

SYSTEMES JURIDICTIONNELS ADMINISTRATIFS DANS LES ÉTATS DE L'UNION EUROPEENNE : UN REGARD PARTICULIER SUR LA FRANCE ET LA ROUMANIE

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ABSTRACT: *Administrative law has long relied upon concepts and phrases to capture fundamental values – for instance: accountability, rule of law, better decision-making, procedural fairness, rationality.*

“Administrative justice” is increasingly being used, in a similar manner, as a defining concept. The requirements of administrative justice as discussed in this paper apply to decision-making by public officials according to authority conferred to them by public laws. To the extent that the things previously done by public officials are now done by private organizations operating other than under statutory powers, the scope of administrative justice is affected.

Administrative law, after all, necessarily draws on some conception of the appropriate relationship between citizens and the state.

Administrative justice is the application in a particular context of the essentials of lawful, fair and rational behavior that citizens and corporations or other corporate entities are entitled to expect of all decision-makers, whether they be judges or public officials.

While their trappings, mechanisms and legal effects may differ, the extent to which those core elements are maintained will continue to be a measure of the rule of law in our society. Their maintenance poses practical challenges for all who are concerned about public administration.

KEYWORDS: *administrative law, public administration, administrative judiciary procedure, administrative justice*

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