Academic course description – CONSTITUTIONAL LAW

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| MASTER ‘S PROGRAMME**CONSTITUTIONAL LAW AND POLITICAL INSTITUTIONS** 1ST YEAR OF STUDY, 2nd SEMESTER |

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| **Course title** | | **CONSTITUTIONAL LAW AND POLITICAL INSTITUTIONS** |
| Course code | | DOB 1.2.02 |
| Course type | | full attendance/ tutorial |
| Course level | | 1st cycle (bachelor’s degree) |
| Year of study, semester | | 1st year of study, 2nd semester |
| Number of ECTS credits | | 6 |
| Number of hours per week | | 6 (4 lecture hours + 2 seminar hours) |
| Name of lecture holder | | Marius Nicolae Balan |
| Name of seminar holder | | Andra Iftimiei |
| Prerequisites | | Advanced level of English |
| A | **General and course-specific competences** | |
|  | **General competences**:   * C1. The adequate use of legal concepts, paradigms and methodology; * C2. Deployment of specific legal skills and techniques; * C3. Understanding of the enforcement of Romanian law, of European Law and of other international legal instruments; * C.4. Expounding and interpretation of legal texts and correlation and comparison of legal institutions of municipal law, foreign law, European law and international law; * C5. Analyzing, legally qualifying and assessing the facts of a case on the basis of the provisions of the law in force   **Course-specific competences**:   * CT.1. Performing professional tasks effectively and responsibly, according to subject-specific deontological rules; * CT.2. Applying the techniques of effective individual work, as well as in the team; * CT.3. Efficient use of communication resources and information sources; * CT.4. Synthesis of generic and alternative solutions to practical problems. | |
| B | **Learning outcomes** | |
|  | Upon successful completion of this discipline, students will be able to:   * Identify the main features of constitutionalism and rule of law; * Describe the several types of constitutional government; * Identify the checks and balances within the Romanian legal constitutional framework; * Explain the main stages in the legislative procedure; * Describe the litigation procedure in constitutional review. | |
| C | **Lecture content** | |
|  | 1. General theory of the state and the Constitution; 2. Constitution and constitutionalism; 3. Romanian constitutional history; 4. Fundamental political decisions in the Romanian Constitution; 5. The Relationship between the individual and the state. Citizenship and basic rights; 6. Civil and political Rights; 7. Social and economical rights; 8. Public authorities in Romania. Legislative power. The Parliament; 9. The executive branch. The President of Romania; 10. The executive branch. Government and public administration; 11. The judicial authority; 12. The Constitutional Court; 13. Defence of the Constitution; 14. Romania’s openness to European integration and international cooperation. | |
| D | **Recommended reading for lectures** | |
|  | Bianca Selejan-Guțan, *The Constitution of Romania*: *A Contextual Analysis*, Hart Publishing, 2016;  Tudorel Toader, Marieta Safta, *The Constitutional Court of Romania: The Constitutional Court’s Relationship to Parliament and Government*, in *Constitutional justice. Functions and relationship with other public authorities* – Papers of the XVth Congress of the Conference of European Constitutional Courts, Bucharest, 23-25May 2011, București: Universul Juridic, 2012, pp. 264-283;  Bogdan Iancu, *Legislative Delegation: The Erosion of Normative Limits in Modern Constitutionalism*, Springer, Heidelberg, New York, 2012;  Bogdan Iancu, *Romania – The Vagaries of International Grafts on Unsettled Constitutions*, in A.Albi and S. Bardutzki (eds.), *National Constitutions in European and Global Governance*, Asswer Press / Springer, 2019, at pp. 1047-1096; | |
| E | **Seminar content** | |
|  | 1. The concept of constitution. Constitution’s supremacy; 2. Constitutional review; 3. The rule of law. Separation of powers; 4. Romanian political traditions and constitutional transplant; 5. Romanian Citizenship; 6. Basic rights I; 7. Basic rights II, 8. Romania’ electoral system; 9. The functioning of the parliamentary democracy in Romania; 10. The legislative process in Romania; 11. Legislative delegation in Romania; 12. The role and powers of the President of Romania and of the Government; 13. Independence of the Judiciary 14. The role of the Constitutional Court of Romania. | |
| F | **Recommended reading for seminars** | |
|  | Dieter Grimm, *Constitutionalism*: *Past, Present, and Future*, Oxford University Press, Oxford, New York (Oxford Constitutional Theory)*,* 2016;  Andras Sájo, *Limiting Government. An Introduction to Constitutionalism*, Budapest, Central European University Press, 1999.  András Jakab, Arthur Dyevre, Giulio Itzcovich (eds.), *Comparative Constitutional Reasoning*, Cambridge University Press, Cambridge, New York, 2017; | |
| G | **Education style** | |
| learning and teaching methods | | Problematization, Discussion, Exercise Debate, Case Study, Simulation |
| assessment methods | | Quizz test, Case studies |
| Language of instruction | | English |