LA201: General Principles of Constitutional and Administrative Law



[1]

Allan, T.R.S. 2005. Constitutional justice: a liberal theory of the rule of law. Oxford University Press.

[2]

Allan, T.R.S. 2006. Human Rights and Judicial Review: A Critique of "Due Deference". The Cambridge Law Journal. 65, 3 (2006), 671–695. https://doi.org/10.1017/S0008197306007264.

[3]

Allan, T.R.S. 2011. Judicial deference and judicial review: legal doctrine and legal theory. Law Quarterly Review. 127(Jan) (2011), 96–117.

[4]

Allan, T.R.S. 1994. Law, liberty, and justice: the legal foundations of British constitutionalism. Clarendon Press.

[5]

Allan, T.R.S. 1997. Parliamentary sovereignty: law, politics, and revolution. Law Quarterly Review. 113(Jul) (1997), 443-452.

[6]

Allan, T.R.S. 2011. Questions of legality and legitimacy: Form and substance in British constitutionalism. International Journal of Constitutional Law. 9, 1 (2011), 155–162. https://doi.org/10.1093/icon/mor017.

[7]

Allan, T.R.S. 2013. The sovereignty of law: freedom, constitution and common law. Oxford University Press.

[8]

Aroney, N. 2014. Reserved matters, legislative purpose and the referendum on Scottish independence. Public Law. Jul (2014), 422–445.

[9]

Ballinger, C. 2012. The House of Lords, 1911-2011: a century of non-reform. Hart.

[10]

Bamforth, N. and Leyland, P. eds 2014. Accountability in the contemporary constitution. Oxford University Press.

[11]

Barber, N.W. 2001. Prelude to the Separation of Powers. The Cambridge Law Journal. 60, 1 (2001), 59–88. https://doi.org/10.1017/S0008197301000629.

[12]

Barber, N.W. 2011. The afterlife of Parliamentary sovereignty. International Journal of Constitutional Law. 9, 1 (2011), 144–154. https://doi.org/10.1093/icon/mor023.

[13]

Barendt, E. 1995. Separation of powers and constitutional government. Public Law. Win (1995), 599–619.

[14]

Beaton, R. 2014. The Boundaries of Proportionality Review and the End of Life. Judicial Review. 19, 3 (2014), 135–139. https://doi.org/10.5235/10854681.19.3.135.

[15]

Bingham, T.H. 2010. The rule of law. Allen Lane.

[16]

Bjorge, E. 2015. Fundamental rights at English (and European?) common law. Law Quarterly Review. 131(Apr) (2015), 192–196.

[17]

Blick, A. 2011. Codifying – or not codifying – the UK constitution: A Literature Review. Centre for Political and Constitutional Studies King's College London.

[18]

Bogdanor, V. 2009. The new British Constitution. Hart Pub.

[19]

Bogdanor, V. and British Academy 2003. The British constitution in the twentieth century. Published for the British Academy by Oxford University Press.

[20]

Bradley, A.W. et al. 2014. Constitutional and administrative law. Pearson.

[21]

Brady, A.D.P. 2012. Proportionality and deference under the UK Human Rights Act: an

institutionally sensitive approach. Cambridge University Pres:	institutionall	y sensitive	approach.	Cambridge	University	/ Press.
--	----------------	-------------	-----------	-----------	------------	----------

[22]

British and Irish Legal Information Institute: http://www.bailii.org/.

[23]

Cambridge University Law Society et al. 1921. The Cambridge law journal. (1921).

[24]

Campbell, D. and Young, J. 2002. The metric martyrs and the entrenchment jurisprudence of Lord Justice Laws. Public Law. Aut (2002), 399–406.

[25]

Campbell, T. et al. 2001. Sceptical essays on human rights. Oxford University Press.

[26]

Clayton, R. 2004. Judicial deference and 'democratic dialogue': the legitimacy of judicial intervention under the Human Rights Act 1998. Public Law. Spr (2004), 33–47.

[27]

Clayton, R. 2015. The empire strikes back: common law rights and the Human Rights Act. Public Law. Jan (2015), 3–12.

[28]

Craig, P. 2014. Constitutionalising constitutional law: HS2. Public Law. Jul (2014), 373–392.

[29]

Craig, Paul The European Union Act 2011: Locks, limits and legality. Common Market Law Review. 48, 6, 1915–1944.

[30]

Craig, P.P. 2012. Administrative law. Sweet & Maxwell.

[31]

Craig, P.P. 1997. Formal and substantive conceptions of the rule of law: an analytical framework. Public Law. (1997), 467–487.

[32]

Dow Jones Reuters Business Interactive LLC. Prospect: politics, essay, review.

[33]

Dow Jones Reuters Business Interactive LLC. 1994. The spectator. (1994).

