



UNIVERSITETI I EVROPËS JUGLINDORE
УНИВЕРЗИТЕТ НА ЈУГОИСТОЧНА ЕВРОПА
SOUTH EAST EUROPEAN UNIVERSITY

Study program **Constitutional and Administrative Law (2017/2018)**

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| Faculty | Law |
| Study Cycle | Second Cycle (Postgraduate) |
| ECTS | 120 |
| Title | Master of Legal Sciences - Field: Constitutional and Administrative Law |
| Accreditation archive number [120] | 03-612/4 |
| Decision for starting of the program | 03-1619/18 (10.11.2017) |
| Accreditation date | 21.03.2017 |

Description of the program

The purpose of the study program of Constitutional and Administrative Law is to provide such modules which will include the basis of constitutional-administrative knowledges for approximation to legal professions that are related to the area of constitutional and administrative law and to be provided solid, special and systematic knowledge of the institutions and the basis of the constitutional and administrative system of the Republic of Macedonia as well as comparative knowledge of the region and of the European Union in the respective field.

Career

The diploma of the study programme will enable the students of Master's degree to be capable to apply general and special theoretical and practical professional and constitutional-administrative knowledge and skills in practice; To provide analytical answers both from the point of view of the implementation of normative legal acts and from the point of view of changing the legal regulation; To observe and explore the constitutional-administrative phenomena and problems and provide creative proposals for their resolution; Critically and arguably to analyze and evaluate the legal solutions and the functioning of the constitutional-administrative institutions in practice; To continue with the further perfecting of doctoral studies in the field of legal and constitutional-administrative sciences; To pursue the development of legislation and legal practice and engage in the implementation of scientific research results in legislative and legal practice.

Learning outcomes

Knowledge and understanding

- Shows knowledge and understanding of constitutional law and administrative law by applying the adequate methodology for solving complex constitutional and administrative problems, both systematically and creatively, providing a basis or opportunity for originality in development and/or implementation of autonomous ideas in the context of constitutional and administrative research;
- Ability to use extensive and deep constitutional-administrative knowledge;
- Shows high level of competence in constitutional-administrative law;

- Possesses knowledge from one or more subject areas, which, in the scientific fields, rely on the most renowned international research in the constitutional-administrative field.

Applying knowledge and understanding

- Ability to critically, independently and creatively solve problems with originality in new or unknown environments and in a multidisciplinary context related to contemporary trends of constitutional and administrative law.

Making judgement

- Ability to synthesize and integrate knowledge;
- Ability to deal with complex issues, systematically and creatively, for solid assessment even in the case of incomplete and limited information, but which include personal, social and ethical responsibilities in the application of acquired constitutional and administrative knowledge;
- Ability to evaluate and select the scientific theories, methodologies, tools and general skills in the subject areas, and to set up new analysis and solutions on a scientific basis.

Communication skills

- Ability to exchange conclusions and suggestions with argumentation and rationally support them, both with professional and non-professional persons, clearly and unambiguously;
- Taking a significant responsibility for the common results; managing and initiating activities.

Learning skills

- Ability to recognize the personal need for further knowledge and ability for independent action in acquiring new knowledge and skills in national, regional and European as well as world context;
- Ability to take responsibility for further professional development and improvement.

List of courses

Semester 1

- [MCAL-0101] [6.0 ECTS] **Applied Constitutional Law**
- [MCAL-0102] [6.0 ECTS] **Applied Administrative Law**
- [MCAL-0103] [6.0 ECTS] **Contemporary Political Systems**
- [6.0 ECTS] **Elective course**
- [6.0 ECTS] **Free elective course**

Semester 2

- [MCAL-0201] [6.0 ECTS] **Administrative Procedure Law**
- [MCAL-0202] [6.0 ECTS] **Administrative Justice**
- [MCAL-0203] [6.0 ECTS] **Parliamentary Law**
- [6.0 ECTS] **Elective course**
- [6.0 ECTS] **Free elective course**

