

Administrative Law

A CASEBOOK

Second Edition

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Preface to the Second Edition

It is always gratifying to an author to have a new edition published. Despite Samuel Johnson's noted remark on authors' motivation, the academic writer hopes most of all that his work will be used by students. If that end is achieved, he is more than repaid for his efforts. No matter how successful the work, however, in a field such as administrative law it is all too often overtaken by the changing law. It is only five years since the earlier edition of this casebook was published. Yet even in five years a new edition has become necessary.

This edition follows the essential outlines of the first edition. But it includes significant new cases and other materials. There are 25 new principal cases — most of them decided in 1980 and 1981. They help to make this casebook the most current available. The book itself covers all the subjects appropriate to the administrative law course. The emphasis is, as it should be in a field whose outstanding characteristic is the rapid pace of its unfolding, upon recent cases and materials. But the over-all approach is perhaps more traditional than in other casebooks. I have always felt it necessary for students to obtain a foundation in the nature of administrative agencies, the powers delegated to them, and how they function, before they can go on to administrative procedure and judicial review. In particular, it has always seemed to me that judicial review should come at the end of the course, as it comes at the end of an administrative law proceeding, after the agency rule or decision. The chapter order need not, however, be inflexible, and the judicial review chapter (Chapter 7) can easily be dealt with after the chapter on delegation (Chapter 2), if the instructor so desires.

BERNARD SCHWARTZ

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