



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

Study program **Constitutional and Administrative Law (2020/2021)**

Faculty	Law
Study Cycle	Second Cycle (Postgraduate)
ECTS	60
Code	CAL60C
Title	Master of Legal Sciences - Module: Constitutional and administrative Law
Accreditation archive number [60]	03-2774/2
Accreditation date	16.10.2020

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 RNM 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

- [MCCR1120] [6.0 ECTS] **Research Methodology**
- [MCAL-0101] [6.0 ECTS] **Applied Constitutional Law**
- [MCAL-0102] [6.0 ECTS] **Applied Administrative Law**
- [6.0 ECTS] **Elective course**
- [6.0 ECTS] **Elective course**

Semester 2

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

Description of courses

Core courses

- **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.
- **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 RNM, 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 RNM as well as on the fundamental constitutional values of the constitutional order of the RNM as well as the constitutional amendments of 2005 on judicial reform in the RNM; 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 RNM 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 RNM, NGOs, in institutions and institutions dealing with the solving of cases of legal administrative nature.

- **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.

- **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.

- **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.

- **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 RNM and its practice.

- **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.

- **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 RNM, coupled with legal-comparative aspects.

- **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).

- **Legal Clinic - Constitutional and Administrative Law**

The aim of the course is for students from the second cycle of studies - graduated lawyers, to acquire the professional ability to independently apply the regulations in practice and accomplish legal works, as well as to help Master students to prepare the Bar Exam more easily and successfully. Through this course, students will gain theoretical and practical knowledge from the program for the Bar Exam organized by the Ministry of Justice. Special attention will be paid to the proper implementation of the practical teaching system. Regarding the practical aspect, which is a more complex part of the exam, students will be able to solve civil and criminal law cases, along with lecturers from the practical part, especially from the ranks of judges, public prosecutors, executors, lawyers, notaries, mediators, bankruptcy trustees, etc. A type of cooperation is expected to be formed between the students and the actors of the practical part for exchange of knowledge and experiences, as well as their further support during the preparation of the Bar Exam. This kind of practical training of the students throughout this program represents a novelty and a significant step forward by our faculty. In order to ensure and achieve a more successful implementation of this project, we have signed a memorandum of cooperation with the Ministry of Justice of the Republic of North Macedonia.

- **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.

- **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.

- **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.

- **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.