



SYLLABUS OF THE COURSE “CONSTITUTIONAL JUSTICE”

Basic data of the course	
Academic Unit:	Faculty of Law
Course title:	Constitutional Justice
Program:	Law
Level:	Bachelor
Course status:	Mandatory
Study year:	IV
Number of hours per week:	3+2
Credit value – ECTS:	7
Time / location:	Faculty of law
Lecturer:	Prof.Asoc.Dr. Kadri Kryeziu
Contact details:	kadri.kryeziu@uni-prizren.com
Course description:	<p>The subject "Constitutional Justice" deals with ensuring the process of constitutionality and maintaining the constitutional order. This notion includes the totality of institutional and normative actions in order to preserve and protect what constitutes constitutional order and stability. Therefore, through this course will be elaborated the institutions and techniques through which the supremacy of the Constitution is ensured.</p>
Course objectives:	<p>The main purpose of teaching this course is to acquaint undergraduate students with the basic concepts of constitutional judiciary, historical development of constitutional judiciary, various systems of constitutional control, initiation and development of a constitutional process, constitutional jurisdiction and jurisprudential policies.</p> <p>Furthermore, it is important to clarify the Constitutional Courts in general, with particular emphasis on the current system of constitutional protection in Kosovo, the establishment, operation and effects of constitutional decisions.</p> <p>The theoretical aspect will be concretized through the elaboration of case studies that are related to the constitutional issues that will be addressed in this course.</p>



<p>Learning outcomes:</p>	<p>At the end of the lectures in this subject students should be able to:</p> <ul style="list-style-type: none"> -Understand and master the basic concepts of constitutional justice. -To gain knowledge regarding the initiation of the constitutional process in the protection of human rights and freedoms. -It is important to understand the system of constitutional protection that is applied in the Republic of Kosovo and the features that accompany this system in contrast to other systems of constitutional protection that are applied in other countries. -The knowledge generated by this subject to be able to successfully materialize in practice in the future. 		
Contribution on student load (must correspond with learning outcomes)			
Activity	Hours	Weeks	Total /hours
Lectures	3	1/15	45
Exercise theoretical/laboratory	2	1/15	30
Practice work			
Contact with lecturer/consultations	1	1/15	15
Field exercises			
Mid-terms, seminars	1	1/1	1
Homework	1	1/5	5
Individual time spent studying (at the library or home)	3	15	45
Final preparation for the exam	2	1/11	22
Time spent in evaluation (tests, quiz, final exam)	1	1/8	8
Projects, presentations, etc.	1	¼	4
Total			175 hours (7 ECTS)
<p>Teaching methods</p>	<p>The teaching methodology will consist of lecturing the subject according to the interactive method. In order to prepare the subject as well as possible and to allow for greater interaction in the classroom, it is recommended that students read in advance the materials for the topic that will be discussed in the following class. Students are encouraged to submit questions, comments and suggestions during the lectures as well as raise discussions that are relevant to the topic of the lecture.</p>		



Evaluation methods	<i>Oral and written assessment:</i> <i>Participation and activity in lectures5%</i> <i>Participation and activity in exercises5%</i> <i>Seminar papers 10%</i> <i>Final grade:80%</i> <hr/> <i>Total:100%</i>	
Literature		
Basic Literature:	1. Kadri Kryeziu, "Constitutional Justice", Prizren, 2021. 2. Sokol Sadushi, "Developing Constitutional Justice", Tirana, 2012. 3. Visar Morina, "Constitutional Judiciary", Prishtina, 2013.	
Additional Literature	1. Kristaq Traja, "Constitutional Justice", Tirana, 2000. 2. Vicki Jackson & Mark Tushnet, "Comperative Constitutional Law", New York 2006. The Constitution of the Republic of Kosovo 3. Law on the Constitutional Court of Kosovo 4. Rules of Procedure of the Constitutional Court of the Republic of Kosovo 5. The Constitution of Albania.	
Designed study plan:		
Week	Lectures	Exercises
<i>First week:</i>	Presentation of the subject program and teaching methodology	Presentation of teaching methodology during exercises
<i>Second week:</i>	THE NOTION OF CONSTITUTIONAL JUSTICE 1. History of Constitutional Justice 2. English context 3. American context 4. Case Merbury v. Madison - the doctrine of judicial review 5. The supremacy of the constitution	Repetition-Notion of constitutional justice and analysis of the case Merbury v. Madison
<i>Third week:</i>	HISTORY OF CONSTITUTIONAL JUSTICE 1. The English context 2. The American context 3. The European context 4. The Latin American context	Repetition-History of constitutional justice, types and characteristics of the English, American, European and Latin American context



