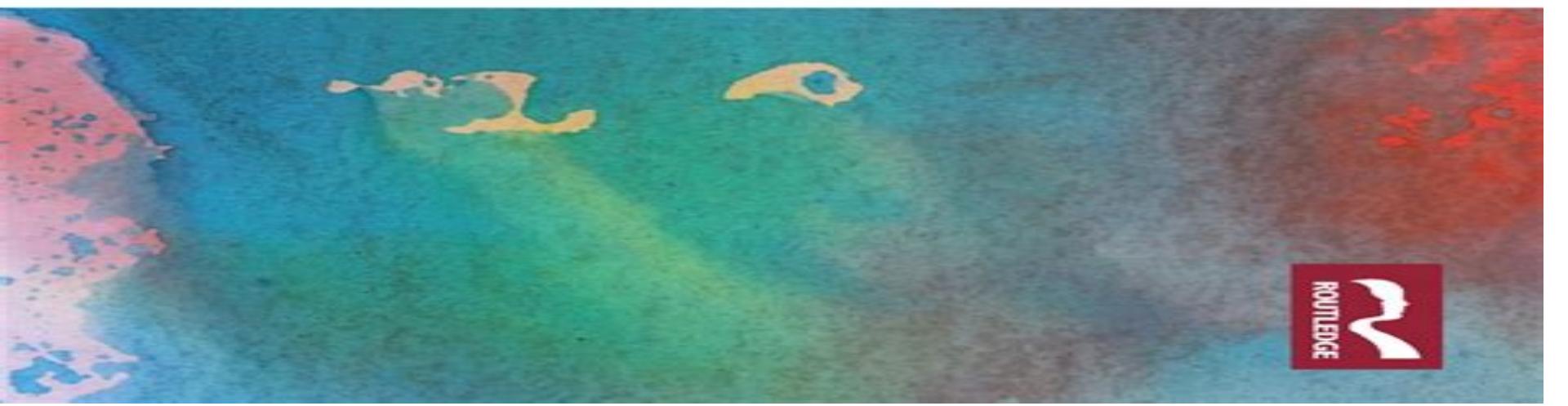




PATENTS AND GLOBAL ADMINISTRATIVE LAW

VALUES, PRINCIPLES, AND CHALLENGES

David Tilt



Values In Global Administrative Law

David Tilt

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Craig,2015-10-26 A detailed analysis of the foundations and challenges of UK EU and global administrative law *Global Administrative Law* Carol Harlow,2010 There is currently much interest in the question whether a global administrative law is coming into being and if so whether this is desirable or otherwise This paper addresses the question of principles for a global administrative law It considers four potential sources and their suitability as a foundation for a global administrative law system first the largely procedural principles that have emerged in national administrative law systems notably the principle of legality and due process principles Section 3 second the set of rule of law values promoted by proponents of free trade and economic liberalism Section 4 third the good governance values and more particularly transparency participation and accountability promoted by the World Bank and International Monetary Fund Section 5 and finally human rights values Section 6 The paper ends on a sceptical note concluding that a universal set of administrative law principles is difficult to identify and not especially desirable First administrative law is primarily a Western construct protective of Western interests It may impact unfavourably on developing economies Secondly the evolution of global administrative law in adjudicative forums is leading to an undesirable juridification of the political process The paper concludes that diversity and pluralism are preferable

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