

A philosophical approach on administrative procedure

Valon Leci

Abstract

Protection of the rights of parties by public administrative bodies which supervise the legislation enforcement and which issue decisions on this ground is enabled only through solid and concise structuring of administrative procedure and respecting of this procedure by all persons involved in a certain administrative procedure. Therefore, the state which is the only institution to have the competence for issuing and enacting laws, always keeping in mind the fact that different parties will, in one way or another, be affected by the decision of public administration bodies, are entitled to protect their lawful interests, should enact adequate laws which regulate the whole procedure to be carried out in order to make a public administration act binding on parties and so be respected. This type of governance of procedure development will be a very efficient and effective mechanism to prevent state authorities to use their powers for authoritarianism and arbitrariness, and create one of the manners for functionalising the rule of law.

Keywords: Law, justice, procedure, human rights.

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