Ministry of Higher Education and Scientific Research
Al-Furat Al-Awsat Technical University
Al-Najaf Technical Institute
Department of Legal Administration Techniques

ENGLISH READING TOPICS
ADMINISTRATIVE LAW
Second Year

# Course: ENGLISH READING TOPICS ADMINISTRATIVE LAW

Stage: Second Year
Lecturer: Professor Dr. Khatam Abdul-Hassan
Academic Year: 2025–2026

## Weekly Reading Topics

The following thirty-week sequence is organized from the topics contained in the supplied English legal-reading lectures. The sequence distributes the available material across the thirty weeks in the same weekly order used in the Administrative Law curriculum form.

Week 1: Definition of Administrative Law
Week 2: Development of Administrative Law
Week 3: The Origin of Administrative Law in France
Week 4: The Separation of Powers and Its Influence on the Development of Administrative Law
Week 5: Types of Courts in Iraq: Civil Courts
Week 6: Types of Courts in Iraq: Criminal Courts
Week 7: The Court of Administrative Justice
Week 8: The Court of Cassation

Week 9: Divisions of Law: Substantive Law and Adjectival Law

Week 10: International Law and Domestic Law

Week 11: Public Law and Private Law

Week 12: Constitutional Law

Week 13: Classification of the Different Branches of Law

Week 14: Characteristics of Administrative Law: Judicial Origin

Week 15: Characteristics of Administrative Law: Uncodified Nature

Week 16: Characteristics of Administrative Law: Newly Established Nature

Week 17: Characteristics of Administrative Law: Flexibility and Rapid Development

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Week 19: Legislation as a Source of Administrative Law

Week 20: Types of Legislation: Constitutional, Ordinary and Subsidiary Legislation

Week 21: Custom as a Source of Administrative Law

Week 22: The Judiciary and General Principles of Law as Sources of Administrative Law

Week 23: The Emergence and Development of the Administrative Judiciary in Iraq

Week 24: The Organization and Formation of Administrative Courts in Iraq

Week 25: Administrative Judicial Regions in Iraq

Week 26: Jurisdiction of the Administrative Court

Week 27: Grounds for Appeal: Violation of Law and Regulations

Week 28: Grounds for Appeal: Defects of Jurisdiction, Form, Procedure, Place and Cause

Week 29: Grounds for Appeal: Errors in the Application or Interpretation of Law and Abuse of Power

Week 30: Conditions and Procedures for Filing an Appeal and the Legal Effects of Judicial Decisions

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# ENGLISH READING TOPICS

# ADMINISTRATIVE LAW

# SECOND YEAR – THIRTY-WEEK SCIENTIFIC TEACHING CONTENT

Course: English Reading Topics – Administrative Law

Stage: Second Year

Lecturer: Professor Dr. Khatam Abdul-Hassan

Academic Year: 2025–2026

## Course Overview

This teaching plan develops the thirty weekly topics listed in the supplied curriculum form. It is designed to strengthen students' understanding of fundamental administrative-law concepts while developing their ability to read, discuss, and use basic legal English terminology.

## General Course Learning Outcomes

- Understand the meaning, scope, development, and characteristics of administrative law.
- Distinguish administrative law from other branches and classifications of law.
- Identify the principal sources of administrative law and explain their legal hierarchy.
- Understand the general role of administrative justice and judicial review in Iraq.
- Recognize common grounds for challenging administrative decisions and the basic requirements of an appeal.
- Use essential administrative-law vocabulary in reading, discussion, and short written answers.

Weekly Teaching Content

Each weekly unit contains a topic, measurable learning objectives, a concise scientific reading, key legal vocabulary, a suggested classroom activity, and an assessment question.

Week 1: Definition of Administrative Law

Learning Objectives

- Define administrative law and identify its main subject matter.
- Explain why administrative authorities must act under the law.
- Distinguish administrative law from other branches of public law.

Scientific Content

Administrative law is a branch of public law that regulates the organization, powers, duties, and activities of public administrative authorities. It governs the relationship between the administration and individuals, and seeks to ensure that public authorities act according to law and in the public interest. It also provides legal mechanisms for reviewing administrative decisions and protecting individual rights.

Key Legal Terms

Administrative authority • Public service • Administrative decision • Legality • Public interest

Suggested Classroom Activity

Ask students to identify administrative actions in everyday life, such as issuing identity documents, granting licences, or providing public services.

