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Edinburgh Essays In Public Law

Ian Loveland



Edinburgh Essays In Public Law:

Edinburgh Essays in Public Law Wilson Finnie, Chris Himsworth, Neil Walker, 1991

An Index to Common Law

Festschriften Michael Taggart, 2006-09-01 This is the first ever index of contributions to common law Festschriften and fills a serious bibliographic gap in the literature of the common law The German word Festschrift is now the universally accepted term in the academy for a published collection of legal essays written by several authors to honour a distinguished jurist or to mark a significant legal event The number of Festschriften honouring common lawyers has increased enormously in the last thirty years Until now the numerous scholarly contributions to these volumes have not been adequately indexed This Index fills that bibliographic gap The entries included in this work refer to some 296 common law Festschriften indexed by author subject keyword editor title honorand and date It therefore includes over 5 000 chapter entries In addition there are more than a thousand entries of English language contributions to predominantly foreign language non common law legal

Festschriften from Germany Austria Switzerland Denmark Finland Iceland Norway and Sweden **Constitutional Law, Administrative Law, and Human Rights** Ian Loveland, 2021 Constitutional Law Administrative Law and Human Rights provides an introduction to public law which draws on developments in politics the law and society to help the reader gain a fundamental appreciation of the law in its wider context In addition it explores the latest ongoing debates around potential constitutional reforms and the author's stimulating style encourages critical analysis Digital formats and resources The ninth edition is available for students and institutions to purchase in a variety of formats and is supported by online resources The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks The online resources include an online casebook with edited versions of leading cases and relevant legislation a selection of mind maps to help with revision bonus chapters on the history of the EU and suggested tutorial outlines for lecturers *Punishing the dead?* R.

A. Houston, 2010-08-05 What can we learn from suicide that most personal and often inscrutable of acts This strikingly original work shows how from treatment of suicides in historic Britain unique insights can be gained into the development of both social and political relationships and cultural attitudes in a period of profound change Drawing ideas from a range of disciplines including law philosophy the social sciences and literary studies as well as history the book comprehensively analyses how successful and attempted suicide was viewed by the living and how they dealt with its aftermath using a wide variety of legal fiscal and literary sources By investigating the distinctive institutional environments and mental worlds of early modern England and Scotland it explains why suicide was treated as a crime subject to financial and corporal punishments and it questions modern assumptions about the apparent enlightenment of attitudes in the eighteenth century The book is divided into two parts Part one examines the role of lordship in managing social and economic relationships following suicide and illuminates the importance of distinctive punishments inflicted on suicides bodies for understanding

historic communities The second part of the book places suicide in its cultural context analysing the attitudes of early modern people to those who killed themselves It explores religious beliefs and the place of the devil as well as secular and medical understandings of suicide s causes in sources that include provincial newspapers Informed by continental as well as British research Punishing the Dead explicitly compares England and Scotland making this a completely British history It also offers intriguing evidence for the importance of cultural regions and local vernaculars that transcend national boundaries

The Province of Administrative Law Michael Taggart,1997-06-01 During the past decade administrative law has experienced remarkable development It has consistently been one of the most dynamic and potent areas of legal innovation and of judicial activism It has expanded its reach into an ever broadening sphere of public and private activities Largely through the mechanism of judicial review the judges in several jurisdictions have extended the ambit of the traditional remedies partly in response to a perceived need to fill an accountability vacuum created by the privatisation of public enterprises the contracting out of public services and the deregulation of industry and commerce The essays in this volume focus upon these and other shifts in administrative law and in doing so they draw upon the experiences of several jurisdictions the UK the US Canada Australia and New Zealand The result is a wide ranging and forceful analysis of the scope development and future direction of administrative law

Human Rights and Scots Law Alan Boyle,Chris Himsworth,Hector MacQueen,Andrea Loux,2002-11-04 This book written by a team of academics judges and distinguished practitioners from the UK and abroad discusses the implications of the incorporation of the ECHR into Scots law The contributors consider the impact of the Human Rights Act in light of the new constitutional settlement for Scotland and their experiences of other rights regimes in Europe the Commonwealth and the United States The contributions span the fields of Private Public European Community and Comparative law and draw on human rights law and practice in the UK the European Community Canada New Zealand South Africa the United States and Sweden where the ECHR was recently incorporated Topics include analyses of the Human Rights Act and Scotland Act human rights and the law of crime property employment family and private life Scottish court practice and procedure Scots law and the European dimension and building a rights culture in Scotland

Common Values and the Public-Private Divide Dawn Oliver,1999-08 This text is a study of the public private law divide in the common law tradition Its starting point is that substantive duties of legality fairness and rationality are imposed by the common law on bodies discharging public functions but not always on bodies discharging private functions