[34]

Draghici, C. 2015. The blanket ban on assisted suicide: between moral paternalism and utilitarian justice. European Human Rights Law Review. 3 (2015), 286–297.

[35]

Edwards, R.A. 2002. Judicial Deference under the Human Rights Act. Modern Law Review. 65, 6 (2002), 859–882. https://doi.org/10.1111/1468-2230.00413.

[36]

Elliott, M. 2013. A damp squib in the long grass: the report of the Commission on a Bill of Rights. European Human Rights Law Review. 2, (2013), 137–151.

[37]

Elliott, M. 2014. Constitutional Legislation, European Union Law and the Nature of the United Kingdom's Contemporary Constitution. European Constitutional Law Review. 10, 3 (2014), 379–392.

[38]

Elliott, M. 2015. The Proposed Scotland Bill: The Constitutional Implications of Draft Clauses 1 and 2. SSRN Electronic Journal. (2015). https://doi.org/10.2139/ssrn.2557451.

[39]

Elliott, M. and Thomas, R. 2017. Public law. Oxford University Press.

[40]

Ewing, K.D. 2004. The futility of the Human Rights Act. Public Law. Win (2004), 829-852.

[41]

Ewing, K.D. and Tham, J.-C. 2008. The continuing futility of the Human Rights Act. Public Law. Win (2008), 668–693.

[42]

Finnis, J. 2015. A British 'Convention right' to assistance in suicide? Law Quarterly Review. 131, (2015), 1–8.

[43]

Flinders, M. 2000. The enduring centrality of individual ministerial responsibility within the British constitution. The Journal of Legislative Studies. 6, 3 (2000), 73–92. https://doi.org/10.1080/13572330008420632.

[44]

Foster, S. 2015. Repealing the Human Rights Act 1998. Criminal Law & Justice Weekly. 179, 46 (2015).

[45]

Gearty, C. 2015. On fantasy island: British politics, English judges and the European Convention on Human Rights. European Human Rights Law Review. 1 (2015), 1–8.

[46]

Gearty, C.A. 2013. Liberty and security. Polity.

[47]

Gee, G. and Webber, G.C.N. 2010. What Is a Political Constitution? Oxford Journal of Legal Studies. 30, 2 (2010), 273–299. https://doi.org/10.1093/ojls/gqq013.

[48]

Goldsworthy, J.D. 2010. Parliamentary sovereignty: contemporary debates. Cambridge University Press.

[49]

Goldsworthy, J.D. 2001. The sovereignty of Parliament: history and philosophy. Clarendon.

[50]

Gordon, M. 2009. The conceptual foundations of parliamentary sovereignty: reconsidering Jennings and Wade. Public Law. Jul (2009), 519–543.

[51]

Gordon, M. and Dougan, M. 2012. The United Kingdom's European Union Act 2011: 'who

won the bloody war anyway?' European Law Review. 37, 1 (2012), 3-30.

[52]

Gyorfi, T. 2013. Between Common Law Constitutionalism and Procedural Democracy. Oxford Journal of Legal Studies. 33, 2 (2013), 317–338. https://doi.org/10.1093/ojls/gqt004.

[53]

Harlow, C. and Rawlings, R. 2009. Law and administration. Cambridge University Press.

[54]

Heydon, J.D. 2014. Are bills of rights necessary in common law systems? Law Quarterly Review. 130(Jul) (2014), 392-412.

[55]

Hickman, T. and Craig, P.P. 2010. Public law after the Human Rights Act. Hart Pub.

[56]

Himsworth, C.M.G. 2007. Devolution and its Jurisdictional Asymmetries. Modern Law Review. 70, 1 (2007), 31–58. https://doi.org/10.1111/j.1468-2230.2006.00625.x.

[57]

Horne, A. and Drewry, G. eds 2018. Parliament and the law. Hart Publishing.

[58]

Human Rights Act Reform | UK Constitutional Law Association: http://ukconstitutionallaw.org/tag/human-rights-act-reform/.

[59]

Johnson, Nevil 2004. Reshaping the British constitution: essays in political interpretation. Palgrave Macmillan.

[60]

Jones, T.H. 2012. Wales, Devolution and Sovereignty. Statute Law Review. 33, 2 (2012), 151–162. https://doi.org/10.1093/slr/hms023.

[61]

Jones, T.H. and Williams, J.M. 2004. Wales as a jurisdiction. Public Law. Spr (2004), 78-101.

[62]

Jowell, J. 2003. Judicial deference: servility, civility or institutional capacity? Public Law. (2003), 592–601.

[63]

Jowell, J. 2006. Parliamentary sovereignty under the new constitutional hypothesis. Public Law. Aut (2006), 562–580.

