

•book review

András Patyi – Ádám Rixer (Eds.)

HUNGARIAN PUBLIC ADMINISTRATION AND ADMINISTRATIVE LAW

Resume from the foreword by István Kukorelli (Professor of Public Law, DSc.) Head of Department of Constitutional Law Eötvös Loránd University, Faculty of Law

The system of Hungarian public administration has gone through major institutional and legal changes in the past three-four years. This English language publication, *Hungarian Public Administration and Administrative Law*, presents the system of today's Hungarian public administration to foreign readers – its constitutional bases, main functions (for example public finances, public services), its main institutions, procedures, sanction system, staff – by paying special attention to the aforementioned changes. Moreover, it must be mentioned that some of the essays shed light on the history of public administrative institutions and draw their course of development.

The book may be important and instructive because the increase in significance of public administration and the growth of the number of its tasks have been worldwide phenomena both in legislation and in law enforcement. In the opinion of some experts, this course of development has been predestined, and there is a forming 'public administrative state', as separate branch of power, which focuses on results and seems to be independent from the executive. Partly due to these phenomena, constitutional requirements defined for public administration, the theory of constitutional public administration gain significance again and again. The essays of this book specifically focus on these rule-of-law requirements, among others the following:

- subordination to law and legality of public administration;
- the wide-scale supervision of public administration by external constitutional institutions.

Separate essays deal with public administrative law, the right to good public administration, administrative courts, and the control role of the prosecutor and the ombudsman over public administration. The social control and publicity of public administration may be facilitated by the civil relationships of public administration and the quasi public administrative organizations.

The book pays special attention to the modernization of public administration, e-public administration and info-communication.

Even though the publication was realised in the cooperation of the Lajos Lőrincz Research Centre for Public Law of the Károli Gáspár University of the Reformed Church, Faculty of Law and the National University of Public Service – its editors are András Patyi and Ádám Rixer – the scope of authors includes almost the whole of today's science of Hungarian public administrative law and the departments and law faculties teaching this subject. A separate essay studies the past and present of the science of Hungarian public administrative law.

The book may appear for the foreign reader as a descriptive, critically evaluating and extremely informative publication. It uses various legal sources and studies the main case law, as well. Its authors and editors aimed at facilitating understanding by unifying legal terminology and definitions, and by using internationally accepted professional terms.

This publication is the scientific work of the representatives of the science of Hungarian public administration, and the majority of its authors, editors and lecturers are members of the Hungarian Academy of Sciences, Section of Economics and Law, Committee of Public Administration. Based on this, I gladly recommend this book to all interested readers.

Resume from the Editors' Preface by András Patyi and Ádám Rixer

The public administration system and the administrative law of a country have constitutional significance. What the public administration of a country is unable to implement from the constitutional provisions, nobody else will implement.

This book presents Hungarian public administration and administrative law. These are the legal tools of a country which was the last of the Eastern-Central European states to approve its new Constitution (Fundamental Law of Hungary). Of the country which did its best to shape democratic structures, which revolted in 1956 and fought against the Soviet empire. The revolution was suppressed, but its impact has been alive ever since. Decades later, in 1989-90, as an impact of that revolution, a democratic transformation began, and the establishment of democratic public administration, not obliged to adopt foreign patterns, was launched.

The current state of affairs in Hungarian public administration is a result of the 25 years that have passed since the changes in 1989-90. A lot of things have changed for these

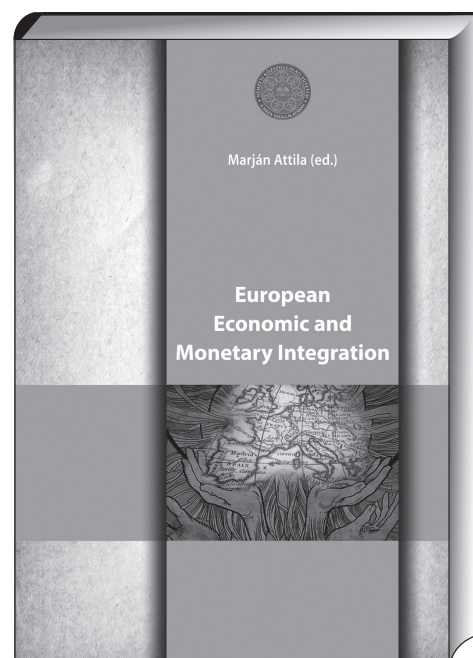
25 years, as a lot had to be changed. These changes were justified not only because of the establishment of democratic rule of law in the country. The alliance relations of the country have also changed, Hungary joined NATO and the EU; moreover, immediately after the accession agreement in 1994, full legal harmonization was launched. Countries had new challenges to face worldwide. Such new tasks, new challenges, coupled with technical development, required new solutions, new organs and procedures in public administration. Our EU membership also meant that the indirect application of EU law by the public administration organs of the member states required new and modern public administration culture.

While Hungary has centuries-old traditions (both good and bad) in public administration, there was a need to adopt the solutions and models of other countries and those of the EU.

The systems of public administration in modern states are complex and complicated, even in a small country like Hungary with a population of 10 million. Yet the systems of these states, although complex, are different. No two systems of public administration are alike.

Small countries regard their public administration as a value helping to preserve and express the constitutional identity and independence of the nation.

It is understandable that science focuses on and researches the public administration procedures and organizational systems of large, model states. Nevertheless, the solutions of smaller countries may present a model or an example not just for large states but for each other, as well. For this it is inevitable for these states to become familiar with each other's public administration and public administration law. The present book aims at providing help with this activity.



