

**DEPARTMENT OF LAW
COURSE SYLLABUS**

Course Details				
Code	Academic Year			Semester
KHU140				2
Title	T	A	L	ECTS
The fundamental rights-based model of judicial control over administration in the German legal system				8
Language	turkish			
Level	Graduate		Postgraduate	
Department / Program	Public Law			
Forms of Teaching and Learning	Classroom lecture			
Course Type	Compulsory		Elective	x
Objectives	Examination of the fundamental rights-based model of judicial control over administration in the German legal system; To point out the limits of administrative law legal control, especially taking into account the discretion of the administration ; to analyse jurisprudence in administrative law; to offer students the opportunity to actively and thoroughly present their legal evaluations in the analysis of judgements; to recognise considerations of the fundamental rights-based model of judicial control therefore to make a possible contribution to Turkish administrative jurisdiction.			
Content	<p>As a reflection of the distrust of the administration in the historical development of German administrative jurisdiction, decisions and regulations which are made by the administration within the scope of its discretionary powers of assessment, on the basis of an undefined legal concept or in the exercise of discretion - especially those which lead to serious encroachments on fundamental rights and freedoms - are subjected to intensive judicial review.</p> <p>At this point, the control and disciplining function of administrative jurisdiction as well as its legal protection function and the limits of the courts' and administration's ability to function were discussed in particular with the theories, principles and criteria in case law. The previous approaches were able to provide evaluations to present a model of legal control in German administrative jurisdiction that is shaped by fundamental rights.</p> <p>In this context, the relationship between the administration and administrative jurisdiction is first discussed theoretically and some selected decisions of the Federal Constitutional Court, which with its political and law-making function and can restrict the administration in this sense beyond the concrete case, as well as decisions of the administrative courts are presented as learning material. The reflections and contribution of these decisions to Turkish administrative justice is also the main objective of our course.</p>			
Prerequisites				
Coordinator	Dr. Öğr. Gör. Ayşe Nur SALDIRAN			
Lecturer(s)	Dr. Öğr. Gör. Ayşe Nur SALDIRAN			
Assistant(s)				
Work Placement				
Recommended or Required Reading				
Books / Lecture Notes				
Other Sources				
Additional Course Material				
Documents				
Assignments				

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Exams			
Course Composition			
Social Sciences	100	%	
Educational Sciences		%	
Natural Sciences		%	
Health Sciences		%	
Expert Knowledge		%	
Assessment			
Activity	Count	Percentage (%)	
Midterm Exam			
Quiz			
Assignments	1	100	
Attendance			
Recitations			
Projects			
Final Exam			
	Total	100	
ECTS Points and Work Load			
Activity	Count	Duration	Work Load (Hours)
Lectures			
Self-Study			
Assignments			
Presentation / Seminar Preparation	1		
Midterm Exam			
Recitations			
Laboratory			
Projects			
Final Exam			
		Total Work Load	
		ECTS Points (Total Work Load / 28)	
Learning Outcomes			
1			
2			
3			
4			
5			
6			

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7	
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Weekly Content

1	
2	
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15	

Contribution of Learning Outcomes to Program Objectives (1-5)

	P1	P2	P3	P4	P5	P6	P7
1							
2							
3							
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9							
10							
11							
12							

Contribution Level

1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High

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