

COURSE DESCRIPTION

University: Comenius University in Bratislava	
Faculty: Faculty of Law	
Course ID: PraF.KPDPK/ENm17-3106/17	Course title: Public Comparative Law
Educational activities: Type of activities: lecture / seminar Number of hours: per week: 1 / 2 per level/semester: 14 / 28 Form of the course: on-site learning	
Number of credits: 3	
Recommended semester: 2.	
Educational level: II.	
Prerequisites:	
Course requirements: Continuous evaluation during the semester will account for 20% of the final grade and final oral examination will account for 80% of the final grade. Continuous evaluation: 20 % will be awarded to students based on their preparation for particular seminars and will also take into account active participation during seminars, solution of assigned case studies and preparation of assigned legal analysis. Final evaluation: 80% will be awarded based on successful completion of oral exam that will consist of solving a moot case and oral discussion on the factual and legal issues raised by the case. Classification scale: A / 1 = 91 - 100%; B / 1.5 = 81-90%; C / 2 = 73-80%; D / 2.5 = 66-72%; E / 3 = 61-65%; FX = 0-60%. During the exam, students can use all available sources of legal information, mainly legislation, commentaries, case-law, legal treatises, and legal information systems.	
Learning outcomes: The objective of the course is to introduce the students to the comparative study of key areas of public law in selected European and American jurisdictions. The course focuses on the core constitutional concepts such as the civil and common law model of rule of law, separation of powers, system of representation, forms of government, forms of state etc. Separate treatment is given to various models of constitutional review systems as well as to systems of fundamental rights from the perspective of respective domestic legal orders. Apart from constitutional law attention will also be given to administrative, criminal and welfare law.	
Class syllabus: 1. Constitutionalism – Rule of Law, Rechtsstaat, Supremacy of Legislature, Typology of Constitutions, Separation of Powers 2. Systems of Representation (Voting Systems) 3. Monarchies and Republics, Powers of Head of State 4. Parliamentary Forms of Government – General Overview, UK, Spain, Eastern Europe 5. Presidential Form of Government – General Overview, USA, Latin America 6. Mixed Forms of Government – France, Germany, Russia 7. Federal and Unitary Forms of State 8. Fundamental Rights 9. Constitutional Review 10. Administrative Law – Comparison of Existing Models 11. Welfare Systems - Comparison of Existing Models 12. Substantive Criminal Law – Overview, Criminal Liability, Criminal Act	

13. Criminal Procedure – Inquisitor vs. Adversary System of Justice 14. Repetition and Final Examination

Recommended literature:

LAMBERT, E.: Comparative Law. In: Encyclopedia of the Social Sciences, zv. 4. Londýn: Macmillan, 1931.

WATSON, A.: Legal Transplants. An Approach to Comparative Law. Athens (Georgia): University of Georgia Press, 1993. ISBN 082031532X.

Elgar Encyclopedia of Comparative Law (2nd ed.)

ROSENFELD, M. - SAJÓ, A.: The Oxford Handbook of Comparative Constitutional Law. London: Oxford University Press, 2012

Languages necessary to complete the course:

English

Notes:

Past grade distribution

Total number of evaluated students: 0

A	ABS	B	C	D	E	FX
0,0	0,0	0,0	0,0	0,0	0,0	0,0

Lecturers: doc. Mgr. Miroslav Lysý, PhD., Mgr. Ján Sombati, PhD.

Last change: 21.01.2018

Approved by: