


Stevan Lilić, *Administrative Law in Serbia*, Belgrade: Faculty of Law, University of Belgrade, 2022, pp. 383

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The book *Administrative Law in Serbia*, by Professor Stevan Lilić, one of the leading academics in administrative law in the Western Balkans region, provides a comprehensive and systematic contemporary account of Serbian administrative law, available in English. Professor Stevan Lilić's academic career spans 40 years, teaching Administrative Law, Public Administration and Environmental Law at the University of Belgrade and the UDG University in Montenegro, and working with many other universities as a research fellow, visiting professor and guest lecturer. This book adds to the list of over 400 publications and provides the most comprehensive account of the topic, both for the academic and wider professional audience.

Administrative Law in Serbia offers a systematic doctrinal examination of the conceptual foundations, institutional organization, sources, procedures, and judicial oversight of administration in Serbia, while carefully placing these developments within the broader context of the European Administrative Space and Serbia's EU accession process. While Serbian administrative law has been the subject of various monographs, commentaries, and textbooks in the native Serbian language, few works have attempted to systematize the field for an international audience. Professor Lilić's monograph is valuable not only as an authoritative overview of the national system, but also as a reference point for scholars who wish to view Serbian administrative developments within the broader context of European public law trends. As such, the volume successfully functions both as an advanced university textbook and as a reliable reference work for scholars and practitioners engaged in comparative administrative law and European integration.

The monograph is structured into seven coherent and conceptually well-balanced sections. The opening part of the book provides a broad theoretical and historical foundation for understanding administration as both an institution and a legal concept. The author revisits classical approaches to the administrative state, systems theory, and socio-technological accounts of governance in order to illustrate the shifting boundaries of administrative authority in modern states. His discussion of administration as an instrument of public service, as opposed to a mere extension of a coercive executive function, aligns with the dominant European understanding, which emphasizes legality, accountability, and the protection of individual rights. The historical development of administration in Serbia is described with clarity. Professor Lilić traces the emergence of modern Serbian administration from the nineteenth century to the present, highlighting periods of institutional consolidation, episodes of politicization, and the gradual

adoption of European administrative principles. For international readers, this is a useful contextualization of Serbian public administration within the broader evolution of post-socialist administrative reforms. The book effectively outlines the primary shifts in doctrine and institutional design that underpin the current structure of the administrative system in Serbia.

More specifically, chapter I (pp. 17–72) develops a dense theoretical framework for understanding administration, combining classical legal doctrine with systems theory and socio-technological approaches. The author revisits the distinction between administration as an exercise of authority and administration as a public service, engaging with concepts such as legality, legitimacy, and the rule of law, while contextualizing Serbian administrative doctrine within broader European intellectual traditions (pp. 25–39). This chapter is not merely introductory: it establishes the conceptual vocabulary that structures the rest of the monograph, particularly the author's consistent distinction between political decision-making and administrative implementation. This theoretical orientation of the monograph is explicitly grounded in the general systems theory, which the author studied in his previous works. Professor Lilić says:

The modern theoretical notion of administration as a system for social regulation is based on the results of the general theory system and the systems methodology in determining complex natural and, especially, social phenomena, adding that the general system approach is an indispensable theoretical setting for the contemporary study of complex social systems, especially administrative systems (pp. 34–35).

In the parts devoted to administrative law as positive law and as a scholarly discipline, Professor Lilić presents the conceptual architecture of Serbian administrative law. The author examines its subject matter, internal structure, and relationship to constitutional law, public policy, and administrative sciences. The distinction between administrative law as a regulatory framework governing administrative action and administrative law as an academic field is demonstrated with precision.

Chapters II and III (pp. 75–187) move from theory to doctrinal systematization. Here, the author offers a detailed account of administrative law as positive law, addressing its subject matter, sources, and internal differentiation between general and special administrative law. This discussion is complemented by an extensive historical overview of the development of administrative law as a scientific discipline in Serbia and the former Yugoslavia (pp. 108–121). Particularly valuable for comparative scholars is the treatment of sources of administrative law, which maps constitutional norms, statutory law, subordinate legislation, and case law in a way enabling direct comparison with continental European administrative systems (pp. 133–148).

A significant contribution made by the book is its clear articulation of the sources of Serbian administrative law, including constitutional provisions, statutory law, subordinate regulations, and principles derived from case law. In doing so, the author provides a framework that is easily comparable to those used in other European jurisdictions. The inclusion of European administrative principles, such as legality, proportionality, legitimate expectations, and the right to be heard signals the increasingly hybrid nature

of administrative regulation in accession countries. While the book is not primarily concerned with the influence of EU administrative law or the European Administrative Space on Serbian law, it consistently notes areas of convergence, particularly in procedural guarantees and judicial oversight.

