You are looking at 1-11 of 11 items for: **keywords : legislative framework**

**Corruption and Human Rights in India**
C. Raj Kumar

Published in print: 2011 Published Online: September 2012
Publisher: Oxford University Press
Item type: book

The malaise of corruption has become deeply embedded in the political and social fabric of the Indian society. The increased scale and frequency of corruption has negatively affected human rights, as well as development initiatives, economic growth, and access to justice. This work adopts a new approach for analysing corruption — corruption as a violation of human rights. It proposes the adoption of a multi-pronged strategy for eliminating corruption, including the creation of a new legislative framework, a new and independent empowered commission against corruption, and an effective institutional mechanism. It also compares India's experiences in fighting corruption with other governments in Asia including Singapore and Hong Kong.

**New Legislative and Institutional Reforms for Eliminating Corruption in India**
C. Raj Kumar

in Corruption and Human Rights in India: Comparative Perspectives on Transparency and Good Governance

Published in print: 2011 Published Online: September 2012
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DOI: 10.1093/acprof:oso/9780198077329.003.0005
Item type: chapter

This chapter describes the new institutional and legislative reforms initiated in India to eliminate corruption. It argues that there is a case for developing a fundamental right to corruption-free service in India and suggests that the formulation of such a right, along with the development of other rights-based approaches to development, will help in eliminating corruption and promoting integrity and good governance. It discusses India's domestic anti-corruption legislative framework, the
When the Czech Republic was still under the Communism regime, agriculture was still organized in collective farms and in large-scale states. By 1989, the last year of Communist rule, 174 state farms accounted for 29.2% of the total agricultural land (TAL) while 1,024 collective farms covered the remaining 70.4%. Private agriculture, which was mostly operated on a part-time basis, proved to be marginal since it only made up 0.4% of TAL. The ownership of various farm assets could be divided into three categories which involve state-owned assets, privately-owned assets, and non-land assets that were collectively owned by the members of collective farms. As such, post-Communist agricultural reform included the following: restitution, transformation, and privatization. This chapter focuses on the legislative framework passed by the Czech parliament which encompasses land tenure and land access as a result of the laws.

In order to meet the increasing economic and environmental challenges faced by the European farming industry, the EU has advocated a new European Model of Agriculture that will provide a competitive and diverse agricultural sector that is environmentally responsible and addresses issues of food quality and animal welfare. Implementing such a range of policies is requiring the EU to pass a large amount of legislation. This book sets out to analyse whether the legislative framework for this model can deliver these policy objectives. Tension between the EU model and the global economy as supervised by the WTO, the emphasis on environmental protection, and the place of agriculture in the wider rural
economy are all issues at the heart of the present debate. This book provides early consideration of the mid-term review of the Common Agricultural Policy.

**Existing Framework for Combating Corruption in India**

C. Raj Kumar

in Corruption and Human Rights in India: Comparative Perspectives on Transparency and Good Governance

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Item type: chapter

This chapter describes the existing framework for fighting corruption in India. It explains that historically, the legislative framework for ensuring corruption-free governance in India has largely been based upon two approaches. These are the promulgation of anti-corruption laws and vesting police and other similar law enforcement institutions with the task of the investigation and prosecution of crimes relating to corruption. It also discusses the issues of public interest litigation and judicial enforcement of corruption-free governance.

**Complex needs, divergent frameworks: challenges disabled children face in accessing appropriate support services and inclusive educational opportunities**

Cherie Booth, Marc Bush, and Ruth Scott

in Education, disability and social policy

Published in print: 2011 Published Online: March 2012
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Item type: chapter