Semester 3

- [MCCR1120] [6.0 ECTS] **Research Methodology**
- [EMCA0020] [6.0 ECTS] **Comparative Constitutional Law**
- [MCAL-0302] [6.0 ECTS] **Constitutional Justice**
- [6.0 ECTS] **Elective course**
- [6.0 ECTS] **Elective course**

Semester 4

- [MCCAL4010] [30.0 ECTS] **Master Thesis**

Description of courses

Core courses

• **Applied Constitutional Law**

Course Objectives: Acquiring knowledge on the concepts, phenomena and institutes of constitutional law and state institutions in Macedonia, including their theoretical positions on them. Acquire concrete knowledge of constitutional law as a science and legal branch, including comparative analysis of the situation and its prospects in the regional and European domain. Through this module, students will gain basic theoretical and practical knowledge regarding the organization of state bodies and of human and citizen's rights and freedoms; Encouraging critical thinking of students on the fundamental issues of constitutional regulation of the Republic of Macedonia and within the EU, whereby an account of the European jurist's profile will be taken into account, which in the future as an expert should interpret and enforce the constitutional right in the national and European level; The curriculum will treat the constitutional subject in the comparative and national aspect because in the conditions of globalization, the constitutional right cannot be understood if it is considered only nationally; The curriculum will also cover: The new Rules of Procedure of the Assembly, which have a key role in the development of parliamentary democracy in Macedonia, new laws regulating constitutional matters, such as laws dealing with the judiciary, local government, electoral system, civil society, defense, foreign policy, etc; In addition to the normative components, the curriculum will elaborate and practice the central state power bodies in RM, respectively: Assembly, Government, Constitutional Court, Supreme Court, which has a strong influence on constitutional law as a science; The 2001 constitutional amendments will also be included since they have a major impact on the major democracy in the Republic of Macedonia as well as on the fundamental constitutional values of the constitutional order of the Republic of Macedonia as well as the constitutional amendments of 2005 on judicial reform in the Republic of Macedonia; At the end of the course, students will be able to make fundamental and substantive differences between constitutional institutions, their interconnection and their practical functioning; To make the necessary theoretical and practical differences on the concepts, phenomena and institutes of constitutional law; To describe and analyze the various processes within the system and the constitutional order of the Republic of Macedonia in all aspects of the constitutional life of the country, it means to man, citizen, state and ethnic communities.

• **Applied Administrative Law**

Course objectives: - Define and understand the concepts of administration and administrative functions; - Recognize and analyze the legislation regulating the organization and functioning of public administration in Macedonia; - Recognize the main activities of the administrative function; - To distinguish between types of administrative acts and to possess the first steps of creating such acts; - Know the types of administrative oversight; - Know the mechanisms of control over the administration and its responsibility to other state organs, but also to clients-users of its services; - For future employment in the organs of the administration of the Republic of Macedonia, NGOs, in institutions and institutions dealing with the solving of cases of legal administrative nature.

• **Contemporary Political Systems**

The course "Comparative Political Systems" aims to familiarize students with knowledge about most political systems in the modern world, of course without leaving aside the political systems of countries surrounding Macedonia and political systems of less developed countries around the world. During the course we will deal with parallelisms and comparative analysis between the functioning of the institutions of political systems in countries of interest, interrelated and in the case of the political system of the Republic of Macedonia towards finding good practices that would be promoted and political system of the Republic of Macedonia.

• **Administrative Procedure Law**

The purpose of the course is enabling students to: - define and understand the notions of administration and administrative function; - to recognize and analyze the legal regulation that regulate organization and functioning of the public administration in the RM; - to examine the basic activities of administrative function; - to make classification between the types of acts of the administration and to master the first steps in the creation of such acts; - to learn the types of administrative supervision; - to recognize control mechanisms over the work of the administration and its responsibility before other state bodies, but also in front of customers - their clients of its services; - for future employment in the administration of RM, non-governmental organizations, as well as all the institutions that decided issues of administrative-legal nature.

