

LES GRANDES DÉCISIONS

LES GRANDES CONCLUSIONS

de la JURISPRUDENCE
ADMINISTRATIVE

VOLUME 2 : 1940 - 2000

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Tort Liability of Public Authorities in European Laws Giacinto della Cananea, Roberto Caranta, 2020-12-15 This series argues that there is a common administrative core to European legal systems that can be better understood in comparative terms This volume examines government liability in tort using case studies to explore different government responses Part I sets the stage for the project and the parameters followed by the scholars involved Part II expands on the legal systems chosen for comparison setting up their general tort procedures Part III presents case studies from Austria the European Union France Germany Hungary Italy Poland Romania Spain Switzerland and the United Kingdom Each case study has a theoretical response detailing what would happen should that case occur within each country's borders Part IV compares and contrasts the information provided in Part III It examines both the commonalities and the distinctive traits of these legal systems with a view to understand the nature of their common core This volume is an essential tool for anyone involved in administrative and constitutional law and government liability in tort

The Public-private Law Divide Matthias Ruffert, 2009 This publication is a collection of papers of the second meeting of the Dornburg Research Group on New Administrative Law which was held in London in May 2007 Acknowledgments

The Making of Criminal Law Aniceto Masferrer, 2025-11-12 The separation of powers produced by the Enlightenment period reinforced the myth of the perfection of the law with criminal law being dependent on the principle of legality Demonstrating that this principle has not fundamentally altered judges methods of interpretation and decision making this collective volume explores the role of case law in the making of modern criminal law from the late 19th century to the end of the 20th century It enables us to gauge the influence of case law developed and to assess the extent to which it contributed to major criminal law decisions and the emergence of model criminal codes The book takes a comparative view across various European and American jurisdictions and offers an overview of European civil law traditions along with comparisons from the Americas The focus is on Western legal historiography which has hitherto been notably under researched The chronological point of departure is marked by the creation of the Supreme Court and the cassation in each jurisdiction Each chapter contains a short introduction to the role of jurisprudence in the making of criminal law from the 19th century onwards in that jurisdiction followed by an exploration of the contribution of the legal doctrine of the Supreme Court in the making or development of a particular criminal offence or institution The book will be of interest to scholars and historians working or teaching in the areas of legal history comparative legal history criminal law and comparative law It will also be of use to scholars interested in the study of law in different socio cultural contexts

Droit administratif Valentin Lamy, 2025-07-08 Cet ouvrage fournira aux étudiants en droit toutes les clés pour comprendre le droit administratif Pour chaque chapitre couvrant un thème du droit administratif cet ouvrage vise 4 objectifs Apprendre des fiches de cours pédagogiques et exhaustives Approfondir des éléments pour aller plus loin sur un point spécifique du sujet Appliquer des exercices d'application corrigés Réviser des fiches sur les notions

essentielles connaître Un ouvrage essentiel pour maîtriser et approfondir son cours de droit administratif destination des étudiants en Licence de Droit Cet ouvrage s'adresse aux étudiants en Licence de Droit aux étudiants en IEP aux candidats aux concours administratifs **The Evolution of Law and the State in Europe** Spyridon Flogaitis, 2014-11-06 Most books about public power and the state deal with their subject from the point of view of legal theory sociology or political science This book without claiming to deliver a comprehensive theory of law and state aims to inform by offering a fresh reading of history and institutions particularly as they have developed in continental Europe and European political and legal science Drawing on a remarkably wide range of sources from both Western and Eastern Europe the author suggests that only by knowing the history of the state and state administration since the twelfth century can we begin to comprehend the continuing importance of the state and public powers in modern Europe In an era of globalization when the importance of international law and institutions frequently lead to the claim that the state either no longer exists or no longer matters the truth is in fact more complex We now live in an era where the balance is shifting away from the struggle to build states based on democratic values towards fundamental values existing above and beyond the borders of nations and states under the watchful gaze of judges bound by the rule of law *Droit administratif 18ed* Nicolas Chifflet, Maxime Tourbe, 2023-06-29 Le présent ouvrage tel un guide se propose d'explorer l'univers administratif et de cerner partir de ses caractéristiques majeurs les racines mêmes de son droit Pour chaque grand thème un dossier divisé en deux parties fait le point sur les données de base Ce qu'il faut savoir et fournit des matériaux indispensables une recherche personnelle Pour approfondir Cette 18e édition paraît alors que l'heure est au bilan des réformes intervenues depuis le début du xxième siècle et que d'autres réformes sont engagées Ainsi elle rend compte des débats en cours ce qui en fait plus précisément un guide pour suivre et comprendre l'actualité

