Contents

Foreword vii
Preface xi
List of Contributors xiii

INTRODUCTION

1 Public Law in Scotland: Difference and Distinction 1
  Aileen McHarg

PART I: SCOTLAND'S CONSTITUTIONAL CONTEXT

2 Scotland and the Union State 25
  Stephen Tierney

3 Scotland in Europe: Empowerment or Disempowerment? 45
  Noreen Burrows

4 Scottish Public Law in an Age of Constitutional Globalisation 66
  Gavin Anderson

PART II: THE GOVERNANCE OF SCOTLAND

5 Devolution and Democracy 89
  Heather Lardy

6 One Legal System, Two Legislatures: Scottish Law-Making After Devolution 110
  Alan Page

7 Public Accountability in Scotland 131
  Barry Winetrobe

8 Local Government in Scotland 154
  Chris Himsworth

9 The Scottish Judiciary 174
  Scott Styles

PART III: CONTROLLING PUBLIC POWER IN SCOTLAND

10 Parliamentary Sovereignty and the Judicial Review of Legislation 197
  Aidan O'Neill

11 Border Disputes: The Scope and Purposes of Judicial Review 219
  Aileen McHarg
12 Standing to Seek Judicial Review 241
   Tom Mullen
13 The Crown in Scots Law 262
   Adam Tomkins
14 The Scottish Public Services Ombudsman: Revolution or Evolution? 281
   Brian Thompson
15 Tribunals in Scotland 305
   Sarah Craig
16 Protecting Human Rights in the Scottish Legal System 324
   Jim Murdoch

Index 345