

Mid-term examination

(50 of 100 points for the course)

1. The *rule of law* is a universal fundamental value anchored in the constitutions of most modern constitutional states, including Kazakhstan. What is its basic idea? Which different manifestations have emerged in Europe and how have they developed? Which are its important elements in German law, besides the self-evident obligation of public institutions to follow the law? Please explain shortly and concisely in your own words. (25 of 50 points)
2. *Simple practical case*: Mr. X is the head of a local government authority in the state S. In this state, human rights are anchored as fundamental rights in special clauses in the national constitution that guarantee them and define their limits, but these fundamental rights have little practical effect. Mr. X wants to contribute in his work to change that.
You are studying for one semester as a foreign exchange student at the local university in the city of Mr. X. One day you meet him in a bar. When he hears that you have studied German law, he is excited because he has heard that in Germany fundamental rights play an important role not only in legislation but also in public administration. So he wants to know: Why and in what ways do fundamental rights impact the work of the public authorities? How can an official examine whether or not a measure under consideration would violate certain fundamental rights, such as freedoms, or not? What will be your (correct) answer) (25 of 50 points)

Note: Please write in legible handwriting. Please make sure that your text answers precisely the questions, is concise, has a consistent structure and shows well your deeper understanding of the subject matter. After the exam, all students are welcome to contact me to discuss in detail the strong and weak points of their paper (e-mail: tschmit1@gwdg.de; phone/WhatsApp: +7 775 364 2384).