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Author

QUAPP, Ulrike

Title

Akkreditierung - ein Angriff auf die Freiheit der Lehre : Verfassungsmäßigkeit der Akkreditierung unter besonderer Betrachtung der Lehrfreiheit

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Abstract

Year by year German universities spend enormous sums of money for accreditation of universities' bachelor and master programs under the guise of safeguarding the quality. So, it must be allowed to ask the question whether the system of accreditation is in conformity with the German Constitutional Law or not. The paper analyses the development of accreditation and its possible legal basis. Among other things the contravention of civil liberties, especially the university professors' liberty of free teaching, by the accreditation processes is discussed. The article does also give an overview about the legal situation in the Federal State of Saxony. The conclusions of the examinations are that the German system of accreditation de lege lata has no legal basis in German Law and does not meet the requirements of Article 5 paragraph (3) GG (i.e. Grundgesetz = German Basic Law). That means in result that there is no legitimate obligation under German law to bring the universities' bachelor and master programs under the accreditation process at this point in time. Currently the German Federal

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Constitutional Court in Karlsruhe has to get involved with the question if the system of accreditation is in conformity with the German Constitutional Law. The decision of the judges in Karlsruhe is still pending. (HRK / Abstract übernommen)