• **Administrative Justice**

Course objectives are: - Regular application (reading and interpretation) of legal norms regulating initiation, flow and completion of administrative-judicial proceedings before the administrative court and the Supreme Court; -

Preparation of lawsuits for the initiation of judicial-administrative proceedings (for all lawyers' profiles); - Undertaking of procedural actions during the administrative-judicial procedure (for a lawyer, state servants who decide on administrative matters, lawyers employed in working bodies and state bodies, judges of the Administrative Court, as well as for professional services at the Administrative Court); - Processing of decisions (judgments and judgments) taken in the administrative procedure of the first instance and second instance (for a judge of the Administrative Court); - Processing of complaints and lawsuits for renewal of the proceedings (for a lawyer, civil servant who decides administrative cases).

- **Parliamentary Law**

The purpose of this course consists in the acquisition of legal-theoretical and practical knowledge applied to the Parliament as a representative, legislative and sovereign body within the state power of the given state, including its organization, structure and competencies in the Republic of Macedonia, coupled with legal-comparative aspects.

- **Research Methodology**

Students will be able to: - To apply the main methods of legal and other research. - To collect research material in a critical way that is relevant and which are cited by the authors in their responses. - To understand the scope of the research and access to various methods of research, being able even to their critical review. - To study the relationship between legal theory and research practice through an advanced approach. - To apply skills and knowledge learned in their theses.

- **Comparative Constitutional Law**

The Constitutional Comparative Law studies the comparative aspects of the constitutional systems of the EU and beyond, in order to provide in-depth knowledge of the principles and the functioning of the key institutions of state power in the comparative aspect.

- **Constitutional Justice**

The purpose of the course consists in obtaining knowledge about the appearance, development and forms of constitutional and constitutional judicial control of constitutionality and legality for the constitutional judiciary, with emphasis on the Constitutional Court of the Republic of Macedonia and its practice.

- **Master Thesis**

This module enables students to transfer their skills and knowledge to research and make more complex task of Master-Thesis. The module is designed to be fully practical and students to acquire the necessary knowledge and skills to approach the writing of thesis. The module has unique return result- to enable students to write the master thesis with minimal difficulties, and with maximum efficiency. The course aims to improve research techniques and style of writing papers, taking account to stop illegal means, such as plagiarism and infringement of copyright, which are prohibited by the Statute of SEEU.

Elective courses

- **Local Self-Government Law**

The course provides information and new knowledge on the realization of management in local self-government. Through this course the students: - Acquire specific knowledge of the organizational and functional concepts of local self-government; - Acquire knowledge about the functioning of local self-government, the division of power and the relations between local self-government and central government; - Acquire the knowledge and skills needed for good management using the modern management theory models and approaches; - Will be able to better understand the issues related to the functioning of the local self-government and they will be able to solve these problems and effectively implement the decisions taken; - Students will develop organizational and management skills to work in the local administration;

- **Federalism Theory and Practice**

This course provides students with knowledge on the organization of federal states, their organs, powers, types of federal states, some world-class federations, as well as the theoretical and practical central issues associated with federal states, as they are: the Constitution of the State Federation, the federation structure, the division of competences between the federation and its subjects, the participation of federation subjects in the exercise of federal power, the right of self-organization of the subjects of the federation, the issue of sovereignty in the federal state, the prospects of federalism in the world, as well as the issue of the position of federal units in international

relations. The student gains knowledge of the fundamental notions and legalities of federalism that will enable him to reflect on the historical, comparative and critical reasoning of the current federation and processes.

- **Philosophy of Law**

Through the study of the Philosophy Law course students: - Will have sound knowledge about the relationship of Legal philosophy with other legal disciplines and social sciences. - Will have profound knowledge for a critical analysis of the approaches to law and the identification of philosophical problems arising from the analysis of legal provisions. - Will be able to describe the types of concepts related to problems such as the validity of law, the ontological status of law, the relationship between law and other normative systems (morality, religion, etc.) in their historical development.

- **Political Parties and Electoral Systems**

The course Political Parties and Election Systems aims to acquaint students with general theoretical and organizational knowledge of political parties and election models which are used in the world and in the Republic of Macedonia. The content of the subject encompasses the following themes: general knowledge of creation of political parties, political systems, organization of political parties, election models, financing of political parties etc.

