas often scattered**

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**throughout company law,  
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tort textbooks, it enables  
readers to see common  
themes and issues and to  
make otherwise impossible  
generalisations across**

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**different contexts about the  
nature of the concepts English  
law applies. Throughout the  
book, concepts are explained  
rigorously, with reference to  
how they are used in  
commercial practice and**

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**everyday life. The new edition  
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material on the Cape Town  
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other intangible property. The**

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book will be of primary  
interest to academics and  
practitioners in the area.  
However, it will also be of use  
to students studying  
commercial or personal  
property law.

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**This book is the first to  
provide an extensive analysis  
of the range of defences to  
payment under letters of credit  
and demand guarantees. It  
considers the extent to which  
different defences undermine**

**the abstraction of these  
instruments. This is a  
fundamental issue, since  
letters of credit and demand  
guarantees are designed to be  
abstract, or autonomous, from  
the underlying contract that**

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**called for their use. The purpose of that abstraction is to provide certainty of payment, but the various defences diminish that certainty. The book examines the spectrum of defences that**



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**are frequently litigated and  
debated in international  
practice: fraud in the  
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affecting deferred payment  
letters of credit, fraud as no  
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**conduct and illegality. Vitally,  
the book provides analysis of  
the relevant judicial decisions  
and offers clear practical  
guidance on which defences  
are most suitable for each  
instrument. As the instruments**

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**are heavily used in  
international trade, this work  
is particularly suited to  
financial and commercial law  
practitioners who draft  
agreements, as well as those  
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concerning these instruments.

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Accessible and engaging, the  
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European Contract Law  
unification projects have  
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Reference (2009) to a  
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proposal for an optional  
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various aspects of domestic  
law, represented by English  
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**British and German scholars,  
examine such interface issues  
for eg pre-contractual  
relationships, notions of  
contract, formation,  
interpretation, and remedies,  
extending to non-**

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**discrimination, third parties,  
transfers or rights, aspects of  
property law, and collective  
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a critical analysis of CESL and  
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where and how CESL rules**



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**would interact with  
neighbouring areas of English  
and German law before  
English and German courts,  
how domestic traditions might  
influence the application,  
which aspects might motivate**

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**sellers and buyers to choose  
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might serve as model for  
national legislators. The  
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contracts are the veins for  
business through which this  
blood flows.” Commercial  
business contracts sometimes***

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commercial contracts so that  
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as well as the legislative measures  
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prevent crime, is a relatively new phenomenon in the United States. It developed from a crisis in confidence in policing that began to emerge in the 1960s because of social unrest, rising crime rates, and growing skepticism regarding the effectiveness

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of standard approaches to policing. In response, beginning in the 1980s and 1990s, innovative police practices and policies that took a more proactive approach began to develop. This report uses the term "proactive policing" to refer to all policing

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strategies that have as one of their goals the prevention or reduction of crime and disorder and that are not reactive in terms of focusing primarily on uncovering ongoing crime or on investigating or responding to crimes once they have occurred. Proactive

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policing is distinguished from the everyday decisions of police officers to be proactive in specific situations and instead refers to a strategic decision by police agencies to use proactive police responses in a programmatic way to reduce crime. Today, proactive

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policing strategies are used widely in the United States. They are not isolated programs used by a select group of agencies but rather a set of ideas that have spread across the landscape of policing. Proactive Policing reviews the evidence and

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discusses the data and methodological gaps on: (1) the effects of different forms of proactive policing on crime; (2) whether they are applied in a discriminatory manner; (3) whether they are being used in a legal fashion; and (4) community reaction. This

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report offers a comprehensive evaluation of proactive policing that includes not only its crime prevention impacts but also its broader implications for justice and U.S. communities.

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and the Convention on the  
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Association celebrated its 25th anniversary. When Lord Mackay's Green papers, and especially that on 'The Work and Organisation of the Legal Profession', were published, the survival of the Bar was brought into question and this was the catalyst for

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*environment - this book confronts the  
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*global institutions such as the WTO,  
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World Bank, as well as various NGOs  
and significant individuals. The  
authors argue that effective and  
decent global regulation depends on  
the determination of individuals to*



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*engage with powerful agendas and  
decision-making bodies that would  
otherwise be dominated by  
concentrated economic interests. This  
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for readers in business, law, politics  
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of priority rules as of comparing the  
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*vested right of a true owner over a  
subsequent purchaser, particularly a  
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The book works towards the  
conclusion that, given the general  
principle of English property law for  
vested rights, title conflicts may be*

