Comparing Administrative Justice Across the Commonwealth

About this Publication:

*Comparing Administrative Justice across the Commonwealth* examines a range of themes relevant to administrative justice. It begins by considering it in a constitutional context, and then proceeds to compare fundamental concepts of administrative law as they have developed in different Commonwealth countries. This is followed by studies of specific countries and a discussion of practical steps that have been taken to enhance the quality of administrative justice. Contributors include eminent lawyers from many Commonwealth jurisdictions. This book provides a unique multifaceted insight into the development of administrative justice and the jurisprudential as well as practical questions to be considered in promoting it.

Contents Include:

- The constitutional context
  - The democratic necessity of administrative justice
  - To defer and when? Administrative law and constitutional democracy
  - Deference: Is it useful outside Canada?
  - The rule of law and judicial review: Re-reading dicey
- Comparative studies
  - Engaging unreasonableness and proportionality as standards of review in England, India and Sri-Lanka
  - The law of bureaucratic negligence in South Africa: A comparative commonwealth perspective
  - The impact of apartheid on commonwealth administrative law
  - The theory of the second actor revisited
- Country studies
  - A sliding scale of reasonableness on commonwealth administrative law
  - Administrative justice: Beyond the courtroom door
  - The tribunalisation of justice in India
- Procedure and remedies in judicial review: A Malaysian perspective
- Three waves of administrative justice in South Africa
- Practical steps
- Some reflections on administrative justice in Malawi
- The role of the commonwealth and commonwealth associations in strengthening administrative law and justice
- Apples, oranges and comparative administrative law

Of Interest and Benefit to:

- Judges and magistrates
- Academics
- Administrative law specialists
- Lawyers
- Anyone interested in administrative and comparative law