- **Ethics and Public Administration**

Course objectives: - Introducing students to the basic concepts and attitudes of ethics in the public sector and good administration, as the leading interdisciplinary concept, in particular in relation to better public management and legal protection of procedural rights. - Gaining knowledge about the ethical behavior of public servants as individuals and public administration as organization.

- **Public Policy Management**

Public policy assessment appeared in the US before Great Britain, Scandinavia, and other Western democracies several years later. On the initiative of the European Union, systematic rules are laid down in public policy financing of the Member States. It is strongly linked to the rationalization of public action. Public policy evaluation aims to determine the extent to which public policy has achieved its goals and gives the public's expected impacts. Public policy assessment generally consists of an analysis of the results of public intervention, to know if they are to achieve the objectives. In a broader sense, the assessment aims to build a position on the value of public interventions based on "their outcomes, their impact they want to achieve" and relying on empirical data collected and analyzed specifically for this purpose.

- **Administrative Contracts**

The purpose of the course consists in gaining knowledge about the presentation, development and forms of administrative contracts as specific public contracts in the theoretical, practical and comparative level.

- **The Clerks System**

The purpose of the course is to enable students to work in the public administration by familiarizing themselves with the theoretical principles in support of which the system of employees in the Republic of Macedonia has been established and above all through the practical attitude of students to relevant state bodies (for public employees). In addition, the recognition of the rights, obligations and responsibilities of the Chief of Staff in the Republic of Macedonia (for civil servants, lawyers, judges of the Administrative Court).

- **Rhetoric**

During its long history of 2,500 years, rhetoric was used to indicate many different things; but rhetoric nowadays is considered as the art of persuasion through language. Rhetoric marks the way that an individual is linked to a particular theme or idea in order to convince the others. Rhetoric is characterized by several distinguishing features.

- **Multilingualism and multiculturalism**

The purpose of this subject will be multilingualism in multicultural societies as a social phenomenon. This phenomenon is massive in the world. During the lectures, more precise terms such as monoculturalism and multiculturalism will be considered. The term 'linguistic nationalism' has at least two forms of this nationalism, which collide with each other: for the leaders of the most powerful countries nationalism means expansion, and for minorities it takes the form of defiance and struggle for the affirmation of identity, despite such pressure. The emphasis during the program will be multiculturalism in education. In the schools curricula consists of contents from different cultures.

- **Selected Advanced Topics in IT Applications for Preparing a Scientific Paper**

The aim of this subject is: To display the technical elements, the structure of the text and design of a scientific

research. To enable students to acquire advanced knowledge and skills from selected advanced chapters of IT applications that will be needed in preparing the scientific and research paper. Practical application of these objectives in preparing student's individual research paper.

- **Selected Advanced Topics in Applications for Statistical Data Processing**

The aim of this subject is: To display the technical elements in the field of statistics: organizing, processing, comparing through analysis and publication of data. To enable students to acquire advanced knowledge and skills from selected advanced chapters of the applications for statistical data processing. Practical application of these objectives in statistical processing of data obtained from questionnaires, reports, scientific studies and other documents.

- **Professional Communication**

The course is focused on the development of those communication skills that are essential for effective functioning in the professional world. Students will study the process for analysis of different communication situations, and will accordingly comprehend them. Among the themes that will be covered are communication in organization, interpersonal and group communication, oral presentations, interviews for employment, professional business letters and interpersonal skills including group dynamics and teamwork.