Assessment

What is administrative law? Mention two functions it performs in regulating public administration.

Week 2: Development of Administrative Law

Learning Objectives

- Describe the historical factors behind the growth of administrative law.
- Explain the relationship between the expansion of state functions and administrative regulation.
- Identify the importance of judicial control.

Scientific Content

Administrative law developed as the modern state expanded its responsibilities beyond maintaining order and security. The growth of public services, regulation, and government institutions created a need for legal rules governing administrative action. Judicial review and the development of principles such as legality, equality, and procedural fairness strengthened control over public authorities.

Key Legal Terms

Modern state • Public administration • Judicial review • Accountability • Rule of law

Suggested Classroom Activity

Prepare a short timeline showing how the expansion of government functions increased the need for administrative rules.

Assessment

How did the expansion of public services contribute to the development of administrative law?

Week 3: The Origin of Administrative Law in France

Learning Objectives

- Explain the historical importance of France in administrative law.
- Describe the general role of the Conseil d'État.
- Recognize the influence of the French model on other legal systems.

Scientific Content

France played a major role in the historical formation of modern administrative law. Following the French Revolution, the separation between ordinary judicial functions and the work of the administration influenced the development of a distinct administrative system. The Conseil d'État became an important institution in advising the government and developing administrative justice. French experience later influenced several legal systems, although each country adapted administrative justice to its own constitutional and institutional framework.

Key Legal Terms

French Revolution • Conseil d'État • Administrative justice • Dual jurisdiction • Administrative courts

Suggested Classroom Activity

Students compare, at a general level, ordinary judicial review and a specialized administrative justice system.

Assessment

Why is the French experience considered important in the history of administrative law?

## Week 4: The Separation of Powers and Its Influence on the Development of Administrative Law

Learning Objectives

- Identify the three principal branches of government.
- Explain the executive branch's administrative role.
- Discuss how checks and balances limit arbitrary administration.

Scientific Content

The doctrine of separation of powers distributes state functions among the legislative, executive, and judicial branches. The legislature makes laws, the executive implements them, and the judiciary interprets and applies the law in disputes. Administrative authorities mainly operate within the executive branch. Separation of powers does not remove the need for cooperation; rather, checks and balances help prevent the misuse of public power. Judicial review can ensure that administrative action remains within legal limits.

Key Legal Terms

Legislature • Executive • Judiciary • Checks and balances • Abuse of power

Suggested Classroom Activity

Draw a simple diagram showing the three branches and give one example of each branch's function.

Assessment

How does the separation of powers help control administrative authorities?

## Week 5: Types of Courts in Iraq: Civil Courts

Learning Objectives

- Describe the general function of civil courts.
- Identify examples of civil disputes.
- Distinguish civil litigation from administrative litigation.

Scientific Content

Civil courts deal primarily with disputes concerning private rights and obligations. Such disputes may involve contracts, property, compensation, family matters, or other civil relationships, subject to the jurisdiction assigned by Iraqi law. Civil proceedings generally involve parties presenting claims, evidence, and legal arguments before a competent court. Understanding civil jurisdiction helps students distinguish private disputes from disputes concerning the legality of administrative action.

Key Legal Terms

Civil court • Claimant • Defendant • Civil dispute • Compensation

Suggested Classroom Activity

Classify short examples as civil or administrative disputes and explain the reason for each classification.

Assessment

Give two examples of disputes that may fall within civil jurisdiction.

Week 6: Types of Courts in Iraq: Criminal Courts

Learning Objectives

- Explain the general purpose of criminal courts.
- Identify the basic stages of criminal proceedings.
- Distinguish criminal responsibility from administrative liability.

Scientific Content

Criminal courts consider alleged offences and determine criminal responsibility in accordance with criminal law and procedural guarantees. The prosecution must establish the elements of an offence under the applicable legal standard, while the accused is entitled to legal safeguards, including the presumption of innocence and the right to defence. Criminal jurisdiction differs from administrative jurisdiction because its central concern is criminal liability rather than the legality of administrative decisions.

Key Legal Terms

Criminal court • Offence • Accused • Prosecution • Presumption of innocence

Suggested Classroom Activity

Students identify the roles of the judge, prosecution, defense, and accused in a simplified courtroom scenario.

Assessment

What is the main difference between criminal proceedings and administrative proceedings?

