

Recent Books on Law and Human Rights - July 2010

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Sri Lanka: Impunity, Criminal Justice & Human Rights / Basil Fernando
Kowloon, Hong Kong: Asian Human Rights Commission, 2010
164p. ; 23cm.
ISBN-13: 9789628314485
\$ 20.00

Despite the success achieved by the international community regarding the promotion of international human rights norms and standards in countries other than developed democracies, it would be an illusion to believe that these principles are actually applied in daily life.

In their pursuit of justice, Sri Lankans will learn the difficulties they face come from their dysfunctional criminal justice system. Building a narrative on these difficulties is therefore an essential component of seeking redress for rights violations. These narratives describe not only the difficulties and suffering faced by individuals, but also the nature of various public institutions and the problems within them
<http://www.marymartin.com/web?pid=121789>

Judicial Pronouncements on the 13th Amendment / Lakshman Marasinghe & Jayampathy Wickramaratne (Editors)
Pannipitiya, Sri Lanka: Stamford Lake (Pvt) Ltd., 2010
550p. ; 21cm.
ISBN-13: 9789556582284 (HB)
1. Constitutional reforms
\$ 50.00
<http://www.marymartin.com/web?pid=121790>

Sri Lanka Prevention of Terrorism Act (PTA): A Critical Analysis
Colombo: Centre for Human Rights and Development (CHRD), 2009
xix. 380p. ; 22cm.
ISBN-13: 9789551468415
\$ 20.00

It is interesting to note that in spite of the huge impact that the PTA has had on political life in Sri Lanka since its enactment in 1979, there has been no serious attempt to examine the multitude of issues it has raised. The publication on the Prevention of Terrorism Act of Sri Lanka by the centre for Human Rights and Development is an attempt to address that need. The collection of essays by well-known human rights

advocates with varied experiences, provide interesting analyses and views from various perspectives. The essays are not limited to legal analysis – and with good reason. One essay is, in fact, by a victim of the PTA. The personal account, narrated in a matter-of-fact tone, is a chilling reminder of the enormous human cost of the PTA. It is a poignant statement of how futile such laws are in bringing an end to violence; on the contrary, it appears that such laws contribute to the continuation of cycles of violence.

<http://www.marymartin.com/web?pid=121791>

Xenotransplantation: The Ethical and Legal Concerns / C. G. Weeramantry
Sri Lanka: Weeramantry International Centre for Peace Education and Research, Faculty of Medicine, University of Colombo, 2006

xviii. 247p. ; 22cm.

ISBN-13: 9789555994866

\$ 30.00

Xenotransplantation research is one of the most advanced in the history of surgery. It seems to be wonderful answer to the problem of shortage of organs. Yet it raises a series of medical, legal, moral, psychological and human rights questions. Among these is the possibility of new strains of infection which could trigger off a major epidemic, endangering life everywhere and causing researchers to halt and take stock of the situation.

This is one of the most detailed studies available of the implications of this research for law and society. It resulted from a study conducted by the author at the invitation of the Harvard Medical Faculty where he spent some time as a Visiting Professor researching this subject with faculty members who are in the vanguard of this dramatic research.

<http://www.marymartin.com/web?pid=109089>

Recovering the Authority of Public Institutions: A Resource Book on Law and Human Rights in Sri Lanka / Basil Fernando

Kowloon, Hong Kong: Asian Human Rights Commission & Asian Legal Resource Centre, 2009

xix. 564p. ; 22cm.

ISBN-13: 9789551468323

\$ 30.00

This book makes a shocking revelation. It confirms that all those who suffer human rights abuses face the same fate that the assassinated journalist, Lasantha Wickramatunga, predicted for himself in addressing the President of Sri Lanka. "In the wake of my death I know you will make all the usual sanctimonious noises and call upon the police to hold a swift and thorough inquiry. But like all the inquiries you have ordered in the past, nothing will come of this one, too

<http://www.marymartin.com/web?pid=109097>

Customs Law of Sri Lanka: A Manual / P. Weerasekera & T. Kananathalingam

Revised & Expanded Edition, CD Included

Rajagiriya, Sri Lanka: P. Weerasekera & T. Kananathalingam, 2009

2v. ; 21cm.

ISBN-13: 9789559788423 (Vol.1.)