<p>Fourth week:</p>	<p>COMPARISON OF CONSTITUTIONAL JUSTICE TECHNIQUES IN TODAY'S SYSTEMS</p> <ol style="list-style-type: none"> 1. European diversity 2. The first stage: after the First World War 3. Second stage: After the Second World War 4. The third stage - after the fall of communism 5. About the Constitutional Court of Kosovo 	<p>Repetition - The stages of the development of constitutional justice in general and in Kosovo in particular</p>
<p>Fifth week:</p>	<p>MODELS OF CONSTITUTIONAL JUSTICE</p> <p>Classification of models of constitutional control</p>	<p>Repetition-Models of constitutional justice</p>
<p>Sixth week:</p>	<p>ABSTRACT PROCEDURES OF CONSTITUTIONAL JUSTICE</p> <ol style="list-style-type: none"> 1. Preliminary control of the norms of law 2. Subsequent control of the norms of law 3. Effect of decisions 	<p>Case study abstract procedures of constitutional control in Kosovo</p>
<p>Seventh week:</p>	<p>CHARACTERISTICS OF CONSTITUTIONAL JUSTICE</p> <ol style="list-style-type: none"> 1. Establishment of Constitutional Courts 2. Appointment procedure 3. Professionalism 4. Status of the Court and Constitutional Judges 	<p>Repetition-Characteristics of constitutional justice</p>
<p>Eighth week:</p>	<p>CONSTITUTIONAL JURISDICTION</p> <ol style="list-style-type: none"> 1. Conflicts related to the expression of the will of the people 2. Conflicts related to the horizontal separation of powers 3. Conflicts related to the vertical separation of powers 	<p>Case study-constitutional jurisdiction</p>



<i>Ninth week:</i>	CONSTITUTIONAL JURISDICTION 1. Trials of fundamental human rights 2. Conflicts of political justice	Case study-judgments for basic human rights
<i>Tenth week:</i>	CONSTITUTIONAL PROCESS 1. Demand 2. Judgment 3. Deliberation 4. The decision 5. The legal nature of the effects of decisions 6. Why are the decisions of the Constitutional Court binding?	Repetition-constitutional process. Analysis of the Constitution of the Republic of Kosovo, the Law on the Constitutional Court and the Rules of Procedure of the Constitutional Court
<i>Eleventh week:</i>	JURISDICTION POLICIES 1. Self-control 2. Activation 3. Restriction of Constitutional Justice 4. The review of the review - the paradox of Alf Ross	Repetition-Jurisprudential policies
<i>Twelfth week:</i>	THE IMPACT OF CONSTITUTIONAL JUSTICE 1. Impact on the legislator 2. Impact on law enforcement 3. Influence on international law 4. Impact on local authorities implementing treaties 5. Impact on the Constitution 6. My human rights impact	Repetition-Impact of constitutional justice
<i>Thirteenth week:</i>	THE CONSTITUTIONAL COURTS OF AUSTRIA, THE GERMAN FEDERAL REPUBLIC, ITALY AND THE CONSTITUTIONAL COUNCIL OF FRANCE 1. Constitutional Court of Austria 2. The Constitutional Court of the Federal Republic of Germany 3. The Constitutional Court of Italy 4. The Constitutional Council of France	Analysis and discussion of the composition and jurisdiction of the Constitutional Court of Austria, the Federal Republic of Germany and the Constitutional Council of France
<i>Fourteenth week:</i>	CONSTITUTIONAL COURT OF SPAIN, PORTUGAL, ALBANIA AND KOSOVO	Analysis and discussion about the composition and jurisdiction of the



	1. The Constitutional Court of Spain 2. The Constitutional Court of Portugal 3. The Constitutional Court of Albania 4. Constitutional Court of Kosovo	Constitutional Court of Spain, Portugal, Albania and Kosovo
Fifteenth week:	Exam preparation	Exam preparation
The academic policy and code of conduct:		
<p>Students are obliged to:</p> <ul style="list-style-type: none">➤ The student must respect the schedule of lectures and exercises and at the same time be attentive in class.➤ Plagiarism and similar fraudulent phenomena will be punished according to the legal acts in force.➤ To respect the Code of Ethics for Students of "Ukshin Hoti" University in Prizren.		