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French Yearbook of
Public Law



Issue 1, 2023

Presentation

The objective of the “French Yearbook of Public Law” is to narrow the gap which has tended to develop between the French and the international debate on public law. The former remains too often isolated from the latter, for various reasons, ranging from the conviction of the French model’s exemplary nature to an insufficient openness of French public lawyers to the international academic language, which English has undoubtedly become nowadays. This has two serious consequences. On the one hand French lawyers might often be unaware of developments in other legal systems, and on the other hand foreign lawyers face serious difficulties to follow French legal developments.

The French Yearbook of Public Law (FYPL) was created to mitigate precisely this mutual ignorance. This project has three main aims. On the one hand, it seeks to apprise English-speaking readers of important developments and scholarly debates in French public law. On the other hand, we wish to introduce French lawyers to key changes and academic discussions in foreign public laws. Lastly, it is our hope that the reciprocal information thus made available will foster international and comparative debates among legal scholars.

The FYPL is based at the Chair of French Public Law at Saarland University (Lehrstuhl für französisches öffentliches Recht - LFOER), headed by Professor Philippe Cossalter. Thus, the FYPL relies on the administrative and technical capacities of the LFOER without constituting a segment of it. Some of its researchers (Jasmin Hiry-Lesch, Enrico Buono, Sofia van der Reis, Lucca Kaltenecker) are especially involved.

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Foreword

What is the objective of the “*French Yearbook of Public Law*”?

Our objective can easily be summed up. It is to bring to the international public law forum some products of the French Public Law doctrine and some prominent events in the current constitutional, legislative and jurisprudential evolution of French Public Law.

And to do so in what has become the internationally dominant language in law, including public law: English. This has a twofold meaning: proposing to English speaking lawyers to be at a minimum informed on where French Public Law is moving towards and to give French Public lawyers the possibility to participate in the international debate concerning their research field.

We took up this project as the four of us believe that our different experiences allow us to successfully achieve the set aims. The four of us have for long worked on comparative law and entertain strong relations with the English speaking international public law doctrine. We have acquired this common experience in partially different manners, though. Dominique Custos taught American law, Comparative law and European law in the US for a long time, Giacinto della Cananea and Jean-Bernard Auby are more familiar with the UK academic world, Philippe Cossalter, whose doctoral thesis was a comparative administrative law one, is in charge of the Public Law Chair at Saarland University. The ‘Mutations de l’Action Publique et du Droit Public’ Chair at Sciences Po, driven by Jean-Bernard Auby, hosted a long series of ‘Global, European and Comparative Law’ seminars between 2006 and 2016. Some years ago, Giacinto della Cananea set up an ‘Italian Journal of Public Law’, which serves as a model for our initiative.

In order to smooth the diffusion of our Yearbook, we have decided that it would be available online.

We very much hope to receive feedbacks from our readers, in order to ensure that our project indeed has an added value and is considered useful within the community.

We have been fortunate enough to be joined by two young scholars, Jasmin Hiry-Lesch and Enrico Buono, who helped us review the contributions we receive, both linguistically and on the substance. We thank them for their implication.

Jean-Bernard Auby

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