ISBN-13: 9789559788430 (Vol.2.)

1. Custom taxes
2. Custom Law

\$ 75.00 (Set)

<http://www.marymartin.com/web?pid=121797>

Nepal : Design Options for the New Constitution / Bipin Adhikari (Editor)

Kathmandu: Nepal Constitution Foundation (NCF), 2010

xxii. 557p. ; 23cm.

ISBN-13: 9789937222808

\$ 30.00

<http://www.marymartin.com/web?pid=121287>

Globalizing Justice: Deficiencies in the Quest and Discontents of World Development /

Ahmed Jehani & Kishor Uprety

Kathmandu: Pragya Foundation, 2009

xxii. 198p. ; 21cm.

ISBN-13: 9789937818414

Published under the Series: Law, Institutions and Development edited by Anand Aditya

\$ 22.00

<http://www.marymartin.com/web?pid=121288>

Close Encounters: Stories from the Frontline of Human Rights Work in Nepal / Barbara Weyermann (Editor)

Lalitpur: Himal Books, 2010

xxxv. 225p. ; 21cm.

ISBN-13: 9789937826617

\$ 12.50

During Nepal's armed conflict and its aftermath, human rights violations not only scarred and destroyed the victims but had a devastating effect on the lives of human rights defenders.

In stories and pictures, ten of them describe the fear, and the anger and the helplessness they experienced on being confronted with the trauma of their clients and the impunity for the perpetrators. The stories starkly reveal how alone and alienated the authors often felt, battling a tense and demanding work environment amid threats to their lives, while at home they found themselves too emotionally numb to participate in their own family lives.

Barbara Weyermann's commentary helps us understand the psycho-social dimension of the human rights defenders' experiences, while drawing parallels between their deeply personal stories and the experience of many who work with and support victims of political violence all over the world.

<http://www.marymartin.com/web?pid=121289>

Nepal Human Rights Yearbook 2010 / Pratibedan Baidya & Prashannata Wasti

Kathmandu: Informal Sector Service Centre (INSEC), 2010

406p. ; 25cm.

ISBN-13: 9789937800280

This Report Covers the Period – January to December 2009

\$ 40.00

<http://www.marymartin.com/web?pid=121290>

Tort, Custom, and Karma: Globalization and Legal Consciousness in Thailand / David M.

Engel & Jarawan S. Engel

Chiang Mai: Silkworm Books, 2010

xiii. 190p. ; 21cm.
ISBN-13: 9786162150012
\$ 19.95

Diverse societies are now connected by globalization, but how do ordinary people feel about law as they cope day-to-day with a transformed world? Tort, Custom, and Karma examines how rapid societal changes, economic development, and integration into global markets have affected ordinary people's perception of law, with a special focus on the narratives of men and women who have suffered serious injuries in the province of Chiangmai, Thailand.

This work embraces neither the conventional view that increasing global connections spread the spirit of liberal legalism, nor its antithesis that backlash to interconnection leads to ideologies such as religious fundamentalism. Instead it looks specifically at how a person's changing ideas of community, legal justice, and religious belief in turn transform the role of law particularly as a viable form of redress for injury. This revealing look at fundamentals shifts in the interconnections between globalization, state law, and customary practices uncovers a pattern of increasing remoteness from law that deserves immediate attention.

<http://www.marymartin.com/web?pid=121380>

Judging Unity / Unity Dow
USA: Nolwazi Educational Publishers, 2005
24p. ;
ISBN 9781869251390
\$ 15.00

<http://www.marymartin.com/web?pid=121346>

Botswana Statute Law 2008(Volume 92)
Botswana : Department of Government Printing and Publishing Services,2008
\$ 150.00

<http://www.marymartin.com/web?pid=120084>

Judges Are The Prisoners of Law / A. K. Roy
Dhaka, Bangladesh: Agamee Prakashani, 2010
168p. ; 22cm.
ISBN-13: 9789840412891 (HB)
\$ 15.00

This book is an endeavour to perpetuate the institution of law, justice, rights and above all history. But it is well to remember that it is at all times difficult and sometimes dangerous to emulate this book which you cannot hope to be. Such imagery is inimitable-expected of author A K Roy, intolerable and ludicrous when attempted by someone else. People who attempt to ape the book do realize that author's penchant for long words is a studied exercise which he generally speaks everywhere in the same vein.

