

MASTER 'S PROGRAMME  
**CONSTITUTIONAL LAW AND POLITICAL INSTITUTIONS**  
 1<sup>ST</sup> YEAR OF STUDY, 2<sup>ND</sup> SEMESTER

COURSE TITLE	<b>CONSTITUTIONAL LAW AND POLITICAL INSTITUTIONS</b>
COURSE CODE	<b>DOB 1.2.02</b>
COURSE TYPE	<b>full attendance/ tutorial</b>
COURSE LEVEL	<b>1<sup>st</sup> cycle (bachelor's degree)</b>
YEAR OF STUDY, SEMESTER	<b>1<sup>st</sup> year of study, 2<sup>nd</sup> semester</b>
NUMBER OF ECTS CREDITS	<b>6</b>
NUMBER OF HOURS PER WEEK	<b>6 (4 lecture hours + 2 seminar hours)</b>
NAME OF LECTURE HOLDER	Marius Nicolae Balan
NAME OF SEMINAR HOLDER	Andra Iftimiei
PREREQUISITES	<b>Advanced level of English</b>
<b>A</b>	<b>GENERAL AND COURSE-SPECIFIC COMPETENCES</b>
	<p><b>General competences:</b></p> <ul style="list-style-type: none"> <li>→ C1. The adequate use of legal concepts, paradigms and methodology;</li> <li>→ C2. Deployment of specific legal skills and techniques;</li> <li>→ C3. Understanding of the enforcement of Romanian law, of European Law and of other international legal instruments;</li> <li>→ C4. Expounding and interpretation of legal texts and correlation and comparison of legal institutions of municipal law, foreign law, European law and international law;</li> <li>→ C5. Analyzing, legally qualifying and assessing the facts of a case on the basis of the provisions of the law in force</li> </ul> <p><b>Course-specific competences:</b></p> <ul style="list-style-type: none"> <li>→ CT.1. Performing professional tasks effectively and responsibly, according to subject-specific deontological rules;</li> <li>→ CT.2. Applying the techniques of effective individual work, as well as in the team;</li> <li>→ CT.3. Efficient use of communication resources and information sources;</li> <li>→ CT.4. Synthesis of generic and alternative solutions to practical problems.</li> </ul>
<b>B</b>	<b>LEARNING OUTCOMES</b>
	<p>Upon successful completion of this discipline, students will be able to:</p> <ul style="list-style-type: none"> <li>→ Identify the main features of constitutionalism and rule of law;</li> <li>→ Describe the several types of constitutional government;</li> <li>→ Identify the checks and balances within the Romanian legal constitutional framework;</li> <li>→ Explain the main stages in the legislative procedure;</li> <li>→ Describe the litigation procedure in constitutional review.</li> </ul>
<b>C</b>	<b>LECTURE CONTENT</b>
	<ol style="list-style-type: none"> <li>1. General theory of the state and the Constitution;</li> <li>2. Constitution and constitutionalism;</li> <li>3. Romanian constitutional history;</li> <li>4. Fundamental political decisions in the Romanian Constitution;</li> <li>5. The Relationship between the individual and the state. Citizenship and basic rights;</li> <li>6. Civil and political Rights;</li> </ol>

	<ol style="list-style-type: none"> <li>7. Social and economical rights;</li> <li>8. Public authorities in Romania. Legislative power. The Parliament;</li> <li>9. The executive branch. The President of Romania;</li> <li>10. The executive branch. Government and public administration;</li> <li>11. The judicial authority;</li> <li>12. The Constitutional Court;</li> <li>13. Defence of the Constitution;</li> <li>14. Romania's openness to European integration and international cooperation.</li> </ol>
D	RECOMMENDED READING FOR LECTURES
	<p>Bianca Selejan-Guțan, <i>The Constitution of Romania: A Contextual Analysis</i>, Hart Publishing, 2016;</p> <p>Tudorel Toader, Marieta Safta, <i>The Constitutional Court of Romania: The Constitutional Court's Relationship to Parliament and Government</i>, in <i>Constitutional justice. Functions and relationship with other public authorities – Papers of the XV<sup>th</sup> Congress of the Conference of European Constitutional Courts</i>, Bucharest, 23-25May 2011, București: Universul Juridic, 2012, pp. 264-283;</p> <p>Bogdan Iancu, <i>Legislative Delegation: The Erosion of Normative Limits in Modern Constitutionalism</i>, Springer, Heidelberg, New York, 2012;</p> <p>Bogdan Iancu, <i>Romania – The Vagaries of International Grafts on Unsettled Constitutions</i>, in A.Albi and S. Bardutzki (eds.), <i>National Constitutions in European and Global Governance</i>, Asswer Press / Springer, 2019, at pp. 1047-1096;</p>
E	SEMINAR CONTENT
	<ol style="list-style-type: none"> <li>1. The concept of constitution. Constitution's supremacy;</li> <li>2. Constitutional review;</li> <li>3. The rule of law. Separation of powers;</li> <li>4. Romanian political traditions and constitutional transplant;</li> <li>5. Romanian Citizenship;</li> <li>6. Basic rights I;</li> <li>7. Basic rights II,</li> <li>8. Romania' electoral system;</li> <li>9. The functioning of the parliamentary democracy in Romania;</li> <li>10. The legislative process in Romania;</li> <li>11. Legislative delegation in Romania;</li> <li>12. The role and powers of the President of Romania and of the Government;</li> <li>13. Independence of the Judiciary</li> <li>14. The role of the Constitutional Court of Romania.</li> </ol>
F	RECOMMENDED READING FOR SEMINARS
	<p>Dieter Grimm, <i>Constitutionalism: Past, Present, and Future</i>, Oxford University Press, Oxford, New York (Oxford Constitutional Theory), 2016;</p> <p>Andras Sájo, <i>Limiting Government. An Introduction to Constitutionalism</i>, Budapest, Central European University Press, 1999.</p> <p>András Jakab, Arthur Dyevre, Giulio Itzcovich (eds.), <i>Comparative Constitutional Reasoning</i>, Cambridge University Press, Cambridge, New York, 2017;</p>
G	EDUCATION STYLE
LEARNING AND TEACHING METHODS	Problematization, Discussion, Exercise Debate, Case Study, Simulation
ASSESSMENT METHODS	Quizz test, Case studies

