

## Advanced Constitutional Law (B001710)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 6.0**

**Study time 180 h**

### Course offerings and teaching methods in academic year 2023-2024

B (semester 1)

Dutch

Gent

seminar

lecture

peer teaching

### Lecturers in academic year 2023-2024

Moonen, Toon

RE22

lecturer-in-charge

### Offered in the following programmes in 2023-2024

Master of Science in Teaching in Social Sciences(main subject Laws)

**crdts**

**offering**

6

B

Master of Laws in Laws

6

B

### Teaching languages

Dutch

### Keywords

The rule of law, the democratic state, multilevel governance and fundamental rights.

### Position of the course

The advanced study of constitutional law aims at deepening the understanding of constitutional law. Topical themes of Belgian constitutional law are grouped into four clusters (the rule of law, the democratic state, multilevel governance and fundamental rights) and discussed.

The themes can be approached comparatively and, where appropriate, interdisciplinary (drawing on the social sciences).

The lectures are always interactive and responsive to the questions and interests of the participants. Lecture time is for a large part used for in-class presentations of the students and debate.

### Contents

Examples of themes that can be discussed are: federalism and state reform, distribution of competences, *multilevel governance*, language rights and the situation of and around Brussels, parliamentarism and presidentialism, electoral systems, direct democracy, the principle of legality, special powers, the role of the Constitutional Court and the Council of State, threats to the rule of law in Europe, and current controversies concerning fundamental rights (such as the interpretation of the freedom of religion or of the right to a healthy environment) and the constitutional challenges posed by the recent COVID-19 crisis.

If the opportunity arises, the content of the lectures will be adapted to current affairs in constitutional law.

### Initial competences

Basic knowledge of constitutional law, as acquired in the bachelor programme.

### Final competences

- 1 Identify the central issues of the knowledge domain
- 2 Define the relevant concepts of the knowledge domain

(Approved)

- 3 Identify and support an issue within the knowledge domain with facts
- 4 Situate a problem within the knowledge domain in its legal and societal context
- 5 Analyze and explain legal and societal phenomena in the context of the knowledge domain
- 6 Report orally and in writing on an issue within the knowledge domain
- 7 Critically analyze solutions for an issue within the knowledge domain
- 8 Recognize, confront and synthesize scientific visions within the knowledge domain
- 9 Initiate a scientific discussion on an issue within the knowledge domain
- 10 Participate in a constructive manner in a scientific discussion about an issue within the knowledge domain

#### **Conditions for credit contract**

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

#### **Conditions for exam contract**

This course unit cannot be taken via an exam contract

#### **Teaching methods**

Seminar, Lecture, Peer teaching

#### **Extra information on the teaching methods**

- Some of the lectures take place under supervision of the instructor, who situates the above-mentioned themes. The in-class discussions are based, among other things, on literature prepared by the students in advance. The lectures are interactive and start from the knowledge and questions of the students. The students actively participate during the lectures, possibly in the form of a Socratic discussion. The students also receive specific assignments.
- Another part of the lectures are reserved for in-class student presentations and discussions related to the course themes.
- Additionally, external speakers can be invited because of their specific expertise, generating added value for the discussion, for a better understanding of the themes, or for the insight of the student in the professional environment in which constitutional law is practiced. A visit to the work place of these speakers (Constitutional Court, Council of State...) is also a possibility.

#### **Learning materials and price**

The course material is available through Ufora.

#### **References**

#### **Course content-related study coaching**

- An overview of the specific themes and the required reading materials will be made available at the start of the semester through Ufora and will be elaborated during the first lecture.
- For help with substantive questions or practical problems, students can always contact the instructor before and after class or during the break, as well as by appointment.
- Substantive questions can be asked during the entire semester, up to and including the catch-up week.

#### **Assessment moments**

continuous assessment

#### **Examination methods in case of periodic assessment during the first examination period**

#### **Examination methods in case of periodic assessment during the second examination period**

#### **Examination methods in case of permanent assessment**

Participation, Assignment

#### **Possibilities of retake in case of permanent assessment**

examination during the second examination period is possible in modified form

#### **Extra information on the examination methods**

The students' evaluation is based on three tracks.

- Track 1: students write a paper following the guidelines provided by the instructor.
- Track 2: students prepare the learning process held in the classroom and participate in it in a qualitative and constructive way following the guidelines provided by the instructor.
- Track 3: students engage in a closing conversation with the instructor. The theme and expectations for that conversation are determined in advance.

A reliable evaluation is only possible when the student is present at those contact moments. Unfounded absence or non-participation in the evaluation moments (including the weekly course meetings) leads to failing the course.

Resit evaluation: full oral exam.

#### **Calculation of the examination mark**

The final score is calculated as follows:

- Track 1: 50%
- Track 2: 25%
- Track 3: 25%

Students who do not participate in all evaluations will receive a failing grade for this course. This means in particular that when the provisional final score would be a grade of 10/20 or more, the final score will be reduced to the absolute failing grade of 7/20.

#### **Facilities for Working Students**

After consultation with the instructor, students with working student status can compensate their absence at a maximum of two of the weekly course meetings through an alternative assignment.