<http://www.marymartin.com/web?pid=120498>

Law of the International Rivers and Other Watercourses / Muhammad Jamiruddin Sircar
Bangladesh: Form International, 2007

xiii. 86p. ; 22cm.
ISBN-10: 9848241086
\$ 15.00

<http://www.marymartin.com/web?pid=120499>

Sharing Power with People: Proceedings of the Conference on Right to Information Law, Institution and Citizens
Bangladesh: Manusher Jonno Foundation (MJF), 2009
42p. ; 28cm.
\$ 10.00
<http://www.marymartin.com/web?pid=120500>

Legal Reform to Prevent Workplace Death and Injury Including Analysis of Worker Deaths, 2007-2009
Dhaka, Bangladesh: Safety and Rights, 2009
vi. 74p. ; 27cm.
Bilingual English & Bengali Language
\$ 15.00
<http://www.marymartin.com/web?pid=120501>

Income Tax Law of Pakistan 2008-09 / Khawaja Amjad Saeed
Karachi, Pakistan: Oxford University Press, 2009
xix. 404p. ; 24cm.
ISBN-13: 9780195476415
\$ 15.00
<http://www.marymartin.com/web?pid=106184>

Administration of Islamic Law in Malaysia: Text and Material / Farid Sufian Shuaib, Tajul Aris Ahmad Bustami & Mohd Hisham Mohd Kamal
2nd Ed.
Selangor: Lexis Nexis Malaysia Sdn. Bhd., 2010
686p.
ISBN-13: 9789675371479
\$ 60.00
<http://www.marymartin.com/web?pid=120339>

Contents:
Chapter 1 – Islamic Law in Malaysia: Its Early Historical Development and Its Legal Institutions
Chapter 2 – Position of Islamic Law in Malaysia
Chapter 3 – Islamic Law in Civil Courts
Chapter 4 – Jurisdictional Conflicts
Chapter 5 – Administration of Syariah Courts
Chapter 6 – The Role of Syariah Judges
Chapter 7 – Peguam Syarie (Syarie Lawyer) in Malaysia
Chapter 8 – Institution of Fatwa in Malaysia

This book addresses the position and the application of Islamic law in Malaysia and also examines the jurisdictional conflict between the civil courts and the syariah courts. It discusses the role and duties of syariah judges and other syariah courts officers, the institution of Fatwa in Malaysia and the profession of Peguam Syarie.

Administration of Islamic Law in Malaysia – Text and Material Second Edition is a definitive edition which provides a comprehensive update on the subject matter. It features an additional chapter as well as a discussion of reported cases since the publication of the first edition.

Capital Market Laws of Malaysia / Shanti Geoffrey
Selangor: Lexis Nexis Malaysia Sdn. Bhd., 2010
566p.
ISBN-13: 9789675371332
\$ 90.00

Contents:

Chapter 1 - Regulating the Capital Market
Chapter 2 - Introduction to the Capital Markets and Services Act 2007
Chapter 3 - Securities and Future Markets
Chapter 4 - Licensing of Intermediaries in the Capital Market
Chapter 5 - Conduct of Business and Client Asset Protection
Chapter 6 - Market Misconduct
Chapter 7 - Issues of Securities
Chapter 8 - Take-overs, Mergers and Compulsory Acquisitions
Chapter 9 - Corporate Governance
Chapter 10 - Administration of the CMSA

Capital Market Laws of Malaysia is a practical guide on the legal and regulatory framework of the Malaysian capital market. It sets out a broad range of areas that are critical to how capital markets function. It covers the regulation of exchanges, including the governance framework of the exchange post demutualization and licencing framework such as obligations and responsibilities that are placed on licensed persons. These obligations are also important to financial institutions such as banks which carry out capital market activities, who, as registered persons are subject to certain fundamental investor protection provisions in the CMSA.

