GERMAN LAW JOURNAL

Vol. 21 - Número 8 (2020)

Sitio web: <u>http://www.germanlawjournal.com/</u>

The Question of 2047: Constitutional Fate of "One Country, Two Systems" in Hong Kong By Yunxin Tu	1481 - 1525
The Law on Police Use of Force in the United States By Brandon Garrett and Christopher Slobogin	1526 - 1540
On Scripts and Sensibility: Cold War International Law and Revolutionary Caribbean Subjects By Vidya Kumar	1541 - 1569
"Advise and Rule" or "Rule by Advising": The Changing Nature of the Advisory Jurisdiction of the Constitutional Court of Kosovo By Fisnik Korenica	1570 - 1585
The (Very) Political Dissent: Dissenting Opinions and the Polish Constitutional Crisis By Benjamin Bricker	1586 - 1605
The Implementation of Collective Redress – A Comparative Approach <i>By Alexander Stöhr</i>	1606 - 1624
Striving for Consistency: Why German Sentencing Needs Reform <i>By Clara Herz</i>	1625 - 1648
ERRATUM	
Is the Primacy of EU Law Based on the Equality of the Member States? A Comment on the CJEU's Press Release Following the PSPP Judgment – ERRATUM By J. Lindeboom	1649

Recopilado por: Ab. Yunis Yamila Carolina

Número 7 (2020)

Socio-Legal Studies in Germany and the UK: Theory and Methods By Jennifer Hendry, Naomi Creutzfeldt and Christian Boulanger	1309 - 1317
Milestones and Directions: Socio-Legal Studies in Germany and the United Kingdom <i>By Stefan Machura</i>	1318 - 1331
Law and Society Studies in Context: Suggestions for a Cross-Country Comparison of Socio-Legal Research and Teaching By Tanja Herklotz	1332 - 1344
Gender in Socio-Legal Teaching and Research in Germany <i>By Ulrike Schultz</i>	1345 - 1361
The Comparative Sociology of Legal Doctrine: Thoughts on a Research Program By Christian Boulanger	1362 - 1377
Finding New Ways of "Doing" Socio-Legal Labor Law History in Germany and the UK: Introducing a "Minor Comparativism" <i>By Rebecca Zahn</i>	1378 - 1392
Comparative Genealogies of "Contract and Society" By Klaas Hendrik Eller	1393 - 1410
Empiricism, Constructivism, and Grand Theory in Sociological Approaches to Law: The Case of Transnational Private Regulation By Ioannis Kampourakis	1411 - 1426
Making socio-legal Research More Social by Design: Anglo-German Roots, Rewards, and Risks By Amanda Perry-Kessaris	1427 - 1445
Researching Urban Law By Antonia Layard	1446 - 1463
Working Politically: Combining Socio-Legal Tools to Study Experiences of Law By Jess Mant	1464 - 1480

Recopilado por: Ab. Yunis Yamila Carolina

Número 6 (2020)

EDITORIAL

Making Open Access Viable Economically By Andrew Hyde, Russell A. Miller and Emanuel V. Towfigh	1129 - 1133
ARTICLES	
The German "Verständigung" and Consensual Elements in German Criminal Trials By Matthias Jahn and Charlotte Schmitt-Leonardy	1134 - 1148
Cybersecurity in the EU The Example of the Financial Sector: A Legal Perspective By Christian Calliess and Ansgar Baumgarten	1149 - 1179
The Common European Asylum System: Balancing Mutual Trust Against Fundamental Rights Protection By Georgios Anagnostaras	1180 - 1197
Possibilities of Limiting the Protection of Large-Scale Investments in Farmland By Georgios Anagnostaras	1198 - 1227
Islam as a Civilizational Threat: Constitutional Identity, Militant Democracy, and Judicial Review in Western Europe <i>BY Malthe Hilal-Harvald</i>	1228 - 1256
On the Names of States: Naming System of States Based on the Country Names and on the Public Law Components of State Titles <i>By Peter Takács</i>	1257 - 1282
Applicable Law to Transnational Personal Data: Trends and Dynamics By Jie (Jeanne) Huang	1283 - 1308

