LA201: General Principles of Constitutional and Administrative Law



1.

Bradley, A. W., Ewing, K. D. & Knight, C. Constitutional and administrative law. (Pearson, 2014).

2.

Elliott, M. & Thomas, R. Public law. (Oxford University Press, 2017).

3.

Jowell, J. L., Oliver, D. & O'Cinneide, C. The changing constitution. (Oxford University Press, 2015).

4.

Leyland, P. & Anthony, G. Textbook on administrative law. (Oxford University Press, 2013).

5.

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

6.

Harlow, C. & Rawlings, R. Law and administration. vol. Law in context (Cambridge University Press, 2009).

7.
Bingham, T. H. The rule of law. (Allen Lane, 2010).
8.
Leyland, P. The constitution of the United Kingdom: a contextual analysis. vol. Constitutional systems of the world (Hart Publishing, 2012).
9.
Loughlin, M. The British constitution: a very short introduction. vol. Very Short Introductions (Oxford University Press, 2013).
10.
Bogdanor, V. The new British Constitution. (Hart Pub, 2009).
11.
King, A. The British constitution. (Oxford University Press, 2009).
12.
Bogdanor, V. & British Academy. The British constitution in the twentieth century. (Published for the British Academy by Oxford University Press, 2003).
13.
Parliament and the law. vol. volume 8 (Hart Publishing, 2018).
14.
Accountability in the contemporary constitution (Oxford University Press 2014)

Tomkins, Adam. Public law. vol. Clarendon law series (Oxford University Press, 2003).

16.

Campbell, T., Ewing, K. D. & Tomkins, A. Sceptical essays on human rights. (Oxford University Press, 2001).

17.

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

18.

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

19.

Turpin, C. & Tomkins, A. British government and the constitution: text and materials. vol. Law in context series (Cambridge University Press, 2012).

20.

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

21.

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

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

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

24.

Brady, A. D. P. Proportionality and deference under the UK Human Rights Act: an institutionally sensitive approach. (Cambridge University Press, 2012).

25.

Jackson and others (Appellants) v. Her Majesty's Attorney General. [2005] UKHL 56.

26.

Thoburn v Sunderland City Council [2002] EWHC 195 (Admin) (18 February 2002).

27.

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

28.

Barber, N. W. The afterlife of Parliamentary sovereignty. International Journal of Constitutional Law $\bf 9$, 144–154 (2011).

29.

Young, A. L. Sovereignty: Demise, afterlife, or partial resurrection? International Journal of Constitutional Law **9**, 163–171 (2011).

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

31.

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

32.

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

33.

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

34.

Goldsworthy, J. D. Parliamentary sovereignty: contemporary debates. vol. Cambridge studies in constitutional law (Cambridge University Press, 2010).

35.

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

36.

Sovereignty and the law: domestic, European and international perspectives. (Oxford University Press, 2014).

37.

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

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

39.

Entick v Carrington & Ors [1765] EWHC KB J98 (02 November 1765).

40.

M v Home Office [1993] UKHL 5 (27 July 1993).

41.

Allan, T. R. S. Questions of legality and legitimacy: Form and substance in British constitutionalism. International Journal of Constitutional Law **9**, 155–162 (2011).

42.

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

43.

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

44.

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

Jowell, J. Parliamentary sovereignty under the new constitutional hypothesis. Public Law 562–580 (2006).
46.
Woolf, Lord. Droit public - English style. Public Law 57-71 (1995).
47.
Sedley, S. Human rights: a twenty-first century agenda. Public Law 386–400 (1995).
48.
European Communities Act 1972.
49.
R v Secretary of State for Transport ex p Factortame Ltd (Interim Relief Order) [1990] UKHL 7 (26 July 1990).
50.
HS2 Alliance Case.
51.
Craig, P. Constitutionalising constitutional law: HS2. Public Law 373–392 (2014).
52.
Elliott, M. Constitutional Legislation, European Union Law and the Nature of the United Kingdom's Contemporary Constitution. European Constitutional Law Review 10 , 379–392 (2014).

7/20

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

54.

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

55.

Gordon, M. & Dougan, M. The United Kingdom's European Union Act 2011: 'who won the bloody war anyway?' European Law Review **37**, 3–30 (2012).

56.

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

57.

House of Commons - The EU Bill and Parliamentary Sovereignty - European Scrutiny Committee.

58.

House of Commons - The EU Bill: Restrictions on Treaties and Decisions relating to the EU - European Scrutiny Committee.

59.

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.

60.

Finnis, J. A British 'Convention right' to assistance in suicide? Law Quarterly Review 131,

1-8 (2015).

61.

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

62.

Wicks, E. 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, 144–156 (2015).

63.

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

64.

Beaton, R. The Boundaries of Proportionality Review and the End of Life. Judicial Review **19**, 135–139 (2014).

65.

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

66.

Young, A. L. In Defence of Due Deference. Modern Law Review 72, 554-580 (2009).

67.

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

Allan, T. R. S. Human Rights and Judicial Review: A Critique of "Due Deference". The Cambridge Law Journal **65**, 671–695 (2006).

69.

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

70.

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

71.