## Week 7: The Court of Administrative Justice

### Learning Objectives

- Explain the purpose of administrative justice.
- Describe the general function of an administrative court.
- Recognize the importance of legality review.

### Scientific Content

Administrative justice provides a judicial means of reviewing disputes between individuals and public authorities. An administrative court examines whether an administrative decision or action complies with the law, respects the limits of authority, and follows required procedures. Depending on the applicable legislation, remedies may include annulment or other forms of judicial relief. The precise name, structure, and jurisdiction of the competent Iraqi body should be studied with reference to the legislation in force.

### Key Legal Terms

Administrative justice • Administrative dispute • Annulment • Judicial remedy • Legality review

### Suggested Classroom Activity

Present a hypothetical case in which a public authority refuses an application and ask students what legal issues may arise.

### Assessment

What does an administrative court generally examine when reviewing an administrative decision?

## Week 8: The Court of Cassation

### Learning Objectives

- Define cassation in general legal terms.
- Explain the role of legal review by a higher court.
- Distinguish cassation from a first-instance hearing.

### Scientific Content

A court of cassation is generally concerned with reviewing judicial decisions for errors of law and other grounds permitted by procedural legislation. It is not ordinarily a complete retrial of every factual issue. Its review promotes consistency in the interpretation and application of law and helps maintain the proper administration of justice. Students should distinguish cassation review from the original hearing of a case and from specialized administrative review.

Key Legal Terms

Court of Cassation • Appeal • Legal error • Higher court • Final judgment

Suggested Classroom Activity

Use a flowchart to show the possible movement of a case from a first-instance court to a higher reviewing court.

Assessment

What is the principal purpose of cassation review?

Week 9: Divisions of Law: Substantive Law and Adjectival Law

Learning Objectives

- Define substantive and procedural law.
- Compare their functions.
- Classify examples under the correct division.

Scientific Content

Law may be divided into substantive law and adjectival (procedural) law. Substantive law defines rights, duties, legal status, offences, and liabilities. Procedural law establishes the methods by which legal rights are enforced and disputes are resolved, including rules on jurisdiction, filing, evidence, hearings, and appeals. Both divisions are necessary: substantive rules explain what the law requires, while procedural rules explain how legal claims are brought before competent institutions.

Key Legal Terms

Substantive law • Adjectival law • Procedural rule • Right • Legal remedy

Suggested Classroom Activity

Give students a list of legal rules and ask them to classify each as substantive or procedural.

Assessment

Explain the difference between substantive law and adjectival law.

Week 10: International Law and Domestic Law

Learning Objectives

- Define international law and domestic law.
- Explain that legal systems adopt different approaches to their relationship.
- Identify the role of treaties in domestic legal systems.

Scientific Content

International law governs legal relations involving states and other recognized international actors, and may also regulate matters affecting individuals. Domestic law operates within a state's legal system. The relationship between the two depends on the constitution, legislation, and the state's approach to incorporating or applying international obligations. In practice, questions may arise about treaty approval, domestic implementation, and the interpretation of national laws consistently with international commitments.

Key Legal Terms

International law • Domestic law • Treaty • Ratification • Implementation

Suggested Classroom Activity

Students distinguish examples of domestic legislation from international agreements.

Assessment

What is the difference between international law and domestic law?

Week 11: Public Law and Private Law

Learning Objectives

- Define public law and private law.
- Identify major branches of each category.
- Classify legal relationships using relevant criteria.

Scientific Content

Public law regulates the organization of the state, the exercise of public authority, and relationships in which public power is involved. It includes constitutional, administrative, and criminal law. Private law primarily regulates relationships between individuals and private legal entities, including matters such as contracts,

property, and civil obligations. The distinction is useful, although some legal disputes may contain both public and private elements.

Key Legal Terms

Public law • Private law • State authority • Private relationship • Legal entity

Suggested Classroom Activity

Classify examples involving a government licence, a commercial contract, and a criminal prosecution.

Assessment

Why is administrative law classified as public law?

Week 12: Constitutional Law

Learning Objectives

- Explain the subject matter of constitutional law.
- Identify the relationship between constitutional and administrative law.
- Discuss the importance of constitutional limits on public power.

