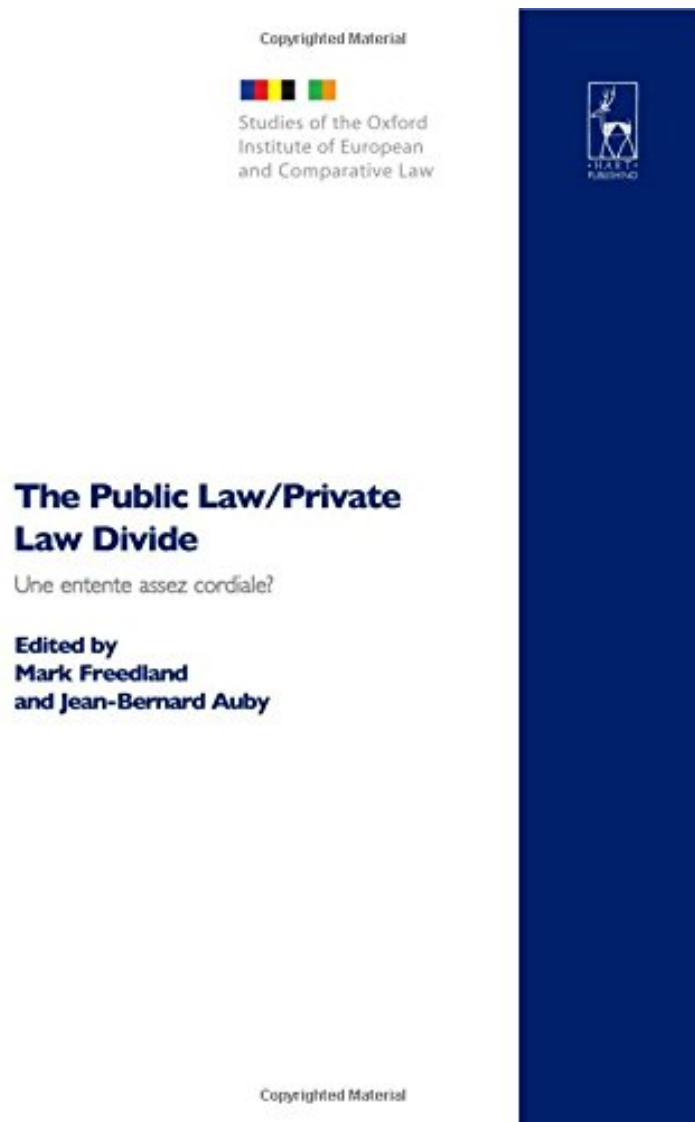


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# The Public Law/Private Law Divide: Une entente assez cordiale? (Studies of the Oxford Institute of European and Comparative Law)

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The contributions brought together in this book derive from joint seminars held by scholars from the University of Oxford and the University of Paris II. The starting point is the original divergence between two jurisdictions, with the initial rejection of the public-private divide as viewed under English law, while at the same time, the total acceptance as natural in French law. The book then demonstrates that the two systems have converged—the British one towards a certain degree of acceptance of the division and the French one towards a growing questioning of the division. However this is not the only part of the story, since both visions are now commonly colored and affected by European law and by globalization, which introduces new tensions into our legal understanding of what is "public" and what is "private".

Such an in-depth study of the relevance of the public-private divide in both legal systems can only be fruitful...it reveals a great potential for lesson learning and allows for a deeper understanding of each system. Sophie Boyron Public Law Autumn 2007 About the Author Mark Freedland is Professor of Employment Law and Tutorial Fellow of St John's College, Oxford. Jean-Bernard Auby is professeur de droit public at the Université Pantheon-Assas (Paris II)