Record Nr. UNINA9910817583803321 The public law/private law divide : une entente assez cordiale? = La **Titolo** distinction du droit public et du droit prive : regards français et britanniques / edited by Mark Freedland and Jean-Bernard Auby Oxford; Portland, Oregon,: Hart Publishing, 2006 Pubbl/distr/stampa **ISBN** 1-4725-5982-7 1-280-80802-0 9786610808021 1-84731-059-1 Edizione [1st ed.] Descrizione fisica 1 online resource (269 p.) Studies of the Oxford Institute of European and Comparative Law; v. 2 Collana Disciplina 342 Soggetti Public law - France Public law - Great Britain Civil law - France Civil law - Great Britain Comparative law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Papers from a series of joint seminars between colleagues from the University of Paris II and the Oxford University Law Faculty held in Oxford in July 2000 and in Paris in July 2001 Extended and re-ordered version of papers previously published in 2004 by LGDJ, Paris Nota di bibliografia Includes bibliographical references Nota di contenuto INTRODUCTION GENERALE -- GENERAL INTRODUCTION -- PREMIERE PARTIE -- PART ONE -- APPROCHES FRANAISES -- THE FRENCH VISION -- DEUXIEME PARTIE -- PART TWO -- THE BRITISH VISION --APPROCHES BRITANNIQUES Sommario/riassunto The contributions brought together in this book derive from joint seminars, held by scholars between colleagues from the University of Oxford and the University of Paris II. Their starting point is the original divergence between the two jurisdictions, with the initial rejection of the public-private divide in English Law, but on the other hand its total acceptance as natural in French Law. Then, they go on to demonstrate that the two systems have converged, the British one towards a certain

degree of acceptance of the division, the French one towards a growing questioning of it. However this is not the only part of the story, since both visions are now commonly coloured and affected by European Law and by globalisation, which introduces new tensions into our legal understanding of what is "public" and what is "private"