Recopilado por: Ab. Yunis Yamila Carolina

Número 5 (2020)

Wightman and the Perils of Britain's Withdrawal By Giuseppe Martinico and Marta Simoncini	799 - 814
With or Without EU? The Common Travel Area After Brexit By Sylvia de Mars and C. R. G. Murray	815 - 837
The Diagonality Problem of EU Rule of Law and Human Rights: Proposal for an Incorporation à l'européenne By Csongor István Nagy	838 - 866
A Revised Democratic Critique of EU (Citizenship) Law: From Relative Homogeneity to Political Judgment By Päivi Johanna Neuvonen	867 - 883
The Prohibition on Constitutional Review by the Judiciary in the Netherlands in Critical Perspective: The Case and Roadmap for Reform By Gerhard van der Schyff	884 - 903
The Conceptualization of Constitutional Supremacy: Global Discourse and Legal Tradition By Graziella Romeo	904 - 923
Commerce in Data and the Dynamically Limited Alienability Rule By Václav Janeček and Gianclaudio Malgieri	924 - 943
SPECIAL SECTION 'THE GERMAN FEDERAL CONSTITUTIONAL PSPP JUDGMENT'	COURT'S
A Long Time Coming By Dieter Grimm	944 - 949
"Simply not comprehensible." Why? By Sven Simon and Hannes Rathke	950 - 955
Value Constitutionalism in the European Union By Frank Schorkopf	956 - 967

Gauging "Ultra-Vires": The Good Parts By Karsten Schneider

Recopilado por: Ab. Yunis Yamila Carolina

968 - 978

Paradoxes of Ultra-Vires Review: A Critical Review of the PSPP Decision and Its Initial Reception By Mattias Wendel	979 - 994
Karlsruhe's <i>Lochner</i> Moment? A Rational Choice Perspective on the German Federal Constitutional Court's Relationship to the CJEU After the PSPP Decision <i>By Niels Petersen</i>	995 - 1005
Against Bidimensional Supremacy in EU Constitutionalism By Vlad Perju	1006 - 1022
Constitutional Pluralism and Authoritarianism By Matej Avbelj	1023 - 1031
Is the Primacy of EU Law Based on the Equality of the Member States? A Comment on the CJEU's Press Release Following the <i>PSPP</i> Judgment <i>By Justin Lindeboom</i>	1032 - 1044
Bring Back the Politics: The <i>PSPP</i> Ruling in Its Institutional Context By Teresa Violante	1045 - 1057
The European Economic Constitution after the PSPP Judgment: Towards Integrative Liberalism? By Matthias Goldmann	1058 - 1077
The German Federal Constitutional Court's Exercise of <i>Ultra Vires</i> Review and the Possibility to Open an Infringement Action for the Commission <i>By Sara Poli and Roberto Cisotta</i>	1078 - 1089
The German Constitutional Court's <i>PSPP</i> Judgment: Impediment and Impetus for the Democratization of Europe <i>By Isabel Feichtner</i>	1090 - 1103
How Far Is It from Warsaw to Luxembourg and Karlsruhe: The Impact of the PSPP Judgment on Poland <i>By Stanisław Biernat</i>	1104 - 1115
To Boldly Go Where No Court Has Gone Before. The German Federal Constitutional Court's <i>ultra vires</i> Decision of May 5, 2020 <i>By Franz C. Mayer</i>	1116 - 1127

Recopilado por: Ab. Yunis Yamila Carolina

Número 4 (2020)