This chapter shows that bias towards special schools is due to the complex relationship that has evolved between social care law and children's education. It provides an analysis of England and Wales that determines how the policy and legislative frameworks of education and social care for the last twenty years have taken divergent approaches. This analysis also shows that these divergent approaches have restricted the progress of inclusive education. The chapter does not include a narration of the debates that surround the definition of inclusive education.
The Workability of the Principle of Mutual Recognition in the Internal Market
Christine Janssens

in The Principle of Mutual Recognition in EU Law

Published in print: 2013 Published Online: January 2014
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This chapter discusses the workability of the principle of mutual recognition. Even though the principle of mutual recognition might seem simple at first glance, its application in day-to-day practice has turned out to be complex and difficult, especially in the absence of secondary legislation. The problematic application is due to several factors which are discussed here. Subsequently, an overview is given of several measures which have been taken in order to address the problematic application of this principle, e.g. striving for a better understanding of the principle, gaining an overview of hindrances to the principle, providing a legislative framework in order to enhance legal certainty, stimulating administrative cooperation, and the establishment of EU committees and EG agencies.

In Search of a New Theory
Rajesh Chakrabarti and Kaushiki Sanyal

in Shaping Policy in India: Alliance, Advocacy, Activism

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This concluding chapter draws a few overarching conclusions from the case studies. While punctuated equilibrium, multiple streams, and advocacy coalition frameworks find most application, by and large existing political theories fail to satisfactorily explain the Indian political process reality. They also lack a common central question. To fill this lacuna, the proposed ‘legislative strategy framework’ correlates the time taken to legislation with the combination of the stance of the activists (conflictual vs collaborative) and that of the government (confrontational vs collaborative) with or without ‘trigger events’. The nine case studies underline the criticality of trigger events, and the wide range of outcomes possible. Given the range of possibilities and the sensitivity to small environmental variations, the newly emerging complex systems approach appears to be the most promising ground for the search of a new theory for this field within this broad framework.
After discussing the determinants of philanthropy among which is the policy framework, the chapter describes the history and contemporary position of the legislative and administrative framework governing philanthropy in India including laws and charities administration. It then focusses on the Indian tax policy, especially the incentive structure for philanthropy, and whether the inheritance tax encourages philanthropy or not. This is followed by a theoretical discussion of whether tax incentives act as drivers of philanthropy or not. It concludes that sometimes non-economic considerations may matter more than tax incentives to those for whom philanthropy is a mission, and that even for others they may matter only at the margin. It recommends a more systematic investigation into the connection between tax incentives and philanthropy, into malpractices by charitable organizations, and into how the positive effects of incentives can be enhanced.

Party Funding Futures
Ron Johnston and Charles Pattie

Periodic attempts have been made to reform party funding in the UK, but with only partial success. Major recent changes have focussed on capping the amount which parties can spend on their national campaigns, introducing controls on local candidate spending in the months preceding an election, and placing parties under more stringent reporting requirements with regards their income and expenditure. These changes notwithstanding, debate continues around the reform of party finance. The chapter reviews recent developments in this debate. Pressure for reform has grown, not least as parties face the combined challenges of: declining electoral participation; declining party membership; and increasing emphasis on targeted campaigning in key seats. To some extent, parties are being asked to do more (mobilisation, targeting, etc.) with less (as numbers of active members decline, placing...
pressure not only on the numbers of volunteers they can field but also on an important source of income). There is widespread agreement on the need for reform, therefore. But there is little agreement on the form such reform should take, as different parties’ situations present different challenges – and hence the prospects for reform are limited.

Defining Hate Crime Internationally
Jon Garland and Corinne Funnell

Hate crime is a phenomenon that has received increasing global recognition as an important social problem. Yet, despite this positive development there appears to be a lack of understanding of exactly what hate crime is, how related legislation should work and which groups should be protected by it. This chapter debates these issues via the undertaking of a comparative study of the situations in Europe, North America, Australia, and New Zealand. It examines how hate crime law works in various contexts, pulling out key similarities and differences in how nation states frame their legislation. The chapter suggests that while there are some important commonalities in the way states conceive of hate crimes, the differences between them are worryingly significant, and there may be some nations that have an acute problem of hate crime yet few effective measures in place to combat it.