



Fall Semester 2019

Comparative Administrative Law

co-taught by Professor Dr Johannes Reich, LL.M. (Yale) and RAin Dr Daniela Kühne

- **Time:** Wednesday, 8:00–9:45, every other week starting from 18 September 2019
- **Room:** [RAI-J-031](#)
- **Content:** The course is devoted to comparing the set of rules and principles referred to as “Administrative Law” in different national jurisdictions. These rules are commonly understood to govern both the internal sphere of the “machinery of government” and its relation to private subjects. The study of Comparative Administrative Law has gained considerable importance in both legal practice and in legal scholarship in the course of the last two decades. Said rise is not only due to the increased influence of European Union (EU) Law on jurisdictions both inside and outside the EU but the global diffusion of a wide array of policies ranging from market liberalization and banking regulation to human rights promotion and standard-setting in primary education by a number of international actors such as the Organisation for Economic Co-operation and Development (OECD), the International Monetary Fund (IMF) or the Council of Europe. These trends result in partial convergence of specific principles of both Administrative Law and the structure of Public Administrations while other features of the different administrative traditions remain virtually untouched.

The course seeks to provide an advanced understanding of these opposing trends touching upon following subjects:

1. Concept and Functions of Administrative Law
2. Structure: Hierarchy of the Executive Branch and Independent Agencies
3. Internationalization and Europeanization of Administrative Law
4. Administrative Action
5. Judicial Review of Administrative Action
6. Administrative Law Principles
7. Legitimate Expectations and Good Administration

We will read, discuss and analyse cases and materials of different jurisdictions in order to gain an advanced understanding of the subject matter as both a preparation for legal practice and a basis for further legal research.



- **E-Learning Platform «Online Learning and Training» (OLAT):** All of the course material (cases, research papers etc.) may be accessed through UZH's Learning Management System «OLAT».
- **Readings** will be provided for each lesson via OLAT. A basic introduction into Swiss Administrative Law aimed at students unfamiliar with the subject may be accessed [here](#). The following books, among others, cover some of the topics to be discussed:

Jean-Bernard Auby/Thomas Perroud (eds.), *Droit comparé de la procédure administrative / Comparative Law of Administrative Procedure*, Brussels: Bruylant 2016

Susan Rose-Ackerman/Peter Lindseth/Blake Emerson (eds.), *Comparative Administrative Law*, second edition, Cheltenham: Edward Elgar 2017

Francesca Biganmi/David Zaring (eds.), *Comparative Law and Regulation, Understanding the Global Regulatory Process*, Cheltenham: Edward Elgar 2016

Please note: You are neither expected to read or to buy these books when attending the course. All of the relevant materials will be provided via OLAT free of charge.

- **Schedule**

No.	Date	Topic
1	18 September 2019 Johannes Reich	Concept and Functions of Administrative Law
2	2 October 2019 Johannes Reich	Structure: Hierarchy of the Executive Branch and Independent Agencies
3	16 October 2019 Johannes Reich	Internationalization and Europeanization of Administrative Law
4	30 October 2019 Johannes Reich	Administrative Action
5	13 November 2019 Daniela Kühne	Judicial Review of Administrative Action
6	27 November 2019 Daniela Kühne	Administrative Law Principles
7	11 December 2019 Daniela Kühne	Legitimate Expectations and Good Administration

- **Examination:** An oral exam will be taken at the end of the semester. The student's performance in class discussions may be taken into account when grading the course.