Droit administratif - 13e éd. Martine Lombard, Gilles Dumont, Jean Sirinelli, 2019-11-06 Le droit administratif regroupe l'ensemble des règles spécifiques applicables à l'organisation et à l'action de l'administration ainsi qu'à son contrôle Discipline complexe le droit administratif ne cesse d'évoluer dans le sens d'une protection plus effective des droits des administrés par l'œuvre de la loi relayée par la jurisprudence tant nationale que communautaire Ouvrage reconnu cet HyperCours offre un cours complet et conforme aux besoins des étudiants ainsi que des compléments pédagogiques de qualité permettant une bonne préparation aux preuves de TD d'examens universitaires mais aussi de concours administratifs Institutions juridictionnelles 16ed - Précis Thierry Debar, Serge Guinchard, André Varinard, 2022-05-05 Institutions juridictionnelles l'essentiel maîtriser Née de la collaboration de spécialistes des procédures civiles pénales et de droit public ce Précis permet d'acquiescer une vue raisonnée et synthétique de la Justice en France et de ses institutions Après l'analyse critique et prospective des principes qui sous-tendent l'organisation et le fonctionnement de la Justice l'ouvrage dresse en les replaçant dans leur évolution les principales juridictions et professions qui leur sont associées Au plus près de l'actualité législative il consacre une large place au renouvellement qu'a connu la matière sous l'influence croissante de la Cour européenne des droits de l'homme du droit de

l Union européenne et du Conseil constitutionnel. Si il correspond au cours d'Institutions juridictionnelles généralement enseigné en 1^{re} année des facultés de droit, il est également fort utile tous ceux qui préparent les concours d'accès à la magistrature et la fonction publique ou l'examen des IEJ pour entrer dans un Centre régional de formation professionnelle d'avocats. Tout citoyen il donne les clefs de compréhension des débats dont la Justice est l'objet. L'accès au juge l'aune des mutations de l'organisation judiciaire, la numérisation des procédures, l'open data, les services en ligne et les algorithmes dans la résolution juridictionnelle ou amiable des différends, les rôles respectifs des juges et des procureurs, la place du juge d'instruction, etc. La 5^e édition de cet ouvrage 1999 a été traduite en langue chinoise aux éditions Press of China University, juillet 2000.

L'Etat dans la construction doctrinale du droit administratif Elise Fraysse, 2022-05-02. La question des rapports entre l'Etat et le droit administratif est au cœur de cet ouvrage. Par le prisme d'une approche historique et doctrinale, ce premier tome de 1804-1870 tente de clarifier certaines interrogations cruciales : quel fut le poids de l'Etat dans la construction de cette discipline ? Le droit administratif donne-t-il voir une certaine conception de l'Etat, et si oui, laquelle ? L'enjeu est de démontrer qu'en dépit des apparences, le droit administratif n'est pas seulement un droit technique, il est également un droit politique. Il repose en effet sur une certaine conception de l'Etat et du libéralisme. Plus encore, cette recherche contribue à montrer que loin d'être un droit uniquement jurisprudentiel, le droit administratif doit, en grande partie, sa construction à la doctrine. Partant, cette étude se veut plus largement traiter le point de départ d'une réflexion sur l'enseignement du droit public aujourd'hui.

Handbuch des Verwaltungsrechts Kahl Ludwigs (Hrsg.), 2021-09-30. Das neue Handbuch ist eine auf 12 Bände angelegte Edition des Verwaltungsrechts. Als wissenschaftliches Gemeinschaftswerk von zwei Herausgebern und rund 250 Autorinnen basiert es auf einer Gesamtkonzeption, die das deutsche, europäische und internationale Verwaltungsrecht als Einheit und in ihrer Interdependenz und Interaktion in den Blick nimmt. Die Bände wenden sich gleichermaßen an die verwaltungsrechtliche Praxis und die Verwaltungsrechtswissenschaft. Der Rechtsstoff wird enzyklopädisch aufbereitet, die Zusammenhänge und das Allgemeine in der Folge der Referenzgebiete des Besonderen werden erschlossen und auseinanderstrebende Detailforschungen zusammengefasst. Das Handbuch stellt die positivrechtlichen Begriffe, Prinzipien und Institute des Verwaltungsrechts in ihren Geltungsbedingungen dar, geht ihren wesentlichen geschichtlichen und sonstigen Grundlagen nach, analysiert sie dogmatisch und untersucht eingehend ihre europäische und internationale Verzahnung. Das Handbuch hat das Ziel, den aktuellen Stand des Verwaltungsrechts des Bundes und der Länder sowie der Europäischen Union umfassend systematisch und verständlich darzustellen. Charakteristisch für die Darstellung ist die enge Verzahnung mit internationalem und europäischem Recht, die Verknüpfung von Allgemeinem und Besonderem, Verwaltungsrecht, die Vernetzung von materiellem und formellem Recht, die Interdisziplinarität der Methodik sowie die Einbeziehung neuer Entwicklungen wie z.B. der Digitalisierung der Verwaltung. Band II behandelt die Grundlagen des europäischen und des internationalen Verwaltungsrechts, Unionsverwaltung und mitgliedstaatliche Verwaltung, Rechtsquellen und Rechtsebenen, Prinzipien.

