

GOOD GOVERNANCE IN THE HANDS OF THE JUDICIARY: LESSONS FROM THE EUROPEAN EXAMPLE

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SUMMARY

This note is based on the author's guest presentation delivered at the Konrad-Adenauer Foundation/North-West University (Faculty of Law) Colloquium on 21 August 2009. Justice von Danwitz was invited to set the scene for further academic discourse on the broad topic of Good Governance and Sustainable Development. This contribution hence draws on the author's personal views and experience in the European context, and it is shown that the quest for good governance is universal and not specific to our times and that in fact, "(t)he true administration of justice is the firmest pillar of good government". The contribution considers what Europe has been able to realize in this field over the past 10 years by means of a description of the legal concepts and practical consequences of the quest for good governance in the European Union and some comments on the role of the judiciary in this process. The contribution serves to show that good government is a notion of which the meaning transcends geographical and jurisdictional borders and that it is possible for different countries and regions to exchange lessons and learning experiences in relation to good government in operation as well as the role of good government towards the achievement of sustainable development.

Keywords: good government, good governance, role of judiciary in good governance; European Union perspectives

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