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*tilted towards purchasers in a mild rather than a radical way, by introducing a good faith purchaser rule to intermediated securities or leaving it to judicial discretion where an estoppel might work in favour of a purchaser. This book is suitable for*

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*lawyers, officials and academics in the field of intermediated securities, as well as trust, property and financial regulation.*

*Transnational Commercial Law is a textbook that deals predominantly with substantive legal contract rules*

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*beginnings to the present day  
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*evaluation and criticism, and  
there is much reference to  
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13th edition. In our preface to the previous edition, we recorded the sudden passing of Professor Adams. Sadly, in this preface, we must note another passing: on 30 March 2018, Patrick Atiyah, who wrote the 1st-8th editions of this

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book and continues to give the  
book its name, passed away at the  
age of 87. Patrick was one of those  
giants of academic contract law  
whose contributions continue to be  
read and to inspire scholars  
everywhere. We are both mindful



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of our task to maintain the  
28 scholarly rigour which he gave to  
this book as we take it into the  
future. This edition is also the first  
time since the 9th edition without  
a Scottish editor. Professor Hector  
MacQueen had been responsible

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for adding Scottish content since the 10th edition (2001), but decided that he would discontinue this role after the 13th edition was published in 2016. We are very grateful for Hector's contributions to the work. On the advice of the

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book's publishers, this edition has been put together without the benefit of a Scottish editor, although we have, of course, continued to take decisions from the Scottish courts into account in updating the various chapters.

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Since the last edition was published, there have been few major developments in the law on the sale of goods, aside from the difficult ruling by the Supreme Court in *PST Energy 7 Shipping LLC v OW Bunker Malta Ltd* [2016]

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UKSC 23 (which arrived too late for proper consideration in the previous edition). We have updated the text in light of recent cases and academic writings where appropriate. Furthermore, we have continued our task of

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streamlining the running order of the chapters, and we have sought to make gentle updates to the language of the book, preserving its rigour but ensuring it remains accessible to a contemporary audience. In some instances, we

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have ^curtailed or removed  
altogether the detailed discussion  
of the pre-1994 case-law which  
had become redundant as a result  
of the changes made to the Sale of  
Goods Act at that time. The rise of  
digital technology and new

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business models in the digital economy will invariably have an impact on the law concerning the sale of goods, but at this point, the real impact is not yet known. In some places, we have alluded to the possible significance of digital



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technology, and this could well  
become a more significant theme  
in future editions"--

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related areas such as conflict of laws and insolvency. The authors, being seasoned practitioners themselves, bring their practical experience to bear on a number of difficult and developing areas of the law, such as: mortgagees'

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duties, liability to charterers,  
conflicts of laws, work-outs and  
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noteworthy cases such as The WD  
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with practitioners in mind, this new edition will be extremely useful to legal professionals working in any jurisdiction that is involved in international ship finance, as well as post-graduate students and academics.

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This book addresses issues concerning the shifting contemporary meaning of legal certainty. The book focuses on exploring the emerging tensions that exist between the demand for legal certainty and the challenges

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of regulating complex, late  
28 modern societies. The book is  
divided into two parts: the first  
part focusing on debates around  
legal certainty at the national  
level, with a primary emphasis on  
criminal law; and the second part



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focusing on debates at the transnational level, with a primary emphasis on the regulation of transnational commercial transactions. In the context of legal modernity, the principle of legal certainty—the idea that the

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law must be sufficiently clear to provide those subject to legal norms with the means to regulate their own conduct and to protect against the arbitrary use of public power—has operated as a foundational rule of law value.

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Even though it has not always  
been fully realized, legal certainty  
has functioned as a core value and  
aspiration that has structured  
normative debates throughout  
political modernity, both at a  
national and international level. In

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recent decades, however, legal certainty has come under increasing pressure from a number of competing demands that are made of contemporary law, in particular the demand that the law be more flexible and responsive to

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a social environment characterized by rapid social and technological change. The expectation that the law operates in new transnational contexts and regulates every widening sphere of social life has created a new degree of

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uncertainty, and this change raises difficult questions regarding both the possibility and desirability of legal certainty. This book compiles, in one edited volume, research from a range of substantive areas of civil and

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criminal law that shares a common  
interest in understanding the multi-  
layered challenges of defining  
legal certainty in a late modern  
society. The book will be of  
interest both to lawyers interested  
in understanding the

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transformation of core rule of law  
values in the context of  
contemporary social change and  
to political scientists and social  
theorists.