

## NASTAVNE TEME / JEDINICE

Studijski program: Sveučilišni integrirani prijediplomski i diplomski studij Pravo  
Naziv kolegija: **EU Constitutional Law**  
Šifra kolegija: 239537

1. Naziv nastavne teme/jedinice: Constitutional Ambitions of a New Legal Order						Broj sati: 6
	DIMENZIJE / RAZINE KOGNITIVNOG PROCESA					
DIMENZIJE ZNANJA	Pamćenje	Razumijevanje	Primjena	Analiza	Vrednovanje	Stvaranje
Činjenično znanje						
Konceptualno znanje				To analyse the role of the Court of Justice in the development and constitutionalisation of EU law.	To examine the relevance of principles of direct effect and supremacy of EU law for EU constitutionalisation, as well as the emancipation of EU law from international and national law	
Proceduralno znanje						
Metakognitivno znanje						

2. Naziv nastavne teme/jedinice: Supremacy, Sovereignty and EU Constitutional Pluralism						Broj sati: 6
	DIMENZIJE / RAZINE KOGNITIVNOG PROCESA					
DIMENZIJE ZNANJA	Pamćenje	Razumijevanje	Primjena	Analiza	Vrednovanje	Stvaranje
Činjenično znanje						

Konceptualno znanje				To analyse the major national judicial decisions that position national sovereignty against supremacy of EU law. To recognize different perceptions to sovereignty. To analyse the conditional recognition of EU supremacy by national constitutional courts and the limits to European integration therefore imposed.	To question the nature of the EU as a self-proclaimed 'constitutional' legal system, considering the challenge to the EU's constitutionality by the Member States.	To argue for one of the different perceptions to EU constitutionalism, addressing arguments both in favour and it.
Proceduralno znanje						
Metakognitivno znanje						

3. Naziv nastavne teme/jedinice: EU Federalism and EU Competences						Broj sati: 3
	DIMENZIJE / RAZINE KOGNITIVNOG PROCESA					
DIMENZIJE ZNANJA	Pamćenje	Razumijevanje	Primjena	Analiza	Vrednovanje	Stvaranje
Činjenično znanje						

Konceptualno znanje				To understand the relevance of separation or 'balance' of powers between the EU and the Member States; to distinguish the concept of conferred competences of the EU from the retained national competence. To examine the principles governing the exercise of EU competences, such as the principle of conferral, subsidiarity and proportionality, as well as the principle of pre-emption. To examine the basic features of the federal theory and how it may apply in the EU context, as well as the distinction between dual and cooperative federalism.	To question the 'federal-type' nature of the EU legal system and recognize the distinction between a formal and functional approach to EU federalism. To critically examine how the Court of Justice resolves inevitable jurisdictional conflicts between the scope of EU law and retained competences of the Member States.	
Proceduralno znanje						
Metakognitivno znanje						

4. Naziv nastavne teme/jedinice: Interpreting EU Constitutional Law						Broj sati: 6
	DIMENZIJE / RAZINE KOGNITIVNOG PROCESA					
DIMENZIJE ZNANJA	Pamćenje	Razumijevanje	Primjena	Analiza	Vrednovanje	Stvaranje
Činjenično znanje						

Konceptualno znanje				To understand the distinction between rights and principles, as well as to recognize the indeterminate nature of legal norms. To understand the relevance of the principles of effectiveness and the principle of proportionality in interpretation and application of EU law.	To assess the relevance of the theory of constructive interpretation of law of Ronald Dworkin and the theory of constitutional rights of Robert Alexy.	To develop the ability of critical thinking about judicial interpretation and the role of courts in federal constitutional governance.
Proceduralno znanje			To recognize and employ different constitutional methods of interpretation of EU law employed by the Court of Justice.		To draft a judgment on a hypothetical case and use methods of interpretation to support your arguments.	
Metakognitivno znanje						

5. Naziv nastavne teme/jedinice: General Principles, Fundamental Rights and the Scope of EU Law						Broj sati: 6
	DIMENZIJE / RAZINE KOGNITIVNOG PROCESA					
DIMENZIJE ZNANJA	Pamćenje	Razumijevanje	Primjena	Analiza	Vrednovanje	Stvaranje
Činjenično znanje						
Konceptualno znanje				To analyse the relevance of general principles of EU law, either as an aid for interpreting other provisions of EU law, or as an independent source of primary law creating rights for individuals. To assess the function of fundamental human rights in the legal system of the EU.	To re-examine the prevalence of teleological interpretation of EU law by the Court of Justice. To discuss the problems in the reception of general principles in Member States' legal systems. To assess the scope of protection of fundamental rights in the Union legal order as compared to national constitutional systems or the ECHR.	
Proceduralno znanje						

Metakognitivno znanje						
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6. Naziv nastavne teme/jedinice: The Rule of Law and the Role of Judiciary in the EU						Broj sati:3
	DIMENZIJE / RAZINE KOGNITIVNOG PROCESA					
DIMENZIJE ZNANJA	Pamćenje	Razumijevanje	Primjena	Analiza	Vrednovanje	Stvaranje
Činjenično znanje				To examine the concept of the rule of law as developed through the case law of the Court of Justice. To analyse the concepts of constitutional and liberal democracy.	To examine the importance of judiciary and judicial review for preserving the system of checks and balances, and the countermajoritarian mechanisms in a majoritarian system of governance	
Konceptualno znanje						
Proceduralno znanje						
Metakognitivno znanje						