Constitutionalism: European and International Perspectives
Educational subject description sheet

Basic information

Study programme European Legal Studies	**Didactic cycle** 2023/24
Speciality -	**Subject code** 10ELSS.12N.04831.23
Organizational unit Faculty of Law and Administration	**Lecture languages** English
Study level First-cycle programme	**Course type** Obligatory
Study form Full-time	**Block** Subjects not assigned
Education profile General academic	

Subject coordinator	Katarzyna Woźniak-Boińska, Julia Wojnowska-Radzińska, Władysław Jóźwicki
Lecturer	Julia Wojnowska-Radzińska, Władysław Jóźwicki

Period Semester 2	**Activities and hours** • Lecture: 30, Exam	**Number of ECTS points** 4

Goals

Code	Goal
C1	Providing the students with basic knowledge necessary to understand the role of the constitution, constitutionalism, constitutional democracy and rule of law in the european union. Providing the students with basic knowledge necessary to understand the scope of the fundamental rights and freedoms

Subject learning outcomes

Code	Outcomes in terms of	Learning outcomes	Examination methods
Knowledge – Student:			
W1	understands the basic legal terms of the constitutional law and define them in European and international perspective	ELS_K1_W02, ELS_K1_W03	Written exam, Test
W2	is able to analyse and define the history and development of European constitutionalism over time in comparative perspective	ELS_K1_W02, ELS_K1_W05	Written exam, Test
W3	understands the basic sources of the European constitutional law and is able to analyze its multi-level structure	ELS_K1_W03, ELS_K1_W06, ELS_K1_W08	Written exam, Test
W4	is able to identify the fundamental principles of the constitutional democracy and its basic institutions	ELS_K1_W07, ELS_K1_W12	Written exam, Test
W5	is able to define the concept and catalogue of the fundamental rights and freedoms, and indicate appropriate case law	ELS_K1_W04, ELS_K1_W12	Written exam, Test
Skills – Student:			
U1	understands the basic legal terms of the constitutional law and define them in European and international perspective	ELS_K1_U02	Written exam, Test
U2	is able to analyse and define the history and development of European constitutionalism over time in comparative perspective	ELS_K1_U03	Written exam, Test
U3	understands the basic sources of the European constitutional law and is able to analyze its multi-level structure	ELS_K1_U05, ELS_K1_U07	Written exam, Test
U4	is able to identify the fundamental principles of the constitutional democracy and its basic institutions	ELS_K1_U02, ELS_K1_U03, ELS_K1_U09	Written exam, Test
U5	is able to define the concept and catalogue of the fundamental rights and freedoms, and indicate appropriate case law	ELS_K1_U07, ELS_K1_U10	Written exam, Test
Social competences – Student:			
K1	understands the basic sources of the European constitutional law and is able to analyze its multi-level structure	ELS_K1_K01	Written exam, Test
K2	is able to identify the fundamental principles of the constitutional democracy and its basic institutions	ELS_K1_K01	Written exam, Test
K3	is able to define the concept and catalogue of the fundamental rights and freedoms, and indicate appropriate case law	ELS_K1_K01, ELS_K1_K04	Written exam, Test

Study content

No.	Course content	Subject learning outcomes	Activities
1.	Basic definitions and concepts (e.g. "constitutionalism", "constitution", "rule of law")	W1, U1	Lecture

No.	Course content	Subject learning outcomes	Activities
2.	Constitutional models	W1, W2, W4, U1, U2, U4, K2	Lecture
3.	Historical background and development of the constitutionalism in the EU	W2, W3, W4, U2, U3, U4, K1, K2	Lecture
4.	Judicial decision making in constitutional issues, constitutional review	W4, U4, K2	Lecture
5.	Fundamental rights and the techniques of balancing	W5, U5, K3	Lecture

Additional information

Activities	Teaching and learning methods and activities
Lecture	Lecture with a multimedia presentation of selected issues, Problem-based lecture, Discussion, Work with text, Case study, Work in groups

