

Summary regarding to administrative law

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- **The definition of administrative law:**

It is a branch of public law which deals with the composition, powers, duties, rights and liability of public authorities.

- **The definitions of subjects which relate to this law:**

- 1- The first one is devoted to organic structure of public administration. This includes the composition of public authorities and the classification of the status of state official and administrative authorities.
- 2- The second one is devoted to mechanism of operation of public administration. This includes the powers, duties, rights, and liability of administrative authorities. It also includes the procedures which have to be followed by these authorities.
- 3- The third one is devoted to legal restraints to which administrative authorities are subject. This includes the control of these authorities by ordinary or administrative courts.

- **The relationship between constitutional law and administrative law**

1- Constitutional law and administrative law are so interrelated that it is difficult to distinguish the limit of each them.

2- Constitutional law is the basis of administrative law. It defines the organs of state and the determines the functions of each of them. But the detailed regulation of these functions is left to administration law.

3- Administrative law, however, doesn't deal with all executive acts. It deals only with the administrative acts which relate to the daily execution of laws. It doesn't deal with the acts of state such as the declaration of war and peace, the making of treaties and the recognition of foreign states. All these acts are within the scope of constitutional law.

- **Characteristics of administrative law**

Administrative law is judge-made, flexible and the third one it establishes a balance between public interest and the idea of private rights.

1- A judge-made law:

Administrative law is mainly a judge-made law or a case law. Although there are some written regulations in administrative law, they are not its most important components. They govern a very specific matter. However, the fundamental principles of administrative law are not enacted. These principles are derived from the decisions made by the administrative courts.

2- A flexible law:

As the rules of administrative law are not written, they have a flexibility which permits constant adaptation to changes in the administrative life. This flexibility makes it possible to dispense with enacted law.

3- The balancing between public interest and private rights:

a- Privileges of public corporations:

As a strong administration requires extensive powers, which are not given to individual citizens, administrative law gives public corporations special rights which may be described as privileges of the administration.

These privileges of administration are exercised in the public interest. An example of these is the privilege which permits the state to be paid before all other creditors.

b- The defense of individual rights:

Although the privileges of public authorities are very extensive, they are not absolute. In order to defend citizens against public corporations, administrative courts have established two main limitations on their activities. The first is that they must not act against the law. The second is that they must pay damages when they cause injuries.