Scientific Content

Constitutional law establishes the fundamental structure of the state, defines the powers of public institutions, and recognizes basic rights and freedoms. It provides the legal framework within which legislation and administrative action must operate. Administrative authorities must respect constitutional principles, including legality, equality, and the protection of rights. Constitutional rules are therefore an essential reference point for understanding the limits of administrative power.

Key Legal Terms

Constitution • Constitutional supremacy • Fundamental rights • State institutions • Constitutionality

Suggested Classroom Activity

Ask students to connect a hypothetical administrative decision with a constitutional right or principle.

Assessment

How does constitutional law limit the exercise of administrative power?

Week 13: Classification of the Different Branches of Law

Learning Objectives

- Identify common classifications of law.
- Explain how legal categories may overlap.
- Place administrative law within the main classifications.

Scientific Content

Legal systems classify law in different ways to make its study and application more systematic. A broad classification distinguishes public law from private law; another distinguishes substantive law from procedural law. Other classifications include domestic and international law, and written and unwritten sources. These categories may overlap: for example, administrative law is public, mainly domestic, and contains both substantive and procedural rules.

Key Legal Terms

Classification • Branch of law • Written law • Unwritten law • Legal system

Suggested Classroom Activity

Create a classification tree showing where constitutional, administrative, civil, criminal, and international law are commonly placed.

Assessment

Classify administrative law according to at least two different legal divisions.

Week 14: Characteristics of Administrative Law: Judicial Origin

Learning Objectives

- Explain the meaning of judicial origin.
- Identify principles clarified through judicial decisions.
- Recognize differences in the role of precedent among legal systems.

Scientific Content

In several legal traditions, important principles of administrative law were developed through judicial decisions. Courts reviewing administrative action clarified concepts such as jurisdiction, procedural fairness, legitimate purpose, and abuse of power. Judicial decisions may therefore contribute to the interpretation and development of administrative rules. The weight and formal status of judicial precedent differ between legal systems and must be understood within the relevant national framework.

Key Legal Terms

Judicial origin • Precedent • Judicial decision • Procedural fairness • Interpretation

Suggested Classroom Activity

Read a short hypothetical judgment and identify the legal principle used by the court.

Assessment

How can judicial decisions contribute to the development of administrative law?

Week 15: Characteristics of Administrative Law: Uncodified Nature

Learning Objectives

- Explain the meaning of an uncodified body of law.
- Identify the different places where administrative rules may be found.
- Distinguish lack of a single code from absence of legal rules.

Scientific Content

Administrative law is not necessarily contained in one comprehensive code. Its rules may be found in constitutional provisions, statutes, regulations, judicial decisions, and general principles of law. This distributed structure reflects the wide range of administrative activities and the gradual development of legal controls. The absence of a single code does not mean that administrative authorities are free from legal regulation; they remain bound by all applicable legal sources.

Key Legal Terms

Uncodified • Codification • Statute • Regulation • General principle

Suggested Classroom Activity

Ask students to organize a set of sample legal sources into a source map.

Assessment

Does the uncodified nature of administrative law mean that it has no binding rules? Explain.

Week 16: Characteristics of Administrative Law: Newly Established Nature

Learning Objectives

- Explain why administrative law is described as relatively modern.
- Connect its growth with the expansion of state functions.
- Identify contemporary issues that may require administrative regulation.

Scientific Content

Administrative law is considered relatively modern in comparison with some older branches of law. Its growth is closely connected with the development of the modern administrative state and the expansion of public services and regulatory functions. New social, economic, and technological challenges continue to create administrative questions that require legal responses. Its modern development does not mean that all administrative institutions or practices appeared at the same time.

Key Legal Terms

Modern administrative state • Public regulation • Public service • Institutional development • Regulatory function

Suggested Classroom Activity

Students list examples of new public services or technologies that may require administrative regulation.

Assessment

Why is administrative law often described as a relatively modern branch of law?

## Week 17: Characteristics of Administrative Law: Flexibility and Rapid Development

Learning Objectives

- Explain why administrative law needs flexibility.
- Identify mechanisms through which it develops.
- Balance administrative adaptation with legal certainty.

Scientific Content

Administrative law must respond to changing public needs, institutional structures, and technology. Its rules may develop through legislation, regulations, and judicial interpretation. Flexibility enables public administration to address new circumstances, but it must operate within the principles of legality, legal certainty, equality, and accountability. Administrative convenience cannot justify action beyond the powers granted by law.

