Code: FEE24

Content: Conceptual and Substantive Issues of European Constitutionalism

Teacher: Dr Triantafyllia Lina Papadopoulou, Associate Professor

Winter semester: 3 (teaching) hours per week: Wednesday, 15.45-18.15

Prerequisites:

Basic knowledge of Constitutional Law is most welcome.

Do I need to have already studied EU Law?

It would be better but not necessary.

European Constitutional Law aims to accommodate the needs of both

- those who have already studied EU Law (they are expected to present and submit an essay and deepen their knowledge in certain issues without the need to sit an exam at the end)
- and those you have not studied EU Law yet (they are expected to pass a written exam at the end of the semester).

Form of examination:

For beginners in EU law and/or those not confident with English language:
written exams at the end of the semester
Grades: 30% participation, 70% written exam.

For those who have already studied EU law and have a good command of English, and want to deepen into its constitutional dimension:
Writing and oral presentation in the class of an essay during the semester.
The presentation shall be in English and extend to no more than 20 min. A written paper of approximately (± 10%) 5000 words (~18 pages, margins 2,5 cm, Times New Roman 12, line spacing 1,5) excluding footnotes, may be submitted in one of the following languages: Greek, German, English, French or Spanish.
Grades: 30% participation, 20% presentation of own paper, 50% written paper

ECTS: 5
Conceptual and Substantive Issues of European Constitutionalism

1. Introduction to European Constitutional Law
2. Are the Treaties the ‘Constitution’ of the Union?
3. What kind of democracy for the Union? Is there a democratic deficit?
   a. The notion of representative democracy in the Union (Art. 10 Treaty of European Union)
   b. Citizens’ participation to the political governance of the Union (Art. 11 Treaty of EU)
   c. The role of national parliaments in the EU (Art. 12 Treaty of EU) and Protocol 1
4. European Citizenship
5. Constitutional principles: Subsidiarity
6. Towards the Constitutionalisation of the Area of Freedom, Security & Justice
7. Institutions
   a. The Council
   b. The President
   c. The Commission
   d. The Parliament
8. Separation of powers
9. The Relationship between EU law and national constitutions
10. The Economic Constitution of the Union
11. CFSP-EU external relations
12. Relationship between EU law and national Constitutions
13. The Union and Fundamental Rights
   a. the ECJ case-law
   b. The Charter of Fundamental Rights as a new source of rights: legal value
   c. The role of the ECHR for the protection of rights at EU level

(You may deepen on the topic No 13 by choosing the course “European Human Rights Law” in the Spring Semester)

Book:
Hermann-Josef Blanke, Stelio Mangiameli (eds), The European Union after Lisbon - Constitutional Basis, Economic Order and External Action, 2012 (Book is available in the AUTH library online)

Further necessary course material will be given during the course.

More information you may find on blackboard
https://blackboard.lib.auth.gr/webapps/portal/frameset.jsp?tab_group=courses&url=%2Fwebapps%2Fblackboard%2Fexecute%2FcourseMain%3Fcourse_id%3D_1314_1