[64]

Jowell, J.L. et al. 2015. The changing constitution. Oxford University Press.

[65]

JSTOR (Organization) and William S. Hein & Company 1937. The modern law review. (1937).

[66]

Kavanagh, A. 2009. Constitutional review under the UK Human Rights Act. Cambridge University Press.

[67]

Kavanagh, A. 2010. Defending deference in public law and constitutional theory. Law Quarterly Review. 126(Apr) (2010), 222–250.

[68]

Kavanagh, A. 2009. Judging the judges under the Human Rights Act: deference, disillusionment and the 'war on terror'. Public Law. Apr (2009), 287–304.

[69]

Kavanagh, A. 2006. The Role of Parliamentary Intention in Adjudication under the Human Rights Act 1998. Oxford Journal of Legal Studies. 26, 1 (2006), 179–206. https://doi.org/10.1093/ojls/gqi049.

[70]

King, A. 2009. The British constitution. Oxford University Press.

[71]

Klug, F. 2003. Judicial deference under the Human Rights Act 1998. European Human Rights Law Review. 2 (2003), 125–133.

[72]

Klug, F. and Williams, A. 2013. The choice before us? The report of the Commission on a Bill of Rights. Public Law. Jul (2013), 459–468.

[73]

Laws, J. 1995. Law and democracy. Public Law. Spr (1995), 72-93.

[74]

Lee, R.G. 2010. Blackstone's statutes on public law and human rights 2010-2011. Oxford University Press.

[75]

Legislation.gov.uk: http://www.legislation.gov.uk/ukpga.

[76]

Lester, A. 2005. The utility of the Human rights Act: a reply to Keith Ewing. Public Law. Sum (2005), 249–258.

[77]

Leyland, P. 2012. The constitution of the United Kingdom: a contextual analysis. Hart Publishing.

[78]

Leyland, P. and Anthony, G. 2013. Textbook on administrative law. Oxford University Press.

[79]

Loughlin, M. 2013. The British constitution: a very short introduction. Oxford University Press.

[80]

MacCormick, N. 1993. Beyond the Sovereign State. The Modern Law Review. 56, 1 (1993), 1–18.

[81]

Masterman, R. and Wheatle, S. 2015. A Common law Resurgence in Rights Protection. European Human Rights Law Review. 1, (2015), 57–65.

[82]

McKeever, D. 2010. The Human Rights Act and anti-terrorism in the UK: one great leap forward by Parliament, but are the courts able to slow the steady retreat that has followed? Public Law. Jan (2010), 110–139.

[83]

McLean, I. and McMillan, A. 2005. State of the union: Unionism and the alternatives in the United Kingdom since 1707. Oxford University Press.

[84]

McLean, I. and Peterson, S. 2014. Transitional constitutionalism in the United Kingdom. Cambridge Journal of International and Comparative Law. 3, 4 (2014), 1113–1135.

[85]

Melton, J. et al. To Codify or not to Codify? The Constitution Unit.

[86]

MoJ Commission on a Bill of Rights: The Choice Before Us. IMB.

[87]

Mullock, A. 2015. The Supreme Court decision in Nicklinson: human rights, criminal wrongs and the dilemma of death. Professional Negligence. 31, 1 (2015), 18–28.

[88]

Murkens, J.E.K. 2009. The Quest for Constitutionalism in UK Public Law Discourse. Oxford Journal of Legal Studies. 29, 3 (2009), 427–455. https://doi.org/10.1093/ojls/gqp020.

[89]

Oliver, D. 2003. Constitutional reform in the UK. Oxford University Press.

[90]

Peers, S. 2013. European integration and the European Union Act 2011: an irresistible force meets an immovable object? Public Law. Jan (2013), 119–134.

[91]

Poole, T. 2003. Back to the Future? Unearthing the Theory of Common Law Constitutionalism. Oxford Journal of Legal Studies. 23, 3 (2003), 435–454. https://doi.org/10.1093/ojls/23.3.435.

[92]

Rawlings, R. et al. eds 2014. Sovereignty and the law: domestic, European and international perspectives. Oxford University Press.

[93]

Russell, M. 2013. The contemporary House of Lords: Westminster bicameralism revived. Oxford University Press.

[94]

Sales, P. and Ekins, R. 2011. Rights-consistent interpretation and the Human Rights Act 1998. Law Quarterly Review. 127(Apr) (2011), 217–238.

[95]

Sedley, S. 1995. Human rights: a twenty-first century agenda. Public Law. Aut (1995), 386–400.

[96]

Society of Public Teachers of Law (London, England) Legal studies: The Journal of the Society of Legal Scholars.

[97]

Stephenson, S. 2015. The Supreme Court's renewed interest in Autochthonous Constitutionalism. Public Law. (2015).

