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.
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| 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.
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| 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.
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| 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.
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| 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 |