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

72.

Edwards, R. A. Judicial Deference under the Human Rights Act. Modern Law Review **65**, 859–882 (2002).

73.

Obergefell v. Hodges No. 14-556. (2014).

74.

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

75.

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

76.
Ghaidan (Appellant) v. Godin-Mendoza (FC) (Respondent) [2004] UKHL 30.
77.
Young, A. L. Ghaidan v Godin-Mendoza: avoiding the deference trap. Public Law 23–34 (2005).
78.
Kavanagh, A. The Role of Parliamentary Intention in Adjudication under the Human Rights Act 1998. Oxford Journal of Legal Studies 26 , 179–206 (2006).
79.
Young, A. L. Is dialogue working under the Human Rights Act 1998? Public Law 773-800 (2011).
80.
Sales, P. & Ekins, R. Rights-consistent interpretation and the Human Rights Act 1998. Law Quarterly Review 217–238 (2011).
81.
MoJ. Commission on a Bill of Rights: The Choice Before Us.
82.
Coservatives on Bill of Rights.
83.

Gearty, C. On fantasy island: British politics, English judges and the European Convention

on Human Rights. European Human Rights Law Review 1-8 (2015).

84.

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

85.

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

86

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

87.

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

88.

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

89.

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

90.

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

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

92.

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

93.

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

94.

McKeever, D. 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 110–139 (2010).

95.

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

96.

Murkens, J. E. K. The Quest for Constitutionalism in UK Public Law Discourse. Oxford Journal of Legal Studies **29**, 427–455 (2009).

97.

Gee, G. & Webber, G. C. N. What Is a Political Constitution? Oxford Journal of Legal Studies **30**, 273–299 (2010).

Gyorfi, T. Between Common Law Constitutionalism and Procedural Democracy. Oxford Journal of Legal Studies **33**, 317–338 (2013).

99.

Poole, T. Back to the Future? Unearthing the Theory of Common Law Constitutionalism. Oxford Journal of Legal Studies **23**, 435–454 (2003).

100.

Himsworth, C. M. G. Devolution and its Jurisdictional Asymmetries. Modern Law Review **70**, 31–58 (2007).

101.

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

102.

Jones, T. H. & Williams, J. M. Wales as a jurisdiction. Public Law 78–101 (2004).

103.

Jones, T. H. Wales, Devolution and Sovereignty. Statute Law Review 33, 151–162 (2012).

104.

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

105.

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

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

107.

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

108.

Parliamentary Research Paper 04/31.

109.

Research Briefings - Individual ministerial accountability (2012).

110.

Flinders, M. The enduring centrality of individual ministerial responsibility within the British constitution. The Journal of Legislative Studies **6**, 73–92 (2000).

111.

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

112.

Barber, N. W. Prelude to the Separation of Powers. The Cambridge Law Journal **60**, 59–88 (2001).

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

114.

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

115.

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

116.

Masterman, R. & Wheatle, S. A Common law Resurgence in Rights Protection. European Human Rights Law Review $\mathbf{1}$, 57–65 (2015).

117.

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

118.

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

119.

Ballinger, C. The House of Lords, 1911-2011: a century of non-reform. vol. Hart studies in constitutional law (Hart, 2012).

120.

Melton, J., Stuart, C. & Helen, D. To Codify or not to Codify?

121.	
Blick, A. Codifying – or not codifying – the UK constitution: A Literature Review. (2011).	
122.	
A New Magna Carta. (2014).	
123.	
Walter, J. et al. The times. (1788).	
Walter, J. et al. The times. (1700).	
174	
124.	
The guardian. (1980).	
125.	
The economist.	
126.	
New statesman. (1996).	
127.	
Dow Jones Reuters Business Interactive LLC. Prospect: politics, essay, review.	
128.	
Dow Jones Reuters Business Interactive LLC. The spectator. (1994).	
129.	

Public law. (1956).
130.
Public law.
131.
William S. Hein & Company. The law quarterly review. (1885).
132.
The Law quarterly review.
133.
JSTOR (Organization) & William S. Hein & Company. The modern law review. (1937).
134.
The Modern law review.
135.
Cambridge University Law Society, University of Cambridge, Cambridge University Press, & William S. Hein & Company. The Cambridge law journal. (1921).
136.
The Cambridge law journal.
137.
Oxford journal of legal studies.

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

139.

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

140.

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

141.

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

142.

Bradley, A. W. The Courts and the Machinery of Justice. in Constitutional and administrative law 362–394 (Pearson Longman, 2010).

143.

Craig, P. Britain in the European Union. in The Changing Constitution 84–107 (2007).

144.

Dyke, T. Judicial review in an age of austerity. Judicial Review 3, 202–215 (2011).

145.

McEldowney, J. Parliament. in Public law vol. Sweet&Maxwell's textbook series 59–94 (Sweet & Maxwell, 2002).

Partington, M. Law and Society: The purposes and functions of Law. in An Introduction to the English Legal System 13-30 (2006).

147.

Turpin, C. & Tomkins, A. The Ideas of the Constitution. in British government and the constitution: text and materials 33–137 (Cambridge University Press, 2007).