

Lesson 3 : Administrative Law



Administrative Law refers to the legal framework that governs public administration. It ensures that administrative agencies, authorities, and public act lawfully to achieve public interests. organizations

Public Administration

Public administration can be defined using two main standards:

1. **Formal Standard:** this refers to administrative agencies, bodies, and organizations that are either centralized or decentralized, focusing on achieving public goals.

2. **Objective Standard:** this focuses on the regulation.

Administrative Law applies differently to individuals and state. In the broad sense, individuals and the state follow the same rules, while in the narrow sense, different rules apply to the state.

Key Functions: Administrative agencies use executive orders, follow administrative procedures, and comply with regulatory compliance standards to function effectively. They exercise administrative discretion and make administrative decisions to address public needs.

The rulemaking process is essential for creating regulations. Agencies also ensure due process in administration and adhere to principles of government accountability.

They use systems like the merit system to ensure fairness in public services.

Historical Background

Administrative law began in France after the French revolution. Courts were prevented from interfering in administrative disputes to maintain the separation of powers. This led to the creation of judicial administration, where the administration itself resolved disputes. Later, the state council replaced the administration as the main authority to handle disputes.

Modern Administrative Law

Today, disputes are resolved through administrative hearings in administrative tribunals, overseen by an administrative law judge. These bodies handle licensing, compliance audits, and impose administrative sanctions when rules are broken. They ensure transparency through open meeting laws, maintain public records, and protect whistleblowers through whistleblower protection laws.

Terminology

Public administration	الإدارة العامة
Administrative law	القانون الإداري
Administrative agencies	الوكالات الإدارية
Executive orders	الأوامر التنفيذية
Administrative procedures	الإجراءات الإدارية
Administrative discretion	التقدير الإداري

Administrative decisions	القرارات الادارية
rulemaking	صياغة القواعد
Due process in administration	الإجراءات النظامية في الإدارة
Government accountability	المساءلة الحكومية
Administrative tribunals	المحاكم الادارية
Administrative law judge	قاضي القانون الاداري
licensing	الترخيص
Administrative sanction	العقوبة الادارية
Public records	السجلات العامة
whistleblower	حماية المبلغين عن الفساد
Judicial administration	الإدارة القضائية
State council	مجلس الدولة
Administrative hearings	جلسات الاستماع الادارية