

**iUS**

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The bright initiative that has been taken by the Professors Alberto Romano and Roberto Cavallo Perin in order to create a network, called IUS PUBLICUM, for gathering together the public law Reviews of various countries meets a need.

The legal systems, especially regarding the public law domain, are the subject of studies that are peculiar to the Countries in which they take place and are developed, mainly. Nevertheless the legal systems of other Countries are not ignored. The comparative law is the subject of several reviews and several institutions are consecrated to it. The analysis that are focused on specific topics can be enlightened by means of comparison with foreign instances. The project of a reform is more often preceded by reports contemplating different solutions on the same subject taken by other Countries; this frequently happens in France. The more and more increased and frequent university exchanges allow useful comparisons. Works on comparative public law have been carried out. Therefore we are not in a cultural wasteland.

Notwithstanding it, the lack of one solution that puts systematically and permanently together several legal works addressed to different audiences has to be noted. Now the need is actual and the modern technology allows us to provide for it.

Whatever the uniqueness of each legal system, common ideas and solutions as well as a true unity can be realized. The public law is defined by the State it is based on. Certainly States can be formed in different ways and the political systems can be extremely various. Nevertheless in the heart of the public law the essence of the State, besides its own existence, has to be an institution that protects and rules a community in order to attend to its common needs by powers that exceed those of individuals, regardless of the State form and the specificities of the political system. The authority of a State and its duties cannot be

ruled by laws that are conceived to rule private relations: they both need their own law. This is the public law. All legal systems have one.

Its content may change from State to State. The historical traditions and the idea of the law itself lead not only to different solutions but sometimes, even more deeply, also to a different spirit. With regard to this it stands to reason that the Anglo-Saxon conceptions are appreciably different from the Roman-Germanic ones and particularly from the French one. But a confluence can be noted. This cannot be denied at the European level, both because European law influences the content of national law—administrative law especially – and because a European administrative law is settled, and even a European public law, as some recent works pointed out. Beyond Europe a confluence can be noticed, too, and it appears not as a result of the influence of supranational law, but of a common approach to issues and solutions.

Consequently, the legal system of each country cannot be understood anymore without referring to the systems of other countries. This happens to the public law, too, not only in order to compare and to seek improvements, but also to have an overall vision highlighting the strengths and revealing the unity of the concepts and of the solutions beyond the variants.

The jurists coming from all countries are perfectly acquainted with it and they already established a system of intellectual, personal and institutional relationships that are meeting the needs of exchanges in such fields by their contacts, their researches, their readings, and their writings.

We were perfectly conscious of these needs when we founded the *Revue française de droit administratif*, in 1984-1985. Assuming that the administrative law is its central topic, since the beginning we wanted it to be opened to other areas of the law by dealing with subjects related to it (administrative law and constitutional law, administrative law and private law, administrative law and social security law, administrative law and tax law, administrative law and European law, administrative law and international law) and by setting a survey on compared and foreign administrative law, besides dossiers on topics

requiring analysis of different countries, if necessary. But it is still and only a choice of one single review.

It is time to go on further: the new media technologies allow an extraordinary development of the possibilities of information and exchanges as well as the establishment of structures gathering together various actors for a joint project.

Professors Alberto Romano and Roberto Cavallo Perin understood it perfectly by conceiving and proposing the creation of the network IUS PUBLICUM. I have to say that when they proposed us to join it, the *Revue française de droit administratif* was flattered and honoured to be identified and perceived as the review that, as for France, could be part of the project, and we immediately agreed because the project meets our needs perfectly. The project will grant a co-operation that will systematically get many people acquainted with information and with reflections on the condition and on the development of the public law. It will be at the same time a rich and essential basis for the knowledge of such a law.

At the same time, the project is sufficiently flexible to leave each review its autonomy; but through the contribution of each review to the network IUS PUBLICUM, it will give to users information and an evaluation with a very broad nature at least, if not a universal one.

This is undoubtedly only the beginning . We could schedule periodic meetings on the major topics. Our project will have to be further developed.

As it is already, it is a kind of act of faith, not only in the realization of a legal community among actors and authors of public law, but in the existence and in the development of this area of law that is an essential component of the Rule of Law.

Pierre Delvolvé