The book's treatment of administrative organization is factual, systematic, and aligned with the internal logic of Serbian public administration law. The author describes the structure of state administration, provincial and local bodies, public agencies, inspectorates, and regulatory authorities. The exposition is both descriptive and analytical, providing sufficient detail for international readers who may be unfamiliar with the institutional layout.

The discussion of civil service and the legal status of public employees is concise but effective. Normative elements, such as recruitment, rights and obligations, and disciplinary procedures, are linked to broader administrative ethics and professional responsibility. This section underscores a recurring theme in the book: the expectation that administrative bodies act in a manner consistent with public trust and democratic accountability. As noted by the author

A public servant, as an authorized representative of the state, realizes the public interest by performing his/her duties and functions that are manifested in administrative action. Public interest or public good is therefore closely related to administrative decisions, because it gives them direction and meaning in everything they do (pp. 180–181).

One of the particularly valuable strengths of the book is the structured presentation of control mechanisms over administrative authorities. In chapter IV (pp. 191–213), Professor Lilić provides a systematic overview of control mechanisms over administrative action, distinguishing between political, administrative, judicial, and constitutional forms of oversight. The analysis clarifies the respective roles of internal administrative supervision, judicial review before the Administrative Court, and constitutional complaint mechanisms, highlighting their complementary functions in securing legality and protecting individual rights (pp. 202–208). The author identifies political, administrative, and judicial forms of control and outlines their respective competences and limitations. The chapters on oversight provide a clear, normative map of accountability structures in Serbia, including the roles of various institutions. The author's treatment of control mechanisms is consistent with European doctrinal approaches, particularly in jurisdictions that emphasize multi-layered oversight rather than hierarchical control alone. For researchers unfamiliar with the Serbian model, this section provides a reliable overview of institutions through which legality and procedural fairness are enforced.

Chapter V (pp. 217–318) constitutes the core of the monograph and reflects the author's long-standing scholarly engagement with administrative procedure. In more than one hundred pages, Lilić offers a meticulous analysis of the 2016 Law on General Administrative Procedure (LGAP), including its principles, procedural stages, and newly introduced legal instruments, such as administrative contracts, guarantee acts, and the concept of a single administrative "point of contact" (pp. 240–275). The author does not merely describe these innovations, but critically examines their conceptual coherence,

notably questioning the statutory definition of “administrative procedure” itself and the internal consistency of the law’s basic concepts (pp. 242–247). Here, Professor Lilić demonstrates his long-standing dedication to the field and study of the procedural developments in the post-Yugoslav area. Of particular value is the analytical treatment of ambiguities in the new LGAP. The author presents these issues with doctrinal precision, avoiding both overstatement and unnecessary criticism. This contributes to the book’s reliability as a reference work. In a European context, the chapters on procedure offer an instructive example of how accession states adapt their administrative procedural laws to align with principles derived from EU law and Council of Europe standards, but often in a complex setting of institutional and legal reforms.

Chapter VI (pp. 321–348) addresses administrative disputes and judicial protection against administrative action. The author examines jurisdictional rules, standing, procedural requirements, and the legal effects of judgments, while drawing attention to structural shortcomings of the Serbian model. As with previous sections, the exposition is doctrinal and faithful to the text of the law. One important observation concerns the absence of appeal as a regular legal remedy within the Law on Administrative Disputes, an issue noted in international reports on legal developments in the country. As the author himself notes, this configuration results in a “characteristic anomaly,” given that the Constitution guarantees the right to appeal against decisions affecting individual rights, which explains why “the European Commission’s annual Serbia Progress Reports continuously state that the legal framework for legal protection in administrative disputes is not in accordance with European standards” (p. 343). The discussion also touches on the role of the Constitutional Court and the relationship between constitutional review and administrative justice. For comparative scholars, these sections provide insight into how judicial review structures in Serbia relate to European models that emphasize effective legal protection.

The final section (chapter VII) examines the place of Serbian administrative law within the context of EU accession, outlining key reform priorities and the broader trajectory of administrative convergence. The discussion offers a useful overview of the institutional and legislative changes necessary to meet EU expectations in public administration reform. The book’s orientation toward European standards is one of its core strengths. Even when European influences are not explicitly analyzed, they form a consistent backdrop to the doctrinal exposition. This makes the monograph highly relevant for comparative administrative law and for scholars assessing the legal dimensions of EU enlargement.

In conclusion, *Administrative Law in Serbia* by Professor Stevan Lilić is a theoretically coherent and methodologically structured monograph with an in-depth overview of the complex area of administrative law in Serbia. Its doctrinal contribution is a clear and accessible presentation of administrative law in Serbia – a valuable resource for international scholars, legal practitioners, and foreign students. For readers interested in comparative administrative law, Professor Lilić’s outstanding monograph provides an indispensable mapping of Serbian administrative norms and institutions, contextualizing them, sometimes explicitly and sometimes implicitly, within the broader European administrative tradition.