

5.0 credits

30.0 h

1q

Teacher(s) :	Verdussen Marc ;
Language :	Français
Place of the course	Louvain-la-Neuve
Main themes :	<p>There are an increasing number of principles and rules enshrined in the Constitutions of the States of the European Union, contributing to the formation of a European constitutional heritage and promoting the emergence of common values in Europe. These principles and rules should be compared with the initiatives taken within the European integration, leading to adopt a Constitution for Europe. The article 1-2 of the draft Treaty establishing a Constitution for Europe - to become Article 1bis of the Treaty on European Union - actually stipulates that the European Union "is based on values of respect for human dignity, freedom, democracy, égalité de l'Etat de droit, as well as respect of human rights, including rights of persons belonging to minorities ". It states that "these values are common to all Member States in a pluralist society, non-discrimination, tolerance, justice, solidarity and equality between women and men."</p> <p>The course deals with this development. It also deals with some major developments in contemporary constitutional law which give rise to comparisons between states, today more than ever before. By comparing the goals identified in similar systems, it causes us to evaluate our own system of standards, but also helps to highlight the various options and sets them in a wide conceptual horizon. So the exercise combines a normative (empirical) and a conceptual approach (theoretical) towards the subject.</p> <p>Among others, the following subjects will be studied and discussed this year : les déclinaisons de l'Etat de droit, the process of direct democracy, constitutional revision procedures, parliamentary mediation, asymmetrical federalism, the protection of minorities, the control of political parties, the fight against terrorism, or the right to a safe environment.</p> <p>The first session will be devoted to define current methods and goals for comparative constitutional law. What are its specificities when compared with other comparative preliminary issues in other legal disciplines? What difficulties are met? Do specific issues need to be identified? Settling these questions is precisely a matter for constitutional sciences.</p>
Aims :	<p>Beyond the aims related to general law concepts and principles (gain of a broad knowledge on the specific topics, understanding the meaning of the concepts in this field, use of legal texts as a reference), the course aims to help students to become familiar with methods of comparative constitutional law using appropriate themes. Comparativism is an instructive and useful tool, particularly when it deals with constitutional law subjects, the core of sovereignty concepts, confronted with unavoidable state particularism.</p> <p>This course is one part of a comprehensive training programme. As part of a joint project and to ensure complementarity between the different courses, the associate professors consult each other during the organization of courses, contents and methods. As far as possible, given the number of students enrolled, the course is based on active teaching methods to develop the ability to appraise the law through critical and analytical examination. Demonstrations will be given to provide an opportunity for students to learn new skills from a different approach and they will be encouraged to reason and hypothesize to determine solutions.</p> <p><i>The contribution of this Teaching Unit to the development and command of the skills and learning outcomes of the programme(s) can be accessed at the end of this sheet, in the section entitled "Programmes/courses offering this Teaching Unit".</i></p>
Cycle and year of study :	> Master [120] in Law
Faculty or entity in charge:	BUDR