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我国法院行政审判庭的现状与出路

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摘要: 作为我国法院一部分的行政审判庭一直以来处于比较尴尬的社会地位, 是一个摇摆不定的角色。一方面, 它必须以和合的姿态尽可能取得行政机关的理解与配合, 才能履行其职能; 另一方面, 为了有所作为以谋得一定的地位, 它又必须进行抗争, 通过监督制约行政机关以努力树立自己的权威形象。要改变现行境遇, 必须进一步深化政治体制改革。

关键字: 行政审判庭; 行政机关; 和合; 制约

The resent state and prospect of administrative courts in China

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Abstract: The administrative courts have been in an embarrassed position in China: On the one hand, they must do their endeavors to acquire the comprehension and co-ordination of the executives for fulfilling their judicial responsibilities; On the other hand, they must establish their own authorities by controlling the executives to get their social position. It is difficult for administrative courts to strive for their social positions under the present judiciary systems. To reform the judiciary systems and political systems in China is the only way for them to attain the goal.

KeyWords: administrative courts; the executives; complaisance; control