Key Legal Terms

Flexibility • Legal certainty • Regulatory change • Accountability • Adaptation

Suggested Classroom Activity

Discuss how an electronic public service may require updated administrative procedures while preserving citizens' rights.

Assessment

What limits should apply to flexibility in administrative action?

Week 18: Sources of Administrative Law

Learning Objectives

- List the principal sources of administrative law.
- Explain the importance of hierarchy among legal sources.
- Identify why public authorities must act consistently with superior rules.

Scientific Content

The sources of administrative law are the legal materials and principles from which administrative rules derive. They commonly include the constitution, legislation, delegated or subsidiary regulations, custom where legally recognized, judicial decisions, and general principles of law. Their authority and order of priority depend on the constitutional and legal system. Administrative authorities must identify the applicable source and ensure that lower-level rules do not conflict with higher legal norms.

Key Legal Terms

Source of law • Hierarchy of norms • Constitution • Legislation • Custom

Suggested Classroom Activity

Construct a hierarchy diagram of legal sources using the framework taught in class.

Assessment

Name four sources of administrative law and explain the role of legal hierarchy.

Week 19: Legislation as a Source of Administrative Law

Learning Objectives

- Explain the role of legislation in administrative law.
- Describe the relationship between statutes and delegated regulations.
- Explain why delegated powers must have a legal basis.

Scientific Content

Legislation is a central source of administrative law because it establishes public institutions, grants powers, defines duties, and regulates administrative procedures. Administrative authorities may also issue regulations when legislation authorizes

them to do so. Such delegated rule-making must remain within the scope of the enabling law and comply with superior legal norms. Legislation promotes clarity, predictability, and democratic control over public administration.

Key Legal Terms

Legislation • Statute • Delegated legislation • Enabling law • Rule-making power

Suggested Classroom Activity

Students examine a simplified statutory provision and identify the authority, power, and limits it establishes.

Assessment

Why must an administrative regulation remain within the limits of its enabling law?

## Week 20: Types of Legislation: Constitutional, Ordinary and Subsidiary Legislation

Learning Objectives

- Distinguish constitutional, ordinary, and subsidiary legislation.
- Identify the authority generally responsible for each type.
- Explain the hierarchy and limits of delegated legislation.

Scientific Content

Constitutional legislation establishes fundamental rules concerning the state and public institutions. Ordinary legislation is enacted by the competent legislative authority through the prescribed constitutional process. Subsidiary (delegated) legislation consists of regulations, instructions, or other rules made by an authorized body under powers granted by legislation. These categories differ in their issuing authority, subject matter, and legal rank. Subsidiary legislation cannot validly contradict the constitution or the statute that authorizes it.

Key Legal Terms

Constitutional legislation • Ordinary legislation • Subsidiary legislation • Regulation • Delegated authority

Suggested Classroom Activity

Provide sample legal instruments and ask students to classify them by type and legal rank.

Assessment

What is subsidiary legislation, and what limits apply to it?

Week 21: Custom as a Source of Administrative Law

Learning Objectives

- Define legal custom.
- Identify the general elements that may establish a custom.
- Explain the limits of custom in relation to written law.

Scientific Content

Custom refers to a practice followed consistently over time and accepted as legally significant under the rules of a particular legal system. In administrative matters, a recognized custom may help guide practice where legislation does not provide a complete answer, provided that the legal system accepts such a role. Custom cannot normally override a clear constitutional or statutory rule. Students should distinguish a legally recognized custom from an informal habit or administrative convenience.

Key Legal Terms

Custom • Consistent practice • Legal recognition • Administrative practice • Statutory rule

Suggested Classroom Activity

Compare a repeated office practice with a legally recognized custom and discuss what additional proof may be needed.

Assessment

Can an administrative custom override a statute? Explain your answer.

Week 22: The Judiciary and General Principles of Law as Sources of Administrative Law

Learning Objectives

- Explain the judiciary's contribution to administrative law.
- Identify examples of general principles of law.
- Explain how principles guide administrative decision-making.

Scientific Content

Judicial decisions interpret legislation, review administrative conduct, and clarify the meaning of legal principles. General principles of law may include equality, legality, good faith, proportionality, impartiality, and respect for procedural rights,

depending on their recognition in the relevant legal system. These principles guide administrative authorities and assist courts when written rules are incomplete or require interpretation. Their application must be grounded in the applicable constitution and legislation.