Activities	Credit conditions
Lecture	excellent (A ; 5,0): a) excellent knowledge of European constitutionalism and its principles b) very good background for the fundamental principles of the constitutional democracy and its basic institutions very good (B+; 4,5): c) very good knowledge of European constitutionalism and its principles d) verygood background for the fundamental principles of the constitutional democracy and its basic institutions good (B ; 4,0): a) good knowledge of European constitutionalism and its principles b) good background for the fundamental principles of the constitutional democracy and its basic institutions average (C+,3,5) a) average knowledge of European constitutionalism and its principles b) average background for the fundamental principles of the constitutional democracy and its basic institutions satisfactory (C; 3,0): a) satisfactory knowledge European constitutionalism and its principles b) satisfactory background for the fundamental principles of the constitutional democracy and its basic institutions unsatisfactory (D ; 2,0): a) unsatisfactory knowledge of European constitutionalism and its principles c) unsatisfactory background for the fundamental principles of the constitutional democracy and its basic institutions

Literature

Obligatory

1. Jean-Claude Piris, Does the European Union have a Constitution? Does it need one? Michel Rosenfeld, The Rule of Law and the Legitimacy of Constitutional Democracy, Cardozo Law School, Public Law Research Paper No. 36, 2001. Michel Rosenfeld, Comparing Constitutional Review by the European Court of Justice and the U.S. Supreme Court, Int'l J Con Law, Vol 4, No 4 (Oct 2006).
2. J.H.H. Weiler, Joel P. Trachtman, European Constitutionalism and Its Discontents, Northwestern Journal of International Law & Business, Volume 17, Issue 1/1997. European Courts Judgements (Eur-Lex)

Calculation of ECTS points

Activities	Activity hours*
Lecture	30
Preparation for classes	30
Reading the indicated literature	30
Preparation for the exam	30
Student workload	**Hours** 120
Number of ECTS points	**ECTS** 4

* academic hour = 45 minutes

Efekty uczenia się dla kierunku

Kod	Treść
ELS_K1_K01	The graduate is ready to critically appraise his or her knowledge, particularly in the context of the changing aquis on the regulation and critical assessment of the acquired knowledge, especially in view of the changing acquis on the regulation and application of law
ELS_K1_K04	The graduate is ready to perform professional roles relating to the conduct of fundamental research activities and the development and application of European Union Law in a responsible manner
ELS_K1_U02	The graduate can use the basic theoretical knowledge and independently procure data to analyse individual processes and social phenomena (cultural, political, legal and economic) within legal science
ELS_K1_U03	The graduate can analyse the causes and course of individual processes and social phenomena (cultural, political, legal and economic) within legal science
ELS_K1_U05	The graduate can use basic EU normative systems and selected norms, rules and regulations (legal, professional, moral) to solve a specific task
ELS_K1_U07	The graduate can identify and analyse selected solution of specific individual problems and propose relevant resolutions
ELS_K1_U09	The graduate can prepare and present (individually or as a member of a team) standard oral presentations on specific and detailed aspects of European law, using for that basic theoretical approaches and different source materials
ELS_K1_U10	The graduate can read with understanding, and be capable of preparing, standard texts in English on European Union law, pertaining to detailed issues or specific subjects, using basic theoretical approaches and source materials
ELS_K1_W02	The graduate knows and understands the basic assumptions of integration processes analysed on the example of the European Union, in the social, cultural and economic context
ELS_K1_W03	The graduate knows and understands the concept and scope of European Union law, including a deepened understanding of its sources approached in a systematic way
ELS_K1_W04	The graduate knows and understands a deepeed understanding of the European Convention for the protection of human rights and fundamental freedoms against the background of international systems of human rights protection
ELS_K1_W05	The graduate knows and understands the structure of the European law system against the background of its relations with international and national legal orders
ELS_K1_W06	The graduate knows and understands the basic procedures of European law-making
ELS_K1_W07	The graduate knows and understands the main institutions of the European Union and the relationships among them, including their respective competences
ELS_K1_W08	The graduate knows and understands a deepened understanding of the competences (policies) of the European Union including the principles of the EU single market
ELS_K1_W12	The graduate knows and understands methods and tools, including techniques, of obtaining data on the existing EU legislation and related to it institutionalised structures