

*LAUDATIO:*  
PROF. PAUL CRAIG

GORDON ANTHONY\*

*Members of the Group; Ladies and Gentlemen; Professor Craig,*

THIS is a somewhat strange position in which to find myself because we (in the UK and Ireland) do not typically have a tradition of *laudationes*, and certainly not for people who are still among our number. It is, however, a genuine pleasure for me to be able to embrace that tradition on this occasion and to speak about the work of Professor Paul Craig. I think it is uncontroversial to say that Professor Craig is the UK's leading public lawyer, and you will know that his influence is not limited to the UK but extends to Europe and the US. I am delighted to have the opportunity to speak about that influence and to be able to say something about Professor Craig's enormous contribution to public law scholarship – and, of course, I very much hope that I will be able to do justice to that contribution.

I should also confess that it is something of a challenge to speak about Professor Craig's work precisely because there is so much of it – some 148 articles, 105 chapters, 24 books, and 7 edited books. Those of you who are familiar with his work will know that his contributions have addressed administrative and constitutional law in the UK, the law of the EU, and law and politics in the US. This has all been done during his life-long association with Oxford University, where he was Professor of English law from 1998 to 2019, having held a number of other positions before taking his Chair. He is now

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an Emeritus Professor at his *alma mater* and continues to be very active in that capacity.

In speaking about Professor Craig's work today, I would like to discuss three books that are, in some senses, "book ends" to his career and contribution. I have chosen these books because they allow me to say something more meaningful about Professor Craig's original and ongoing engagement with public law debates and, frankly, his ability to shape and reshape those debates. Professor Craig is, in short, no mere observer of the law, but rather is key to, and drives, many of its most complex debates. This has been true both in relation to legal theory and legal doctrine.

The first book is his seminal work on (domestic) *Administrative Law*, which was published in 1983 and will appear as a 10<sup>th</sup> edition in 2025. This book is remarkable for a number of reasons, not least its clarity of prose and argument. Professor Craig's approach is such that he has long been able to distil complicated cases and points of law to their very essence, and this has made *Administrative Law* accessible to generations of readers. Not only does the book analyse all the leading cases in the UK's higher courts; it weaves theory and doctrine together in a manner that makes the book useful to all areas of public law life (the academy, practice, policy work, etc.). I might highlight here chapter 1 of the various editions of the book, which considers the foundations of administrative law and its conceptual modelling. I imagine that, if one were to read chapter 1 from each of the editions in sequence, one would be able to trace patterns in administrative law over the decades and how the law has evolved (and, in some instances, taken missteps). The various editions also give an insight into how far Professor Craig has been able to contextualise – and in some instances lead – that evolutionary process.

The second book is *UK, EU and Global Administrative Law: Foundations and Challenges*, which was published by Cambridge University Press in 2015. The background to this book says much about the esteem in which Professor Craig is held by the legal community (as does the fact that he is, among other things, a Fellow of the British Academy and an Honorary King's Counsel). This book is the published version of Professor Craig's Hamlyn lectures, which is the most prestigious legal lecture series in the UK. Professor Craig was invited

to give the lectures at a time when my friend and colleague Professor John Morison was one of the Hamlyn Trustees, and we were very fortunate that Professor Craig chose to give one of the lectures at our home institution in Belfast. It was the stand-out event of the legal year at Queen's, and we were delighted to host him on that occasion. Indeed, we were privileged to be able to do so.

I cannot speak highly enough about this book. As its title indicates, it examines administrative law at three levels, where it unpacks, among other things, the linkages between those levels and how they respond to comparable challenges. The book's analysis of each of the areas in question is masterful, but I would point the reader towards Professor Craig's discussion of global administrative law (GAL) in particular. While debates about GAL have continued to develop (and wax and wane), the reader will find in this book the most balanced and insightful summary and analysis of debates on that topic. Why is that significant? I would suggest that it is because the book brings together literature from the legal, social and political sciences; and does so effortlessly. It is scholarship at its very best.

The third book is *English administrative law from 1550: Continuity and Change*, which was published by OUP in 2024. I think that this may well be Professor Craig's most important contribution and/or that which will have the most enduring relevance. As we all know, the starting point for the study of administrative law in the UK has historically been the work of AV Dicey and his belief that there was no system of administrative law in England. Professor Craig, in this book, has systematically debunked that myth by examining the development of the law from the middle part of the 16<sup>th</sup> century. He does so by considering the role of the regulatory state, the development of legal doctrine by the courts, and the nature of the remedies that were available in the courts. He also does so in a manner that traces historical continuances through to the modern day, where the book includes particularly notable chapters on rights and on reasonableness.

What does this mean for our study of Dicey? Professor Craig positions his analysis of the development of the law around "perception" and "reality" and, in essence, says that Dicey's perception was at many steps removed from the reality of the law as was found in, most prom-

inently, case reports. Professor Craig notes at page 673 of his book that Dicey himself would have consulted such case law in the course of his legal practice and that this ought to have given Dicey "pause for thought". The impression we are given is, thus, one of manifest historical error in Dicey's approach and a welcome corrective from Professor Craig. We are also given the impression that this is a book that is truly paradigm changing.

I would like to finish with a more personal word about Professor Craig. Those of you who know him will appreciate that he is among the most pleasant people in the legal academy, that he is unfailingly generous with his time, and that he has long sought to encourage young scholars and students in their careers. I make this point because I think that this feature of Professor Craig's contribution will be remembered almost as much as the brilliance of his corpus of written work. It is certainly one of the first things that comes to mind when I think of Professor Craig, and I would like to thank the EPLO for giving me the opportunity to honour him today.