Between two unions Paolo Dardanelli,2013-07-19 This book is the first in depth comparative study of Scottish devolution and the first to analyse the impact of the European dimension With focus on the periods leading up to the referendums in 1979 and 1997 it investigates positions and strategies of political parties and interest groups and how these influenced constitutional preferences at mass level and ultimately the referendum results Based on rigorous analysis of an extensive body of quantitative and qualitative sources it builds a ground breaking argument that challenges the widespread thesis that support for devolution was a

consequence of Conservative rule between 1979 and 1997 It shows that the decisive factors were changing attitudes to independence and the role of the European dimension in shaping them The book is essential reading for students and scholars of British European and comparative politics from 3rd year courses upwards and will also appeal to lay readers interested in contemporary affairs

European Civil Liberties and the European Convention on Human Rights C.A. Gearty, 2021-09-27

Current Problems in the Protection of Human Rights Katja S Ziegler, Peter M Huber, 2013-03-01

While the legal systems of the United Kingdom and Germany differ in essential respects the current process of constitutionalisation is well recognised on both sides of the Channel Constitutionalisation manifests itself in the evolution of a constitution and the influence of existing constitutional principles on the ordinary law Human rights law provides one of the best examples of this process and the aim of this book is to provide a comparative UK German perspective on recent developments First it addresses human rights questions which arise in both jurisdictions in a similar way such as the tension between liberty and security absolute rights such as human dignity and the prohibition of torture and the question how conflicts between human rights are to be resolved and conceptualised A second theme considers the impact of human rights on different areas of law in particular administrative law criminal law labour law and private law generally Finally a third theme focuses on the intersection of national supra and international human rights law in particular after the entry into force of the EU Charter on Fundamental Rights The book thus reveals convergent and divergent answers to similar problems examines differences in the impact of human rights on the legal systems under consideration and traces parallel and distinct debates over and sensitivities about human rights as well as sensitivities that arise in multi layer situations in the UK and Germany

Local Democracy and Local Government Lawrence Pratchett, David Wilson, 1996-10-23 The transformation of local governance in the 1980s and 1990s has put the nature and prospects for local democracy in question Drawing together original research by leading academics commissioned by the Commission for Local Democracy this book presents in a lively and accessible form the clearest available picture of the problems of participation representation and accountability besetting local government their consequences and possible avenues for reform

The Constitutional Foundations of Judicial Review Mark Elliott, 2001-03-16 Recent years have witnessed a vibrant debate concerning the constitutional basis of judicial review which reflects a broader discourse about the role of the courts and their relationship with the other institutions of government within the constitutional order This book comprehensively analyses the foundations of judicial review It subjects the traditional justification based on the doctrine of ultra vires to critical scrutiny and fundamental reformulation and it addresses the theoretical challenges posed by the impact of the Human Rights Act 1998 on administrative law and by the extension of judicial review to prerogative and non statutory powers It also explores the relationship between the theoretical basis of administrative law and its practical capacity to safeguard individuals against maladministration The book seeks to develop a constitutional rationale for judicial review which founds its legitimacy in core

principles such as the rule of law the separation of powers and the sovereignty of Parliament It presents a detailed analysis of the interface between constitutional and administrative law and will be of interest to all public lawyers *The Legal Nature of International Human Rights* Michael K. Addo,2010-05-17 The role and influence human rights in society has been enhanced by its association with international law and yet despite this legal springboard the scope of its legal nature remains uncertain By analysing the work of international human rights courts and treaty bodies alongside a brief historical review this book assesses the distinctive legal dimension of human rights It concludes that the legalisation of human rights is an unplanned and evolving social construct that continues under the managerial oversight of international human rights courts and treaty bodies which employ the primary tool of treaty interpretation These characteristics of the legal environment of human rights in international law provide a good appreciation of the law itself and its limits **Cranston's Consumers and the Law** Colin Scott,Julia Black,2000-08 The third edition of this text is designed to bring the reader up to date with developments in consumer law up to 1999 It includes material on utilities and financial services regulation **Cambridge Yearbook of European Legal Studies Vol 3, 2000** Alan Dashwood,J R Spencer,Angela Ward,Christophe Hillion,2002-03-05 The Cambridge Yearbook of European Legal Studies provides a forum for the scrutiny of significant issues in European Union Law the Law of the Council of Europe and Comparative Law with a European dimension and particularly those which have come to the fore during the year preceding publication The contributions appearing in the collection are commissioned by the Centre for European Legal Studies CELS Cambridge which is the research Centre of Cambridge University Law Faculty specialising in European legal issues The papers presented are all at the cutting edge of the fields which they address and reflect the views of recognised experts drawn from the University world legal practice and the civil services of both the EU and its Member States Inclusion of the comparative dimension brings a fresh perspective to the study of European law and highlights the effects of globalisation of the law more generally and the resulting cross fertilisation of norms and ideas that has occurred among previously sovereign and separate legal orders The Cambridge Yearbook of European Legal Studies is an invaluable resource for those wishing to keep pace with legal developments in the fast moving world of European integration INDIVIDUAL CHAPTERS Please click on the link below to purchase individual chapters from Volume 3 through Ingenta Connect www.ingentaconnect.com SUBSCRIPTION TO SERIES To place an annual online subscription or a print standing order through Hart Publishing please click on the link below Please note that any customers who have a standing order for the printed volumes will now be entitled to free online access www.hartjournals.co.uk/cyls subs Editorial Advisory Board Philip Allott Tony Arnall Catherine Barnard Dan Goyder CBE Rosa Greaves Bob Hepple Lord Lester of Herne Hill QC David O Keffe Stephanie Palmer David Vaughan QC David Williams Q C D A Wyatt Q C Founding Editors Alan Dashwood and Angela Ward **The Legitimacy and Responsiveness of Industry Rule-making** Karen Lee,2018-09-06 Rule making is no longer an activity undertaken exclusively by public actors Private actors are increasingly