Methoden sowie die Zukunftsperspektiven des europäischen und internationalen Verwaltungsrechts **Fiches de Culture juridique** Jean-Philippe Tricoit, 2024-07-09 50 fiches pour réviser toute la Culture juridique les définitions connaître les erreurs éviter les points essentiels retenir des exercices corrigés pour vérifier ses connaissances des références bibliographiques pour aller plus loin 1 index **Recueil Des Arrêts Et Décisions** European Court of Human Rights, 2004 **Law and Judicial Dialogue on the Return of Irregular Migrants from the European Union** Madalina Moraru, Galina Cornelisse, Philippe De Bruycker, 2020-08-06 This volume examines the implementation of the Return Directive from the perspective of judicial dialogue While the role of judges has been widely addressed in European asylum law and EU law more generally their role in EU return policy has hitherto remained under explored This volume addresses the interaction and dialogue between domestic judiciaries and European courts in the implementation of European return policy The book brings together leading authors from various backgrounds including legal scholars judges and practitioners This allows the collection to offer theoretical and practical perspectives on important questions regarding the regulation of irregular migration in Europe such as what constitutes inadequate implementation of the Directive and under which conditions can judicial dialogue solve it How can judges ensure that the right balance is struck between effective return procedures and fundamental rights Why do we see different patterns of judicial dialogue in the Member States when it comes to particular questions of return policy for example regarding the use of detention These questions are more timely than ever given the shifting public discourse on immigration and the growing political backlash against immigration courts This book will be essential reading for all scholars and practitioners in the fields of immigration law and policy EU law and public law *Le commissaire du gouvernement près le Conseil d'État* Nicolas Rainaud, 1996 La compétence internationale des collectivités territoriales françaises Pierre-Yves Chicot, 2005-01-01 L'irruption des collectivités locales françaises sur la scène internationale a bouleversé des modes de fonctionnement publics bien établis La politique extérieure devient aussi l'apanage des autorités territoriales même si l'État conserve la préminence En ce qui concerne les départements rattachés d'outre-mer et singulièrement ceux d'Amérique l'exercice de cette compétence locale internationale est fort affirmé En quoi cette politique internationale des DOM est-elle spécifique Quelle problématique soulève-t-elle **The enforcement dimension of the single supervisory mechanism** SILVIA ALLEGREZZA, 2020-09-14 This book explores the sheer complexity of the SSM's institutional design adopting a comprehensive approach to banking supervision At its core this work examines the tangible mechanisms of prudential regulation or supervision both at the European and national levels offering a comparative analysis of ten national systems Reflecting the results of an intensive four-year research project that saw the collaboration of academics and practitioners it addresses two interrelated issues It investigates the efficacy of the shared national and EU level enforcement system the EU introduced in reaction to the financial and banking crisis Secondly it scrutinizes the role that criminal law can play in sanctioning the breaches to banking regulation *The Ghostwriters* Tommaso

Pavone,2022-04-07 The European Union is often depicted as a cradle of judicial activism and a polity built by courts Tommaso Pavone shows how this judge centric narrative conceals a crucial arena for political action Beneath the radar Europe s political development unfolded as a struggle between judges who resisted European law and lawyers who pushed them to embrace change Under the sheepskin of rights conscious litigants and activist courts these Euro lawyers sought clients willing to break state laws conflicting with European law lobbied national judges to uphold European rules and propelled them to submit noncompliance cases to the European Union s supreme court the European Court of Justice by ghostwriting their referrals By shadowing lawyers who encourage deliberate law breaking and mobilize courts against their own governments The Ghostwriters overturns the conventional wisdom regarding the judicial construction of Europe and illuminates how the politics of lawyers can profoundly impact institutional change and transnational governance

Contemporary French Administrative Law John Bell,François Lichère,2022-03-03 Despite the growing scholarly interest in comparative public law there remain relatively few works on the subject Contemporary French Administrative Law aims to redress that imbalance offering English language readers an authoritative introduction to the key features of French administrative law and its institutions The French legal system is among the most well developed and influential in the world and as procedures continually adapt to European and international influences it has never been more worthy of research study and interrogation This book employs a wide range of recent illustrative cases to demonstrate how French administrative law works both in theory and in practice Using a systematic approach and covering everything from judicial review to public contracts this is a highly valuable text for any student or researcher with an interest in French law The book is also available as Open Access [La délégation de compétences des organisations internationales](#) Abdelbasset

Ibrahim,2023-12-14 Afin d analyser le r gime juridique de d l gation de comp tences des organisations internationales l auteur soul ve plusieurs questions cl s dans quelles conditions et selon quelles modalit s une organisation internationale peut elle d l guer ses comp tences un sujet qui lui est ext rieur Quels sont les effets d une telle d l gation dans les rapports entre l organisation d l gante et son d l gataire mais aussi entre ce dernier et les tiers En cas de violation ventuelle du droit international quel est l impact de la d l gation sur la responsabilit internationale de l organisation d l gante Pour r pondre ces questions l auteur examine d abord les conditions d tablissement de la d l gation de comp tence avant d aborder l tude de sa mise en uvre **La contrainte en droit. The constraint in law** Ermanno Calzolaio,Pierre Serrand,2017

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