The Idea of Public Law

Martin Loughlin
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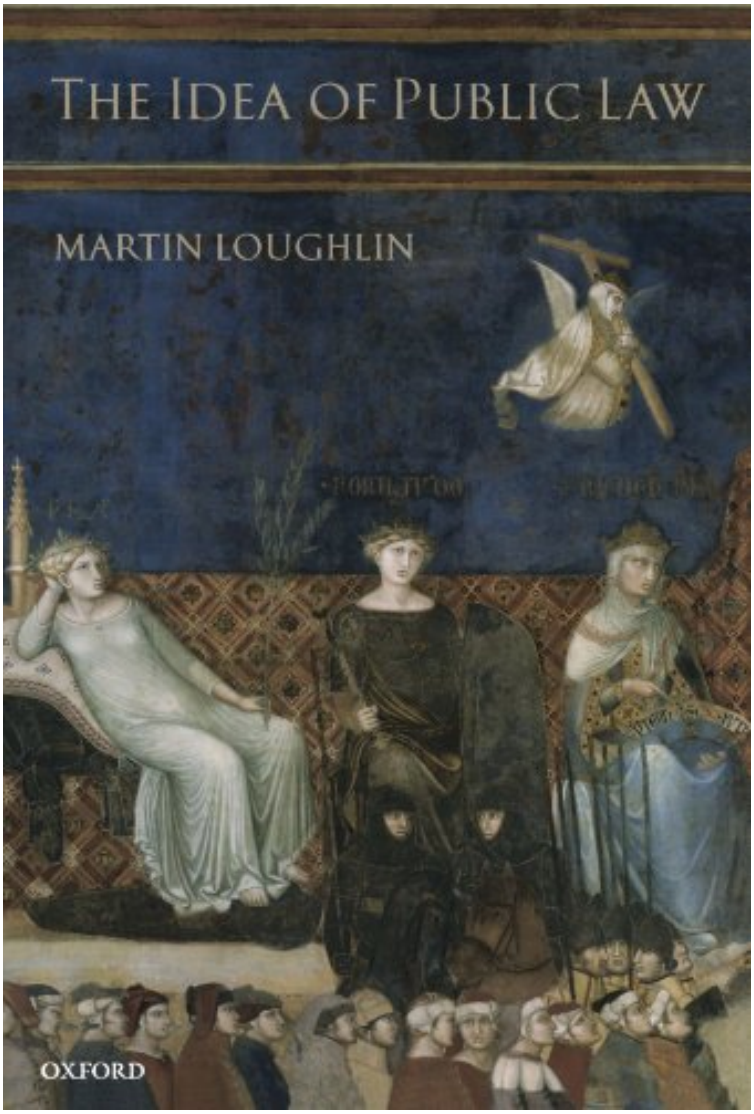

#1985324 in Books 2004-10-07Original language:EnglishPDF # 1 6.10 x .40 x 9.10l, .65 #File Name: 019927472X194 pages | File size: 70.Mb

Martin Loughlin : The Idea of Public Law before purchasing it in order to gage whether or not it would be worth my time, and all praised The Idea of Public Law:

7 of 7 people found the following review helpful. may be a classic for next generationsBy Samuel Tschorne VenegasIf you are seriously interested in public law and constitutional theory, you must read this book. Although it is not an introductory text, it does not suppose a detailed technical knowledge about the field. This book offers a new account of the foundations of public law, rethinking all the basic concepts that are necessary for any theory or account of the subject (a mere look at the table of contents shows what concepts are identified as basic).And it must be said, the book

is quite successful. Through this conceptual analysis the work engages in the main problems that everybody faces when one tries to understand the contemporary constitutional and administrative law, in a way that results at the same time strongly original and faithful to the western political and legal tradition (it is not only quite sensible to the historical development of the modern state and modern political thought, but it can be said that the aim of book is to revive a way of thinking that was interrupted in the nineteenth century).All this amounts to a quite daunting task, the more so if the book has 163 pages. But as the length of it suggests, the book is a concentrated summary of the results of a continuous investigation on the field and it is a sort of manifesto for a completely new approach, one which explicitly rejects the foundationalist and moralistic (philosophically sophisticated but perhaps politically candid) contemporary constitutional theory.

bThis volume argues that public law must be treated as a special, indeed autonomous, subject and that the root cause of many of the difficulties and controversies that have arisen within both contemporary jurisprudence and also in the practice of public law have arisen because this argument has been neglected, and even suppressed. In this volume, Craven explores the nature and method of public law, and offers a novel account of the idea of public law.

`If you have ever had nagging doubts about the prime importance of positive law in public law or have ever wanted a clearer understanding of A. V. Dicey's relation of the legal to the political, this book will provide an interesting alternative perspective.' The Cambridge Law JournalAbout the AuthorMartin Loughlin is Professor of Public Law at the London School of Economics and Political Science.