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Public Law And Political Theory

Mark Elliott, David Feldman

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The Cambridge Companion to Public Law Mark Elliott, David Feldman, 2015-08-21 A scholarly and accessible examination of key themes debates and issues in contemporary public law by leading authorities on the subject Foundations of Public Law Martin Loughlin, 2010-06-03 This text develops Martin Loughlin's distinctive and provocative theory of public law Tracing the historical evolution of the concept of public law the book rethinks the foundational concepts of state constitution and government arguing that public power is created not controlled by law Law and Administration in Europe Paul P. Craig, Richard Rawlings, 2003 The contributions to this volume address central issues in public law There are chapters dealing with the general theoretical foundations of public law including the relationship of theory and values and discussion of the central idea of representation. The nature of the public private divide continues to be of importance as a result of changes in the nature of government and as a consequence of the passage of the Human Rights Act 1998 HRA Closely related to this is the contractualisation of government The relationship between the courts Parliament and the executive has always been a central concern for public lawyers It has been brought to the fore by the passage of the HRA leading to discussions about the extent to which the courts should show deference to executive and legislative choices when engaging in judicial review This vexed issue is especially apparent when it comes to deciding how Parliament the executive and the courts should treat non citizens or those who might threaten the security of the state It is of course impossible to discuss public law without considering European Union law There is discussion of core issues relating to the legitimacy of the EU and its constitutional foundations. The role of courts in the process of integration is analysed and the desirability of judicial review over rule making is considered The relationship

between public and private modes of enforcing EU law is reviewed In addition there is a discussion of the way in which different levels of government inter relate viewed through the lens of devolution in the UK The Frontiers of Public Law Jason NE Varuhas, Shona Wilson Stark, 2020-01-09 This major collection contains selected papers from the third Public Law Conference an international conference hosted by the University of Melbourne in July 2018 The collection includes contributions by leading academics and senior judges from across the common law world including Australia Canada New Zealand the United Kingdom and the United States The collection explores the frontiers of public law examining cutting edge issues at the intersection of public law and other fields The collection addresses four principal frontiers public law and international law public law and indigenous peoples public law and other domestic fields specifically criminal law and private law and public law and public administration In common with the two books from the previous Public Law Conferences this collection offers authoritative insights into the most important issues emerging in public law and is essential reading for those working in the field Questioning the Foundations of Public Law Michael A Wilkinson, Michael W Dowdle, 2018-05-17 In 2010 Martin Loughlin Professor of Public Law at the LSE published Foundations of Public Law an account of the foundation of the discipline of public law with a view to identifying its essential character. The book has become a landmark in the field and it has been said notably by one of its major critics that it now provides the starting point for any deeper inquiry into the subject The purpose of this volume is to engage critically with Foundations conceptually comparatively and historically from the viewpoints of public law private law political social and legal theory as well as jurisdictional perspectives including the UK US India and Continental Europe Scholars also consider the legacy and continuing relevance of Foundations in the light of developments in transnational law global law and regional integration in the European Union

Leading Works in Public Law Patrick O'Brien, Ben Yong, 2024-10-08 This book brings together a group of leading scholars working in public law and constitutional theory It examines accepted leading works of public law while also exploring those that deserve greater attention Over 13 chapters a group of leading public law experts each examine one leading work from the UK public law canon Each chapter critically reflects on the context of a work in public law taking into account not just the work and its context but also how it shapes and contributes to the broader discipline The final chapter offers an international overview of the chapters themselves reflecting critically on the scholarly canon of UK public law from the perspective of American constitutional scholarship The book will be of interest to scholars and students of constitutional law

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