- **Labor Market**

The main aim of the course "Labor Market" is to provide second cycle students with basic and in-depth knowledge in the field of labor market theory and the mechanism of functioning of the market economy. The objective of the course Labor Market is to provide and teach students about categories, laws and basic principles through which the labor market functions. The course makes a detailed analysis of behavior pattern and the role that key agents play in labor market: individuals, companies and government. The analysis is based on two basic categories - labor demand and labor supply, which are applied in almost all the topics that are addressed in this course. The knowledge gained by the students from this course, serves as essential theoretical basis necessary to understand and grasp the different theories and policies that are applied in the labor market. The course teaches students to understand how labor markets distribute and use efficiently the rare factor of production- the labor. Lectures include knowledge about the concepts of labor demand and labor supply and their practical application; behavior of individuals in the labor market, in order to maximize their usefulness; behavior of companies in the labor market, aiming profit maximization; government's role in the labor market, the different structures of labor markets: labor market in full competition, monopoly in the labor market, the role of unions in the labor market, the bilateral monopoly in the labor market. Lectures and class discussions cover material that may not be in the book and some aspects of the material contained in the basic literature will not be discussed in class, but are left for active studying of the student. Therefore in order the student to achieve success in learning the course is to be present in lectures and workshops by participating actively in the discussion of various issues related to labor market.

- **Methodology of Teaching**

The aim of the course is to introduce the students to the basic teaching approaches and methods. They are expected to gain knowledge and skills in order to be able to apply the active educational tools. The course also offers development, learning and teaching as concepts and basic practices that allow teachers to teach about the development of thinking. Throughout this course, students will gain both theoretical background and entirety of strategies that will enable them to reflect and develop both their own and their students' critical thinking.

- **Philosophy of Social Sciences**

This module covers information that will provide the learner to gain knowledge, skill and competence of the social sciences, including general methodology (explaining, theorizing, testing), the application of philosophy (especially individualism versus holism), the nature of rationality, and the history of theories and concepts. This module offers an advanced survey of current debates about the ontology, methodology, and aims of the social sciences. It will focus on the central issues of the social sciences: Ethno methodology; Evolution; Phenomenology; Rationality; Relativism; Scientific Methods; Textual Interpretations. Learning outcomes: On successful completion of the course, students will be able to: Understand the goal of social sciences. Tell the difference between explaining and understanding human behavior; To explain the different approach in explanation of the social sciences compare the natural sciences, the peculiarities about human beings and social phenomena; To understand the social structures, practices, norms, institutions, etc. The relationship between individuals and larger social structures; To explain the rely not only on facts about individuals and their mental states, but also the cases in which social phenomena cannot be explained in terms of individual behavior; To understand the value-laden in a different way or to a different degree than natural science, the possibility to have a value-free social science, the possibility to have an objectivity in social science.

- **Project Management**

On successful completion of the course, students will be able to: plan the activities necessary to implement the project, identify their interdependencies, their duration and costs; prepare the necessary reports and perform all the required communication between the project and the client, as well as among the team members and the other stakeholders. structure the project to its constituent activities; prepare a Gantt-chart and a network plan for the project and identify the shortest time needed to complete the project; use MS Project as a tool in the process of planning, implementation and review of the project; define the project, identify its scope and objectives and develop project specification;

- **Optimization Methods**

The aim of this course is to present techniques of modeling and optimization in order to prepare students for developing their ability to prepare models for solving real problems in the field of computer science. The course explore the importance of matrix factorizations as an important tool which offers modality for optimizing the solutions of different numerical algorithms which are of basic interest for problem solving in the area computer sciences. The course introduces optimization theory and approach to find the optimum. The different methods of optimization will be analyzed such as the simplex method, duality problem and sensitivity of the problems of linear programming. The aim is to explore a computer implementation for each of the problems followed by the proposal of the corresponding model for optimization.

- **Ethical and Legal Issues in Information Technology (IT)**

Aims of the course program: to develop an understanding of the relationship between computing, technological change, society and the law; to emphasize the powerful role that computers and computer professionals play in a technological society; to provide an understanding of legal areas which are relevant to the discipline of computing; to provide an understanding of ethical concepts that are important to computer users and professionals; to provide experience in the consideration of ethical matters and the resolution of ethical dilemmas.

- **Protection of Human Rights**

The purpose of this course is: to introduce students with the concept of international law on human rights, their implementation, influence of those rights in the creation of national policies; to encourage students to critically reflect on the relationship between international law and national law; make them aware of current international events, how they affect the daily lives of people in the world; encourage students to contribute in matters of drafting laws for the protection of human rights hoping that, the law makers will consult them same during the creation and implementation of state policies.