1. Record Nr. UNINA9910451431803321 Autore Elliott Mark <1975-> Titolo The constitutional foundations of judicial review / Mark Elliott Oxford [England]; Portland, Oregon,: Hart Publishing, 2001 Pubbl/distr/stampa **ISBN** 1-4725-5904-5 1-280-80794-6 9786610807949 1-84731-051-6 Edizione [1st ed.] Descrizione fisica 1 online resource (292 p.) Disciplina 347.41012 Soggetti Judicial review of administrative acts - Great Britain Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references and index Nota di contenuto 1. Justifying Judicial Review -- 2. The Traditional Ultra Vires Principle --3. Legislative Frameworks and the Control of Discretionary Power -- 4. The Modified Ultra Vires Principle -- 5. Beyond the Logical Boundary? Judicial Review of Non-Statutory Power -- 6. Judicial Review and Human Rights -- 7. The Constitutional Foundations of Judicial Review Recent years have witnessed a vibrant debate concerning the Sommario/riassunto 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 criticial 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

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Autore Travers Len <1952->

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Nota di contenuto Prologue: Recovering Lost Lives -- Part I. Hodges' Scout -- September

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-- "Ye very bane of New England Men" -- Slaughter -- Captain Bougainville's American Adventure -- Part II. Captives -- Ensign

Lincoln's Great Escape -- The Peregrinations of Peleg Stevens -- Isaac Foster at the Edges of Empire -- Homecomings -- The Court-Martial of Jonathan Barnes -- Coda: William Merry's Tale -- Appendix A: The Roll of Hodges' Scout -- Appendix B: The Captives -- Appendix C: William Merry's Account, Recorded 1853 -- Appendix D: Captain Hodges'

Sword -- Essay on Sources.

Sommario/riassunto "Many Americans probably know the French and Indian War by way of

the film adaptation (1992) of Cooper's Last of the Mohicans. In it Michael Mann directs the young Daniel Day-Lewis and, in parts, succeeds in capturing the strange solitude of warring in endless forest and the sudden ferocity of battle during this first truly world war. Writing an unusual work of art and history, Len Travers here excavates the story of a colonial-American 'lost patrol' during that war, turning musty documents into a gripping tale that could reach well beyond an academic readership. Fifty provinical soldiers left the fringes of settlement in fall, 1756, aiming to safeguard the upper reaches of New York. Within days, near Lake George, native warriors, allies of the French, jumped them. Surprised and overwhelmed, the colonists suffered death or capture. The fifteen surviviors lived for years as prisoners of their native captors. Eventually a few of them managed to work their back to their villages and families, living to tell their stories. Travers's remarkable research brings human experiences alive, giving us a rare, full color view of the French and Indian War. These personal accounts throw light on the motives, means, and methods of both colonists and Natives at war in the American wilderness. They also speak to the nature of war itself"--

"In September 1756, fifty American soldiers set off on a routine reconnaissance near Lake George, determined to safeguard the upper reaches of the New York colony. Caught in a devastating ambush by French and native warriors, only a handful of colonials made it back alive. Toward the end of the French and Indian War, another group of survivors, long feared dead, returned home, having endured years of grim captivity among the native and French inhabitants of Canada. Pieced together from archival records, period correspondence, and official reports, Hodges' Scout relates the riveting tale of young colonists who were tragically caught up in a war they barely understood. Len Travers brings history to life by describing the variety of motives that led men to enlist in the campaign and the methods and means they used to do battle. He also reveals what the soldiers wore, the illnesses they experienced, the terror and confusion of combat, and the bitter hardships of captivity in alien lands. His remarkable research brings human experiences alive, giving us a rare, full-color view of the French and Indian War--the first true world war"--

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 Autore
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