European Economic and Monetary Integration

(EDITED BY MARJÁN ATTILA)

This volume discusses European economic and monetary integration in eleven chapters that cover the internal market, the Economic and Monetary Union, taxation and customs union, monetary policy, economic policy coordination. Part Two gives an assessment of some of the key elements of European political economics including crisis management efforts and potential political consequences of the crisis.

The objective was to present an up-to-date university text-book for European studies and international finances majors.

International Protection of Human Rights

(EDITED BY TAMÁS LATTMANN, BALÁZS VIZI)

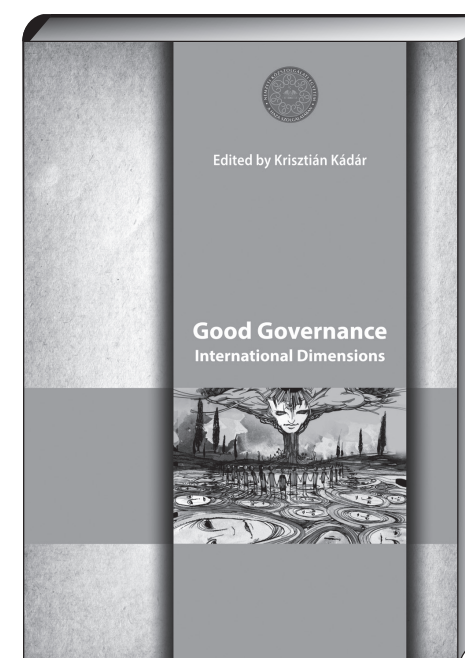
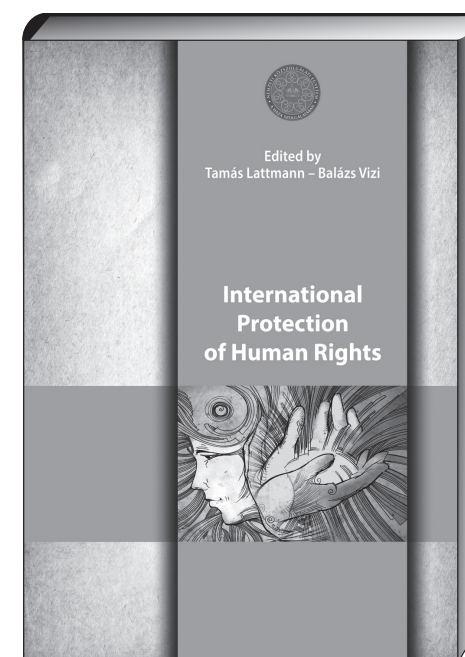
The book gives an overview of the law and institutions of international human rights protection. Based on the latest developments, it analyses both the universal and regional levels and besides of serving as a textbook of university-level general international human rights law courses, it is also a handy reference to further research on the field.

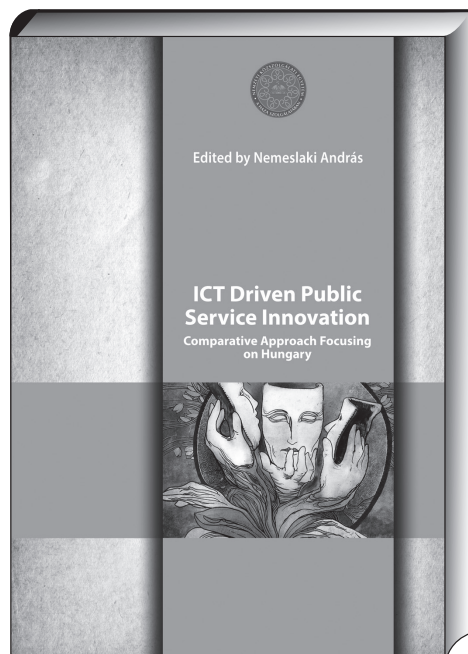
Good Governance International Dimensions

(EDITED BY KRISZTIÁN KÁDÁR)

This book is intended as an introduction to good governance theme, which in recent times has seen an increase in relevance and even urgency that parallels the progression with European integration and the internationalization of public administration. In view of international reform discourses and modernization concepts, new country rankings and performance indicators have also been developing, displaying specific common features of their administrative and governance system and thereby providing new conceptual and empirical challenges for administrative science.

This volume is meant to reach a wide range of readers and users. First it is expected to serve as a textbook at universities for lecturers and students. Second, the book is intended to address a readership that includes politicians, administrative practitioners as well as readers generally interested in issues of governance, public administration and democratic institutions.





ICT Driven Public Service Innovation

Comparative Approach Focusing on Hungary

(EDITED BY ANDRÁS NEMESLAKI)

The book in about 200 pages introduces those possibilities that infocommunication technology can bring to the field of public service in order to modernise it and also examines the effects of infocommunication technology on the innovation of several field of public service. Twelve authors – including one Austrian and one Australian – published their own chapters about their own original researches and about their analysis of the comparison of national and international e- public service models.

The internationally embedded comparison along with the latest and current range of subjects and chapters give an up to date character to the book which were logically constructed and carefully edited. The authors introduce influential innovation models of the ICT era, significant trends that effect organisational innovation, issues related challenges of e-government development such as issues of interoperability and e-preparedness, conceptions of services beyond borders, the application of the field of disaster management and law enforcement, the relation of the political communication and public media, the risk of information security and finally the importance of the application of the futurology in order to be able to reflect upon the changes of ICT trends.