

# ***The Procedural Definition of the Public Good Requirement in Expropriation Law***

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The attempt to define the substance of the public good requirement in expropriation law generally proves fruitless as the needs of the public change constantly. Therefore, the public good is a dynamic legal term and, moreover, a subject of political debate. Instead of the substance of the public good, I seek to develop in this presentation a framework for analysing how the public good is defined in different jurisdictions. In search of this procedural definition of the public good requirement, I scrutinise which role the legislator and administrative bodies in different jurisdictions play in defining and applying the public good requirement. Such an analysis uncovers distinct governance models that accord different degrees of freedom to state bodies in defining and applying the public good requirement. This raises the question which entities have shaped these governance models, which I seek to answer during the presentation. Judges may also influence the definition of the public good by setting aside the definition given by other state bodies. I therefore analyse to what extent courts in different jurisdictions review the decisions of the legislator and administrative bodies.