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The Hypocrisy of \"Cultural

Appropriation\"What is

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does JUDICIAL DEFERENCE

mean? JUDICIAL DEFERENCE

meaning You Can Learn

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~~Proportionality — 10.711.04~~

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Proportional Relationships

Tell Whether  $X$  and  $Y$  are

Approach (Table) Rules

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~~How to Find a Proportional~~

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*Table* **Freedom and Our Courts**

**:Current Scenario [Chintan**

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Chandrachud, Gautam Bhatia,

Gulnar, Jahanvi, Suhrit

Calling Bullshit 6.6: The

Principle of Proportional

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The courts use the

proportionality test to

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assess the compatibility of the full range of government action, from administrative

decisions to primary legislation. In applying the test, the courts are often conscious of the need to pay



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expertise and competence of  
other branches of  
government.

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In applying the test, the courts are often conscious of the need to pay some deference to the expertise and competence of other branches of government. This rigorous analysis of the relationship between

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proportionality and deference under the Human Rights Act sets out a model of proportionality, drawn from existing case law, which integrates deference within the multi-stage proportionality test.

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restraining judicial  
principle that when the  
courts engage in judicial  
Review they should pay some  
deference to the judgment of  
the original decision-maker.  
To date, there has yet to be

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a sophisticated analysis of  
proportionality and  
deference 1

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legislation. In applying the test, the courts are often conscious of the need to pay some deference to the expertise and competence of other branches of government.

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sensitive and can be applied  
to proportionality based  
judicial review of all forms  
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model

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applying proportionality,  
deference to the decision-  
maker is the proper course

in many cases. 17 THE

CHALLENGE TO BRITISH COURTS

Despite this overlap and

despite the perhaps subtle

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Influence of proportionality  
in traditional judicial  
review, it has never been a  
concept applied directly in  
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INTRODUCTION : #1

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The model is structural in that it takes account of the operation of deference within the process of proportionality. The model

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is institutionally sensitive in that it takes account of the differences between the institutions which the approach can review under the HRA.

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