Introduction to Hungarian Administrative Law in a Comparative Perspective

Lecturers:
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Brief description

The module covers the knowledge in the area of the comparative administrative law. It includes the characteristics of the comparative law, especially, the comparative administrative law. It presents the review of the fundamental terms and institutions of comparative administrative law, the role of the integrations in the field of administrative law, especially on the role of the European Administrative Space.

It will cover knowledge on the legal regulation on administrative bodies, their tasks and legal status. It will cover knowledge on the legal regulation on administrative procedures, their tasks and the models of them, as well. It presents the review of the fundamental terms and institutions of comparative procedural administrative law, the role of the integrations in the field of administrative procedures and the judicial review of the administrative decisions.

The course will analyse the different administrative systems. The module develops the ability of comparative analysis of different law systems and distinct legal solutions, mutual relations of the authorities, concepts of municipal units, public service provision, administrative procedure and the judicial review of administrative decisions and administrative law doctrine.

Schedule

1. 15th Sept: Introduction to the course and basics of comparative administrative law (Fazekas)
2. 22nd Sept: Some basic facts on the Hungarian administrative system and the place of administration in the Hungarian state organisation (Fazekas)
3. 29th Sept: Central administration (Fazekas)
4. 6th October: Territorial administration (Hoffman)
5. 13th October: Administrative procedural law (Rozsnyai)
6. 20th October: Civil service systems. Provision of public services (Fazekas)
7. 3rd November: Local self-governments (Hoffman)
8. 10th November: Administrative justice (Rozsnyai)
9. 17th November: Some current topics of administrative law: public administration in times of CoViD-19 (Hoffman)
10. 24th November: Some current topics of administrative law: judicial review of governmental acts and political question doctrine (Fazekas)
11. 1st December: Presentations of students and discussion I. (Fazekas)
12. 8th December: Presentations of students and discussion II. (Fazekas)
Recommended readings

**General Literature and Legal Texts**


- Ausgewählte Artikel der Jahrbücher für Ostrecht


**Hungarian Literature in English/German on the Hungarian Administrative System**


**Hungarian Literature in English/German on Administrative Procedure and of Administrative Court Procedure**

Krisztina F. Rozsnyai - István Hoffman: New Hungarian instruments against silence of administration: friends or foes of the parties? STUDIA IURIDICA LUBLINENSIA 1/2020
https://journals.umcs.pl/sil/article/view/10577


Assessment

1. Students are required to prepare an essay on a specific field connected to the lectures during the term, which should be a comparative analysis of one or several institutions of the student’s native administrative organisational or procedural system. Students should chose by themself one or several institutions in their national administrative law which can be connected to the topics of the course. You will find in the delivered lectures, as well as in the literature proposed a lot of examples. You should present and analyse these institutions in a comparative perspective, i.e. compare them to the institutions of the Hungarian or other nations' solutions. It is enough to take one (of course you are allowed to take into account also more solutions of other countries).

The essay should have between 2000 and 4000 words, including the cover page, the table of contents, the elaboration of the topic itself (introduction - discussion - conclusions), and the bibliography.

The introduction should be about the significance of the topic in public administration, the limitations of the discussion of the topic you have set (i.e why you do not cover everything in the essay that could be covered) and, if any, the personal reasons for choosing the topic. The substantive part, the discussion should be structured, divided into at least one level of titles. As conclusions, a personal evaluation, a proposal for the further development of legal practice, or even de lege ferenda proposals can be made.

The list of literature may contain only items that have been referred to in a footnote during the elaboration of the topic. These can be books (of course textbooks, and commentaries, too), journal articles, or other materials available online. The essay must contain at least 5 such items. Legislation and court decisions must not be included in the list of literature, it is sufficient to mark them in footnotes and make a distinct list of legal norms/case law cited.

Students from the same country can choose to make a joint essay and presentation, where the authorship of the different parts of the essay respectively is clearly distinguishable.

The deadline for uploading the essay to the moodle system is December 5, 23:59 PM.
2. Additionally, students should prepare a short presentation of the findings of their essay which they will present to the course participants as an oral exam at the last session on 1/8 December, 10:00 AM. Presentations should be uploaded 24 hours prior to this date, on 30 November/7 December 10:00 AM.