[98]

Taylor, R.B. 2015. Foundational and regulatory conventions: exploring the constitutional significance of Britain's dependency upon conventions. Public Law. (2015), 614–632.

[99]

Tomkins, A. 2010. National security and the role of the court: a changed landscape? Law Quarterly Review. 126(Oct) (2010), 543–567.

[100]

Tomkins, Adam 2003. Public law. Oxford University Press.

[101]

Turpin, C. and Tomkins, A. 2012. British government and the constitution: text and materials. Cambridge University Press.

[102]

Wade, H.W.R. 1991. What has happened to the sovereignty of Parliament? Law Quarterly Review. 107(Jan) (1991), 1-4.

[103]

Walter, J. et al. 1788. The times. (1788).

[104]

Wells, C.E. 2015. Obergefell v Hodges. European Human Rights Law Review. 4 (2015), 406–412.

[105]

White, R. 2011. Separation of powers and legislative supremacy. Law Quarterly Review. 127(Jul) (2011), 456–474.

[106]

Wicks, E. 2006. The evolution of a constitution: eight key moments in British constitutional history. Hart Pub.

[107]

Wicks, E. 2015. The Supreme Court Judgment in Nicklinson: One Step Forward on Assisted Dying; Two Steps Back on Human Rights: A Commentary on The Supreme Court Judgment in R (Nicklinson) V Ministry Of Justice; R (AM) V Director Of Public Prosecutions [2014] UKSC 38. Medical Law Review. 23, 1 (2015), 144–156. https://doi.org/10.1093/medlaw/fwu031.

[108]

William S. Hein & Company 1885. The law quarterly review. (1885).

[109]

Woolf, Lord 1995. Droit public - English style. Public Law. Spr (1995), 57-71.

[110]

Young, A.L. 2005. Ghaidan v Godin-Mendoza: avoiding the deference trap. Public Law. Spr (2005), 23–34.

[111]

Young, A.L. 2009. In Defence of Due Deference. Modern Law Review. 72, 4 (2009),

554-580. https://doi.org/10.1111/j.1468-2230.2009.00757.x.

[112]

Young, A.L. 2011. Is dialogue working under the Human Rights Act 1998? Public Law. (2011), 773–800.

[113]

Young, A.L. 2009. Parliamentary sovereignty and the Human Rights Act. Hart Publishing.

[114]

Young, A.L. 2012. Rule of Law in the United Kingdom: Formal or Substantive, The. Vienna Online Journal on International Constitutional Law 6 (Law Journal Library). 6, 1995–5855 (2012).

[115]

Young, A.L. 2011. Sovereignty: Demise, afterlife, or partial resurrection? International Journal of Constitutional Law. 9, 1 (2011), 163–171. https://doi.org/10.1093/icon/mor028.

[116]

2014. A New Magna Carta.

[117]

Bellinger (FC) (Appellant) v. Bellinger [2003] UKHL 21.

[118]

Coservatives on Bill of Rights.

[127]

[119]
Entick v Carrington & Ors [1765] EWHC KB J98 (02 November 1765).
[120]
European Communities Act 1972. Statute Law Database.
[121]
Ghaidan (Appellant) v. Godin-Mendoza (FC) (Respondent) [2004] UKHL 30.
[122]
House of Commons - The EU Bill and Parliamentary Sovereignty - European Scrutiny Committee.
[123]
House of Commons - The EU Bill: Restrictions on Treaties and Decisions relating to the EU European Scrutiny Committee.
[124]
HS2 Alliance Case.
[125]
Jackson and others (Appellants) v. Her Majesty's Attorney General. [2005] UKHL 56.
[126]
M v Home Office [1993] UKHL 5 (27 July 1993).

1996. New statesman. (1996).
[128]
2014. Obergefell v. Hodges No. 14-556. Supreme Court of the United States.
[129]
Oxford journal of legal studies.
[130]
Parliamentary Research Paper 04/31.
[131]
1956. Public law. (1956).
[122]
[132] Public law.
[133]
R (on the application of Nicklinson and another) (Appellants) v Ministry of Justice (Respondent), R (on the application of AM) (AP) (Respondent) v The Director of Public Prosecutions (Appellant) [2014] UKSC 38.
[134]
R v Secretary of State for Transport ex p Factortame Ltd (Interim Relief Order) [1990] UKHL 7 (26 July 1990).
[135]

Research Briefings - Individual ministerial accountability (2012).
[136]
The Cambridge law journal.
[137]
The economist.
[138]
1980. The guardian. (1980).
[139]
The Law quarterly review.
[140]
The Modern law review.
THE MOUETH IAW TEVIEW.
[141]
Thoburn v Sunderland City Council [2002] EWHC 195 (Admin) (18 February 2002).