Electing Team Strasbourg: Professional Diversity on the European Court of Human Rights and Why it Matters <i>By Kanstantsin Dzehtsiarou and Alex Schwartz</i>	621 - 643
The Tragedy of the Judiciary: An Inquiry into the Economic Nature of Law and Courts By Ivo Teixeira Gico	644 - 673
From the European Stability Mechanism to the European Monetary Fund: There and Back Again <i>By Mauro Megliani</i>	674 - 685
The Anaemic Existence of the Overriding Public Interest in Disclosure in the EU's Access to Documents Regime <i>By Daniel Wyatt</i>	686 - 701
Justifying New Rights: Affectedness, Vulnerability, and 702 - 720 the Rights of Peasants <i>By Corina Heri</i>	
Crime in Germany as Portrayed by the Alternative for Germany (AfD) By Thomas Hestermann and Elisa Hoven	721 - 738
BOOK REVIEW	
Jens Meierhenrich's, The Remnants of the Rechtsstaat: An Ethnography of Nazi Law By Hans Petter Graver	739 - 742
SPECIAL SECTION: DEVELOPMENTS IN GERMAN CRIMINAL LAW	
300,000 Counts of Aiding and Abetting Murder By Fabian Bernhart, Alexander Tanner, Falaq Ahmad, Joyce Galvano and Tanja Herde	743 - 755
Legendierte Polizeikontrollen: Judgment from the German Federal Court of Justice (Bundesgerichtshof) of April 26, 2017, 2 StR 247/16 By Dorothee Karbe, Charlotte Jawurek and Philipp Sarder	756 - 774
The Constitutionality of §89a IIa of the German Criminal Code and the Concept of a Serious Violent Offense Recopilado por: Ab. Yunis Yamila Carolina	775 - 786

Endangering the State: The German Federal Court of Justice Decision of April 6, 2017—3 StR 326/16 *By Anne-Sophie Zaunseder and Michelle Heblik*

German Anti-Stalking Legislation and Its Recent Changes By Anni Ropers, Viola Ebner, Selina Burgard, Julia Zucker and Michael Erber 787 - 798

Recopilado por: Ab. Yunis Yamila Carolina

Número 3 (2020)

Border Justice: Migration and Accountability for Human Rights Violations By Cathryn Costello and Itamar Mann	311 - 334
By Cumryn Costello and Hamar Mann	
A Topographical Approach to Accountability for Human Rights Violations in Migration Control By Nikolas Feith Tan and Thomas Gammeltoft-Hansen	335 - 354
Hard Protection through Soft Courts? <i>Non-Refoulement</i> before the United Nations Treaty Bodies <i>By Başak Çalı, Cathryn Costello and Stewart Cunningham</i>	355 - 384
The Architecture of Functional Jurisdiction: Unpacking Contactless Control—On Public Powers, <i>S.S. and Others</i> <i>v. Italy</i> , and the "Operational Model" <i>By Violeta Moreno-Lax</i>	385 - 416
The European Convention of Human Rights and Migration at Sea: Reading the "Jurisdictional Threshold" of the Convention Under the Law of the Sea Paradigm By Efthymios Papastavridis	417 - 435
The Right to Life Under the EU Charter and Cooperation with Third States to Combat Human Smuggling By Vladislava Stoyanova	436 - 458
Human Rights Due Diligence Policies Applied to Extraterritorial Cooperation to Prevent "Irregular" Migration: European Union and United Kingdom Support to Libya By Carla Ferstman	459 - 486
Beyond the Governance Gap: Accountability in Privatized Migration Control By Daria Davitti	487 - 505
Holding the European Asylum Support Office Accountable for its role in Asylum Decision-Making: Mission Impossible? By Evangelia (Lilian) Tsourdi	506 - 531
The Action for Damages as a Fundamental Rights Remedy: Holding Frontex Liable By Melanie Fink	532 - 548
Recopilado por: Ab. Yunis Yamila Carolina	

Challenges to Australia's Offshore Detention Regime and the Limits of Strategic Tort Litigation By Gabrielle Holly	549 - 570
International Criminal Law and the Violence against Migrants By Ioannis Kalpouzos	571 - 597
The Right to Perform Rescue at Sea: Jurisprudence and Drowning By Itamar Mann	598 - 619

Recopilado por: Ab. Yunis Yamila Carolina