

Contents

<i>List of Contributors</i>	xiii
<i>Tables of Cases</i>	xv
<i>Tables of Legislation</i>	xxv
<i>Table of Treaties and Conventions</i>	xxxix

1. Judges, Transition, and Human Rights: Essays in Memory of Stephen Livingstone 1
John Morison, Kieran McEvoy, and Gordon Anthony (eds)

PART I: JUDGES

2. Separation of Powers in a Global Context 9
Martin S. Flaherty
3. The European Court of Human Rights as a 'Constitutional Court': Definitional Debates and the Dynamics of Reform 33
Robert Harmsen
4. The Scope of the Right to a Fair Trial Guarantee in Non-Criminal Cases in the European Convention on Human Rights 55
David Harris
5. Deference Owed Under the Separation of Powers 73
Tom Zwart
6. Judicial Policy in a Transforming Constitution 91
Hugh Corder
7. Litigating the Agreement: Towards a New Judicial Constitutionalism for the UK from Northern Ireland? 105
John Morison and Marie Lynch

PART II: TRANSITION

8. The Battle for Transitional Justice: Hegemony, Iraq, and International Law 147
Christine Bell, Colm Campbell, and Fionnuala Ní Aoláin
9. Human Rights and Conflict Resolution 167
Tom Hadden

- | | |
|--|-----|
| 10. Habits of Mind and 'Truth-Telling': Article 2 ECHR in Post-Conflict Northern Ireland
<i>Gordon Anthony and Paul Mageean</i> | 181 |
| 11. The Impact of the Human Rights Act in Northern Ireland
<i>Brice Dickson</i> | 201 |
| 12. Dangerous Constitutional Moments: The 'Tactic of Legality' in Nazi Germany and the Irish Free State Compared
<i>Gerard Quinn</i> | 223 |
| 13. Ireland, the European Convention on Human Rights, and the Personal Contribution of Seán MacBride
<i>William Schabas</i> | 251 |
| 14. Mobilizing the Professions: Lawyers, Politics, and the Collective Legal Conscience
<i>Kieran McEvoy and Rachel Rebouche</i> | 275 |
| 15. Consociationalism, Equality, and Minorities in the Northern Ireland Bill of Rights Debate: The Role of the OSCE High Commissioner on National Minorities
<i>Christopher McCrudden</i> | 315 |

PART III: HUMAN RIGHTS

- | | |
|---|-----|
| 16. The Relationship Between Parliaments and National Human Rights Institutions
<i>Rachel Murray</i> | 357 |
| 17. A View from the Coal Face: Northern Ireland, Human Rights Activism, and the War on Terror
<i>Maggie Beirne and Angela Hegarty</i> | 377 |
| 18. Linking Human Rights and Other Goals
<i>Kevin Boyle</i> | 401 |
| 19. Corporations, Human Rights, and Social Inequality
<i>Sally Wheeler</i> | 423 |
| 20. Constitutionalism, Deliberative Democracy, and Human Rights
<i>David Feldman</i> | 443 |
| 21. Reshaping Constitutionalism
<i>Murray Hunt</i> | 467 |
| 22. Human Rights and Women's Rights: The Appeal to an International Agenda in the Promotion of Women's Equal Citizenship
<i>Elizabeth Meehan</i> | 479 |

23. 'In the Small Places': Education and Human Rights Culture in Conflict-Affected Societies <i>Lesley McEvoy and Laura Lundy</i>	495
24. Protecting the Marginalized? <i>Colin Harvey</i>	515
25. Risk and Human Rights: Ending Slopping Out in a Scottish Prison <i>Thérèse Murphy and Noel Whitty</i>	535
 <i>Index</i>	 559