Key Legal Terms

Judiciary • General principles • Equality • Proportionality • Good faith

Suggested Classroom Activity

Analyze a hypothetical decision that treats similar applicants differently and identify the principles that may be relevant.

Assessment

Mention three general principles that should guide administrative authorities.

Week 23: The Emergence and Development of the Administrative Judiciary in Iraq

Learning Objectives

- Explain the purpose behind establishing administrative judicial review in Iraq.
- Describe the importance of institutional and legislative development.
- Recognize the need to consult current Iraqi legal sources.

Scientific Content

The administrative judiciary in Iraq developed in response to the need for specialized legal oversight of public administration and the resolution of disputes involving administrative decisions. Its institutional development reflects changes in legislation and the organization of state institutions. Studying this history requires attention to the establishment, amendment, and current status of the relevant judicial and administrative bodies. Dates, statutory amendments, and institutional names should be verified against official Iraqi legal sources before formal examination or citation.

Key Legal Terms

Administrative judiciary • Institutional development • Judicial oversight • Administrative dispute • Legislative amendment

Suggested Classroom Activity

Prepare a class timeline from verified legal and official sources identifying major stages in the development of administrative justice in Iraq.

Assessment

Why was a specialized administrative judiciary considered necessary?

## Week 24: The Organization and Formation of Administrative Courts in Iraq

### Learning Objectives

- Explain what is meant by the organization and formation of a court.
- Identify the types of institutional matters regulated by law.
- Explain why judicial independence and impartiality matter.

### Scientific Content

The organization of administrative courts concerns their legal establishment, composition, internal structure, and relationship with other judicial bodies. Their formation is determined by the applicable Iraqi legislation, which specifies matters such as judicial membership, appointment, procedure, and institutional supervision. A clear institutional structure supports independence, impartiality, and effective access to justice. Exact current organizational details must be checked against the latest official legislation.

### Key Legal Terms

Court organization • Judicial composition • Judicial independence • Appointment • Institutional structure

### Suggested Classroom Activity

Students create an organizational chart based on a current official legal text supplied by the lecturer.

### Assessment

What matters are normally addressed by legislation governing the formation of a court?

## Week 25: Administrative Judicial Regions in Iraq

### Learning Objectives

- Explain the meaning of territorial jurisdiction.
- Understand why judicial regions matter when filing a claim.
- Identify the need to verify the current regional arrangement.

### Scientific Content

Administrative judicial regions describe the territorial or geographic organization within which an administrative judicial body may exercise its functions. Territorial

organization can affect where a claim should be filed and which court or judicial body is competent to hear it. The applicable boundaries and distribution of jurisdiction must be determined from current Iraqi legislation and official judicial decisions or guidance. Students should avoid assuming that territorial rules are identical to those of ordinary courts.

Key Legal Terms

Judicial region • Territorial jurisdiction • Venue • Competent court • Filing

Suggested Classroom Activity

Use an official map or current legal instrument to identify the administrative judicial region relevant to selected hypothetical locations.

Assessment

How can territorial jurisdiction affect the filing of an administrative case?

Week 26: Jurisdiction of the Administrative Court

Learning Objectives

- Define judicial jurisdiction.
- Distinguish subject-matter and territorial jurisdiction.
- Explain why jurisdiction must be established before a case is decided.

Scientific Content

Jurisdiction refers to the legal authority of a court or judicial body to hear and determine a particular dispute. Administrative jurisdiction may be defined by the subject matter of the dispute, the identity of the parties, the nature of the challenged act, and statutory exclusions or special procedures. A court must have jurisdiction before it can validly decide a case. The precise jurisdiction of Iraqi administrative courts must be determined from the legislation currently in force.

Key Legal Terms

Jurisdiction • Subject-matter jurisdiction • Territorial jurisdiction • Competence • Administrative act

Suggested Classroom Activity

Give students short case descriptions and ask them to identify the jurisdictional questions that must be answered.

Assessment

What is the meaning of jurisdiction, and why is it important in administrative litigation?

Week 27: Grounds for Appeal: Violation of Law and Regulations

Learning Objectives

- Explain the ground of violation of law.
- Identify ways in which an administrative decision may breach a legal rule.
- Apply a legal rule to a simple administrative dispute.