<http://www.marymartin.com/web?pid=119637>

Strategic Legal Risk Management in an Innovation Economy / Zaid Hamzah
Selangor: Lexis Nexis Malaysia Sdn. Bhd., 2010
276p.
ISBN-13: 9789675371325
\$ 90.00

<http://www.marymartin.com/web?pid=119641>

Contents:

Chapter 1 - How Lawyers Reason Analyse and Manage Legal Matters
Chapter 2 - How to Develop Strategic Legal Plans
Chapter 3 - Strategic Legal Risk Management in Action
Chapter 4 - Unique Features of the New Economy and Its Implication for Legal Risk Management
Chapter 5 - Information Technology Business: Managing Legal Risks
Chapter 6 - E-business: Strategic Management of Legal Risks
Chapter 7 - Electronic Security: Managing Legal Risks

The book focuses on how to identify and manage strategic legal risk issues and to proactively manage potential legal problems. The author does not deal with substantive or 'black letter' law but instead focuses on the process of strategic legal risk management applicable in any market or jurisdiction.

MLJ Handbook – Registered Designs
Selangor: Lexis Nexis Malaysia Sdn. Bhd., 2010
ISBN-13: 9789679628074
\$ 175.00

MLJ Handbook – Registered Designs prepares legal practitioners on the application, registration, publication, rights of the owner and infringement of registered industrial designs. The handbook's cross referenced footnotes and comprehensive index provides a useful key to unlock the wealth of material within the handbook.

<http://www.marymartin.com/web?pid=120340>

MLJ Handbook - Copyright
Selangor: Lexis Nexis Malaysia Sdn. Bhd., 2010
ISBN-13: 9789679626551
\$ 240.00

This publication is solely devoted to copyright and provides a discussion of all the latest development and recent case law.

It also contains annotations to the Copyright Act 1987 (act 332), Rules of the High Court 1980 and Forms on Indorsement on writ, Pleadings, Defence, Interlocutory Proceedings, Affidavits and Orders.

<http://www.marymartin.com/web?pid=120341>

MLJ Handbook – Patents
Selangor: Lexis Nexis Malaysia Sdn. Bhd.
ISBN-13: 9789679628067
\$ 175.00

Written by an experienced patent practitioner, MLJ Handbook – Patents provides a step-by-step guide on patents filing in Malaysia. Legal practitioners would find it handy when encountering issues such as the patentability of an invention, application of patents, infringement of patent, invalidity, remedies, procedures and offences of patents.

<http://www.marymartin.com/web?pid=120346>

MLJ Handbook – Trade Marks and Service Marks
Selangor: Lexis Nexis Malaysia Sdn. Bhd., 2010
ISBN-10: 9679624552
\$ 240.00

This book provides a commentary of the trade marks under both statutory and common law, a collection of trade marks legislation (annotated) and regulations, Rules of the High Court (annotated); and parts of international conventions pertaining to international protection for trade marks.

This book includes sample court forms for the registration of trade marks; passing off action; infringement proceedings; rectification of the Register of Trade Marks; and application for a Trade Description Order. Assignment of registered trade marks; registered user agreement; certification trade marks; and registration of defensive trade marks can also be found in this book.

<http://www.marymartin.com/web?pid=120347>

Evidence: Practice and Procedure, 4th Edition / Dato' Sri S Augustine Paul
Selangor: Lexis Nexis Malaysia Sdn. Bhd.2010
1317p.
ISBN-13: 9789675371219 (HB)
\$ 260.00

Contents:

PART I	RELEVANCY
Chapter I -	Preliminary
Chapter II -	Relevancy of facts
PART II	PROOF
Chapter III	Facts which need not be proved
Chapter IV	Oral evidence
Chapter V	Documentary evidence
Chapter VI	Exclusion of oral by documentary evidence
PART III	PRODUCTION AND EFFECT OF EVIDENCE
Chapter VII	Burden of proof
Chapter VIII	Estoppel
Chapter IX	Witnesses
Chapter X	Examination of witnesses
Chapter XI	Improper admission and rejection of evidence

This book features a clear and concise explanation of the major doctrines in the law of evidence followed by critical commentary and case analysis, all artfully combined to take its readers on an exciting journey through the intricacies of the Act. It also provides expanded treatment on DNA Evidence. This systematically written and thoroughly researched book has not been written in an aloof, academically detached manner for the elite few. Instead, it has been cleverly crafted, in a clear and succinct manner for members of the judiciary, legal academia, the legal fraternity and the humble law student.

