



SELF PROGRAM 2021/2022

Comparative Constitutional Law

Dr Andrew Baldwin

Course information

Number of credits: 6 credits

Contact hours: 30 hours

Hours taught per week: 3 hours

Teaching- period: fall 2021

Course description

This course provides a thorough introduction to the variety of constitutional arrangements prevailing in the world today. Participants will learn about the legal concepts underpinning modern constitutions, about the organisation and powers of legislative, executive and judicial institutions, and about different countries' responses to dilemmas concerning state authority.

Course outline

- Class 1:* Introduction to Constitutional History and Diversity
- Class 2:* Legislative-Executive Relations
- Class 3:* Executive Power
- Class 4:* Judicial Review
- Class 5:* Protection of Rights
- Class 6:* Religion and the State
- Class 7:* Federalism
- Class 8:* Emergency Powers
- Class 9:* International Obligations in Constitutional Law

Prerequisites

No previous study of the topic is required. The course may well be of particular interest to those with a background in law, politics or even history or philosophy, but the only prerequisite is simply an interest in how countries are governed and in issues surrounding the use of power.

Course objectives

This course aims at providing students with the following:

- Awareness of the traditions and influences that account for the diversity of constitutional models in existence
- Knowledge of the constitutional precepts, structures and processes of a variety of regimes drawn from these traditions
- Appreciation of key ongoing constitutional debates around the world, such as the extent of fundamental rights, and acceptable degrees of state power in times of crisis

Assessment

30% – in-class assessment of knowledge comprehension

70% – final in-class written examination (i.e. class 10)

Attendance

In order to participate, students must be present. Nevertheless, a maximum of 2 (two) unexcused absences will be allowed otherwise no mark will be given. An unexcused absence at a test (final test or continuous assessment) means no credits for the course.

Bibliography

Heringa, A.W. & Kiiver, P., *Constitutions Compared: An Introduction to Comparative Constitutional Law* (2nd edition, Antwerp & Oxford: Intersentia, 2009)

Koopmans, T., *Courts and Political Institutions: A Comparative View* (Cambridge: Cambridge University Press, 2003)

Further reading will be provided relating to each of the weekly themes as the course progresses.