

The British Ombudsman

Ein deutscher Ombudsman Der Ombudsmann als Institution des europäischen Verwaltungsrechts A Study of Ombudsman System in India with Special Reference to Lokayukta in Maharashtra The British Ombudsman Ombudsman Policy Innovation in the English-speaking World ABA Journal Congressional Record Ombudsmen in the Commonwealth The Ombudsman Journal The Ombudsman, the Citizen and Parliament Annual Report of the Ombudsman British Government 1966 to 1975 Lokpal: Ombudsman in India British Political Issues ABA Journal Ombudsman Readings British Political Issues: Volume I British Government and Politics Ombudsmen Compared The Statist Udo Kempf Julia Haas Preeti Dilip Pohekar Frank A. Stacey William B. Gwyn United States. Congress Commonwealth Secretariat Roy Gregory Mauritius. Ombudsman Frank A. Stacey Mahabir Prashad Jain E. Liggett Stanley V. Anderson E. Liggett Robert Malcolm Punnett Frank A. Stacey

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im mai 1984 konnte der bürgerbeauftragte des landes rheinland pfalz auf eine erfolgreiche zehnjährige amtszeit zurückblicken mit der errichtung dieses amtes hat rheinland pfalz das petitionswesen in der bundesrepublik deutschland um eine außerordentlich interessante variante bereichert damit fügte sich dieses bundesland in die lange reihe der westlichen demokratien ein die auf diesem wege die kontrollrechte ihrer parlamente zu stärken und die petitionsrechte ihrer bürger zu intensivieren suchten das interesse an der errichtung solcher institutionen setzte in der westlichen welt zu Beginn der sechziger jahre ein vorreiter der bewegung waren dabei vornehmlich die länder die nicht wie etwa die bundesrepublik deutschland über ein funktionsfähiges verwaltungsgerichtssystem verfügen sie griffen damit die erstmals in der schwedischen verfassung von 1809 verankerte idee des ombudsmans als instrument der verwaltungskontrolle auf als ursachen der heute diagnostizierten weltweiten verbreitung des amtes lassen sich u.a. anführen die zunehmende okkupation aller sozialbereiche durch den staat und die damit verbundene ausweitung der verwaltungsapparate ein sachverhalt der zur ausweitung des konfliktfeldes zwischen bürgern und staat geführt hat die zunehmende hilflosigkeit des bürgers im dickicht staatlicher verwaltungsvorschriften die sich ausweitende verrechtlichung aller bereiche staatlicher tätigkeit und staatlichen verwaltungshandelns der wunsch nach einer zumindest partiellen wiederherstellung des infolge des funktionswandels des parlamentarismus teilweise verloren gegangenen parlamentarischen kontrollrechts 5 der abbau des informationsdefizits des parlaments gegenüber der exekutive die absicht die ex post

partizipationsbereitschaft der bürger zu fördern ihr wissen über defizite und problembereiche staatlichen handeins in den parlamentarischen entscheidungsprozeß einzu

english summary the scandinavian institution of the ombudsman has been implemented in nearly all european legal systems meanwhile there are multiple interpretations of what characterizes this legal institution julia haas shows that the profiling of the ombudsman as a core figure of european administrative law requires a focus on its classical role in administrative supervision and develops the legal concept of a control oriented model ombudsman german description die aus dem skandinavischen recht stammende ombudsmann institution ist in ihrer klassischen ausprägung als unabhängige meist parlamentarisch angebundene einrichtung zur uberprufung der recht und ordnungsmassigkeit des verwaltungshandelns aufgrund von beschwerden oder aus eigener initiative in nahezu allen europäischen rechtsordnungen vertreten aufgrund der lander aber auch rechts und sachgebietsubergreifenden verbreitung des rechtsinstituts besteht inzwischen eine vielzahl begrifflicher funktionaler und dogmatischer interpretationsansatze die einen ombudsmann charakterisieren julia haas zeigt dass fur die profilierung des öffentlich rechtlichen ombudsmanns als kernfigur des europäischen verwaltungsrechts eine fokussierung auf dessen funktion der verwaltungskontrolle erforderlich ist und entwickelt ein eigenes modell des idealtypischen kontroll ombudsmanns zur durchsetzung des rechts und der grundsätze einer guten verwaltung

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