<http://www.marymartin.com/web?pid=119643>

Military Legal Proceedings in Malaysia / Colonel Wan Normazian & Teo Say Eng
Selangor: Lexis Nexis Malaysia Sdn. Bhd.; 2009
482p.
ISBN-13: 9789675371103
\$ 50.00

Military Legal Proceedings in Malaysia is the first book of its kind in the market that features military law and military legal proceedings and processes. It will be an invaluable guide for legal practitioners, military officers and members of courts-martial.

The book deals primarily with the investigation of an offence and charge, summary dealings of charges, proceedings before courts-martial and reviews of convictions and sentences meted out in summary dealings and courts-martial trials...

<http://www.marymartin.com/web?pid=119640>

Family Law in Malaysia / Kamala M. G. Pillai
Selangor: Lexis Nexis Malaysia Sdn. Bhd.; 2009
574p.

ISBN-13: 9789679629934
\$ 125.00

The book discusses various family law issues with a detailed study of the key cases. It covers the civil law aspect of family law that applies to non-Muslim citizens both in Peninsular and East Malaysia – the Chinese, Indians, Ibans, Kadazan Dusuns, Dayaks, Muruts, Bidayuhs, Orang Ulu and Bajaus.

Family Law in Malaysia includes a chapter on domestic violence where the Domestic Violence Act 1994 is discussed. Part II of the book covers the status of children, including their citizenship rights as provided for under Article 14(1) of the Federal Constitution and parental child abduction. References are made to the Convention on the Rights of the Child, The Hague Convention on the Civil Aspects of International Child Abduction and some human rights decisions from the Commonwealth as they are becoming increasingly important in the practice of family law.

To non-Muslims, the chapter on "The Effect of Conversion and Apostasy on Family Law" will be relevant as it discusses the impact of conversion to Islam and its consequences on marriage where a spouse converts without informing the partner about it.

<http://www.marymartin.com/web?pid=120349>

Marketing Professional Services in Asia / Robert C. Sawhney
Selangor: Lexis Nexis Malaysia Sdn. Bhd.; 2009
ISBN-13: 9789888106310
\$ 150.00

Marketing is crucial to the success of any firm, and this has been demonstrated time and time again through research in a wide variety of industries, including professional service firms (PSF). Unfortunately, what has been written for the PSF is either western based or fails to account for the unique nature of such firms.

This book is different. It addresses strategic marketing issues directly from the perspective of the Asian PSF by drawing on research and methodologies that are rooted in the context of the Asian professional service provider. There are numerous cases and insights taken from the Asian market which will provide the reader with relevant actionable advice.

<http://www.marymartin.com/web?pid=119644>

Public Authorities Protection Act / Hamid Ibrahim, Nasser Hamid
Malaysia : Gavel Publications, 2009
Xii, 440p.
978-983-3519-18-7
\$ 70.00

<http://www.marymartin.com/web?pid=120350>

The IMPACT Counterfeit Taskforce, Intellectual Property Rights Enforcement and Seizure of Medicines / (Ed) Sangeeta Shashikant
Penang : Third World Network, 2010
68p.
978-967-5412-21-9
Intellectual Property Rights Series 13

\$ 9.00

<http://www.marymartin.com/web?pid=120351>

Donoghue v Stevenson : Passage in Malaysian Law / Nasser Hamid

Malaysia : Gavel Publications, 2009

Xiii, 512p.

978-983-3519-19-4

\$ 90.00

This book provides the major judicial pronouncements where the principles established in Donoghue v Stevenson are examined and considered. The cases reflect the approach of Malaysian courts in determining the duty of care that may arise in various fact situations.

<http://www.marymartin.com/web?pid=120352>

Preservation of Health in Islamic Law / Nurdeng Deuraseh

Malaysia : IIUM Press, 2009

Xv, 302p.

Includes Index

Bibliography p. 281

978-967-5272-46-2

1. Public Health laws

2. Medical laws and legislation

\$ 24.00

<http://www.marymartin.com/web?pid=120353>

Taxpayers' Rights In South Africa / Beric Croome

Cape Town, South Africa : JUTA, 2008

362p.;

ISBN 9780702182020

\$ 75.00

Taxpayers' Rights In South Africa is the only book available to deal with the interplay between South African constitutional and tax law.