Scientific Content

An administrative decision may be challenged where it conflicts with a constitutional provision, statute, regulation, or other binding legal rule. A violation may occur when an authority ignores a legal requirement, applies a rule that does not govern the case, or acts contrary to a binding prohibition. The claimant must identify the relevant legal rule and explain how the challenged decision is inconsistent with it. The availability and formulation of this ground depend on the applicable procedural legislation.

Key Legal Terms

Ground of appeal • Violation of law • Binding regulation • Legality • Challenged decision

Suggested Classroom Activity

Analyze a hypothetical decision issued contrary to an express statutory requirement and identify the alleged violation.

Assessment

What must an appellant demonstrate when relying on a violation of law?

Week 28: Grounds for Appeal: Defects of Jurisdiction, Form, Procedure, Place and Cause

Learning Objectives

- Distinguish the main defects that may affect an administrative decision.
- Explain how competence, form, procedure, place, and cause differ.
- Identify the possible relevance of each defect in a case.

Scientific Content

Administrative decisions may be challenged for defects affecting the authority's competence or the legal requirements governing the decision. A jurisdictional defect concerns the authority's lack of legal power. A defect of form concerns required formal elements; a procedural defect concerns mandatory steps; a defect relating to place concerns territorial limits; and a defect of cause concerns the factual or legal basis for the decision. The legal consequences of each defect depend on the governing law and its significance in the particular case.

Key Legal Terms

Defect of jurisdiction • Form • Procedure • Territorial limit • Cause or legal basis

Suggested Classroom Activity

Provide five short scenarios, each illustrating one possible defect, and ask students to classify them.

Assessment

How does a defect of procedure differ from a defect of jurisdiction?

Week 29: Grounds for Appeal: Errors in the Application or Interpretation of Law and Abuse of Power

Learning Objectives

- Distinguish errors of application from errors of interpretation.
- Explain the general concept of abuse of power.
- Recognize the importance of proper purpose in administrative discretion.

Scientific Content

An error in the application of law occurs when an authority applies a legal rule incorrectly to the facts of a case. An error of interpretation occurs when the authority misunderstands the meaning or scope of a legal provision. Abuse of power may arise when a public power is used for a purpose different from the purpose for which it was granted. These grounds protect legality and ensure that administrative discretion is exercised for proper purposes and on relevant grounds.

Key Legal Terms

Application of law • Interpretation of law • Discretion • Proper purpose • Abuse of power

Suggested Classroom Activity

Students examine a hypothetical licensing decision and identify whether the issue concerns application, interpretation, or improper purpose.

Assessment

What is abuse of power in administrative law?

## Week 30: Conditions and Procedures for Filing an Appeal and the Legal Effects of Judicial Decisions

Learning Objectives

- Identify common conditions for filing an administrative appeal.
- Outline the main procedural steps.
- Explain possible legal effects of an administrative judgment.
- Recognize the importance of statutory deadlines.

Scientific Content

Filing an administrative appeal usually requires compliance with statutory conditions, which may concern the appellant's legal interest, the challenged decision, the competent body, time limits, form, supporting documents, and any required prior administrative review. Procedures may include submitting a written petition, stating the grounds of challenge, attaching relevant evidence, and serving or notifying the concerned parties. A judicial decision may confirm, annul, or otherwise provide relief in accordance with the court's powers. Its legal effects may concern the parties, the validity of the administrative act, and the steps the administration must take afterward. Exact deadlines, filing requirements, remedies, and effects must be taken from current Iraqi legislation.

Key Legal Terms

Appellant • Legal interest • Time limit • Petition • Annulment • Legal effect

Suggested Classroom Activity

Students complete a mock appeal checklist using a hypothetical case and a lecturer-provided extract from current Iraqi legislation.

Assessment

List four matters that should be checked before filing an administrative appeal.

Teaching and Assessment Notes

- Use the scientific content as a weekly reading text, followed by vocabulary explanation and guided discussion.

- Encourage students to identify the main idea, supporting details, and legal terms in each reading.
- Assessment may include short-answer questions, terminology exercises, classification tasks, and brief case analysis.
- For topics concerning the current organization, jurisdiction, deadlines, and procedures of Iraqi administrative courts, the lecturer should provide the latest official Iraqi legal texts and verify all statutory details before teaching or assessment.
- The weekly headings follow the sequence in the supplied file. The explanatory material is an educational expansion of those headings, not a verbatim reproduction of lecture texts.