allowed by legislatures and regulatory bodies to take part in and in some cases assume responsibility for the formation of legally binding rules for example in the US UK Australia and the EU Departing from traditional forms of rule making by involving private actors may enhance the ability of regulatory systems to achieve social goals as regulatory scholars argue However because private actors are permitted to act in their own best interests their involvement also raises doubts about the legitimacy of the underlying rule making processes and the rules that are formulated The principal aim of this book is to highlight that the tension between the responsiveness that leading international regulatory scholars advocate in order to improve regulatory effectiveness and the law and its formal substantive procedural and institutional values is not as great as may first appear Drawing on three in depth case studies of the experience of the Australian telecommunications industry with self regulatory rule making a form of rule making that bears the hallmarks of responsive regulation democratic experimentalism smart regulation and other strategies of proceduralization it is argued that industry rule making can as a matter of practice be responsive and legitimate at the same time In doing so the book formulates and applies criteria against which industry rule making should be evaluated and identifies a number of indicia that point to when industry rule making is likely to be simultaneously legitimate and responsive

A Europe of Rights Helen Keller,Alec Stone Sweet,2008-07-31 The European Convention on Human Rights has evolved into a sophisticated legal system whose formal reach into the domestic law and politics of the Contracting States is limited only by the ever widening scope of the Convention itself as determined by a transnational court In this book a team of distinguished scholars trace and evaluate comparatively the impact of the ECHR and the European Court of Human Rights on law and politics in eighteen national systems Ireland UK France Germany Italy Spain Belgium Netherlands Norway Sweden Greece Turkey Russia Ukraine Poland Slovakia and Austria Switzerland Although the Court s jurisprudence has provoked significant structural procedural and policy innovation in every State examined its impact varies widely across States and legal domains The book charts this variation and seeks to explain it Across Europe national officials in governments legislatures and judiciaries have chosen to incorporate the ECHR into domestic law and they have developed a host of mechanisms designed to adapt the national legal system to the ECHR as it evolves But how and why State actors have done so varies in important ways and these differences heavily determine the relative status and effectiveness of Convention rights in national systems Although problems persist the book shows that national officials are gradually but inexorably being socialized into a Europe of rights a unique transnational legal space now developing its own logics of political and juridical legitimacy

British Government and the Constitution Colin Turpin,Adam Tomkins,2007-06-28 The first five editions of this well established book were written by Colin Turpin This new edition has been prepared jointly by Colin Turpin and Adam Tomkins This edition sees a major restructuring of the material as well as a complete updating New developments such as the Constitutional Reform Act 2005 and recent case law concerning the sovereignty of Parliament the Human Rights Act counter terrorism and protests against the Iraq War among other matters

are extracted and analysed While it includes extensive material and commentary on contemporary constitutional reform Turpin and Tomkins is a book that covers the historical traditions and the continuity of the British constitution as well as the current tide of change All the chapters contain detailed suggestions for further reading Designed principally for law students the book includes substantial extracts from parliamentary and other political sources as well as from legislation and case law As such it is essential reading also for politics and government students Much of the material has been reworked and with its fresh design the book provides a detailed yet accessible account of the British constitution at a fascinating moment in its ongoing development

The Coroners of Northern Britain c. 1300-1700 R. Houston, 2014-03-18 For the last 800 years coroners have been important in England's legal and political landscape best known as investigators of sudden suspicious or unexplained death Against the background of the coroner's role in historic England this book explains how sudden death was investigated by magistrates in Scotland

By Due Process of Law Ian Loveland, 1999-10-06 Taking a larger view than the passing glance in most law schools Loveland law Brunel U looks at the background and consequences of the 1950 South African case *Harris v Danges Minister of the Interior* He agrees with the conventional view that it established the principle that the United Kingdom Parliament cannot legally produce a statute that limits the powers of successive Parliaments But he goes further by looking at how the case and the precedent relates to broader contemporary concerns about the British Constitution especially in light of the Labour government's promotion of fundamental reform Distributed in the US by ISBS

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