It evaluates how South African Revenue Services powers function in relation to taxpayers' constitutional rights and thoroughly and systematically unpacks the rights to property, equality, privacy, access to information, just administrative action and access to courts.

Based on personal experience and award-winning research, this work provides guidance on issues that perplex taxpayers, SARS officials and tax practitioners every day.

<http://www.marymartin.com/web?pid=120137>

Applied Law For Police Officials (3rd edition) / C. Joubert

Cape Town, South Africa : JUTA, 2010

456p.;

ISBN 9780702184598

\$ 54.50

This publication addresses the legal aspects specifically relevant to police officials. It states, interprets and applies the most general legal principles in the fields of criminal law and criminal procedure (mainly the pre-trial process), as well as some basic principles of the law of evidence.

There is a clear focus on the implications of these laws for police procedures. The book highlights the importance of effective co-operation between an investigating officer and the victim of crime, other witnesses and the prosecutor, which will greatly improve the chances of a successful criminal prosecution. To exercise their powers lawfully, police officials must also be aware of the social context in which their duties are performed, and of the constitutional principles of human rights, which receive attention throughout this book.

With its unique practical approach, addressing legal principles specifically relevant to police officials, this book will aid them in providing effective service to the community.

<http://www.marymartin.com/web?pid=120138>

Criminal Procedure Casebook - Strafprosesreg Vonnisbundel (English & Afrikaans) / Gerhard Kemp, Stephan Terblanche, Murdoch Watney
Cape Town, South Africa : JUTA, 2010
368p.;
ISBN 9780702182266
\$ 55.00

This bilingual casebook provides the reader with excerpts of judgments that illustrate the most important aspects and underlying principles of South African criminal procedure. It also contains a section on international and transnational criminal matters. A summary of the facts and important issues precedes each case excerpt. The excerpts are followed by a critical note evaluating and explaining the relevance and importance of the judgment. The method employed by the authors in their selection of cases reflects a principled approach to the subject. All introductory and explanatory notes are in English and Afrikaans and Afrikaans judgments are followed by an English translation.

<http://www.marymartin.com/web?pid=120139>

Morris: Technique in Litigation (6th Edition) / J. Mullins, C. da Silva
Cape Town, South Africa : JUTA, 2010
448p.;
ISBN 9780702184581
\$ 100.00

Eric Morris' Technique in Litigation has been of inestimable value to fledgling advocates and attorneys for four decades. The book is concerned with litigation in both the High Courts and the magistrates' courts, and provides useful, practical guidance on all aspects of litigation.

The sixth edition of Technique in Litigation has been substantially revised and updated, resulting in a book that still captures Morris' humour and timeless wisdom, while at the same time being thoroughly topical and practical for the modern lawyer seeking to become a courtroom specialist.

<http://www.marymartin.com/web?pid=120141>

Socio-Economic Rights - Adjudication Under A Transformative Constitution / Sandra Liebenberg
Cape Town, South Africa : JUTA, 2010
565p.;
ISBN 9780702184802
\$ 95.00

Drawing on a wide range of interdisciplinary resources, this scholarly work provides an

in-depth and thorough analysis of the socio-economic rights jurisprudence of the newly democratic South Africa.

The book explores how the judicial interpretation and enforcement of socio-economic rights can be more responsive to the conditions of systemic poverty and inequality characterising South African society. Based on meticulous research, the work marries legal analysis with perspectives from political philosophy and democratic theory. Cautioning against a traditional, formalistic conception of rights and the separation of powers doctrine, the author develops a nuanced conception of substantive reasonableness review in the context of socio-economic rights. She further argues for a reconstruction of private law doctrines in the light of the normative purposes and values promoted by socio-economic rights.

Socio-Economic Rights - Adjudication under a Transformative Constitution is up to date, including detailed evaluation and critique of the most recent socio-economic rights judgments. It is set to have an impact on debates about courts and socio-economic rights not only in South Africa, but everywhere else where its topic has attracted interest.

<http://www.marymartin.com/web?pid=120142>

Public Finance Management Act - Act 1 of 1999 (5th ed) / Juta's Statutes Editors
Cape Town, South Africa : JUTA, 2010

264p.;

ISBN 9780702184857

\$ 11.00

<http://www.marymartin.com/web?pid=120143>

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