

Course description

Course abbreviation:	KÚP/ÚP2	Page:	1 / 3
Course name:	Constitutional Law 2		
Academic Year:	2023/2024	Printed:	03.06.2024 08:42

Department/Unit /	KÚP / ÚP2			Academic Year	2023/2024
Title	Constitutional Law 2			Type of completion	Exam
Accredited/Credits	Yes, 5 Cred.			Type of completion	Combined
Number of hours	Lecture 2 [Hours/Week] Seminar 2 [Hours/Week]				
Occ/max	Status A	Status B	Status C	Course credit prior to	YES
Summer semester	0 / -	0 / -	0 / -	Counted into average	YES
Winter semester	0 / -	0 / -	0 / -	Min. (B+C) students	10
Timetable	Yes			Repeated registration	NO
Language of instruction	Czech			Semester taught	Summer semester
Optional course	No			Internship duration	0
Evaluation scale	1 2 3 4			Ev. sc. – cred.	S N
No. of hours of on-premise					
Auto acc. of credit	Yes in the case of a previous evaluation 4 nebo nic.				
Periodicity	K				
Substituted course	None				
Preclusive courses	KÚP/ÚP2N and KÚP/ÚP2R				
Prerequisite courses	N/A				
Informally recommended courses	N/A				
Courses depending on this Course	N/A				

Course objectives:

Students will focus on the content of constitutionally guaranteed human rights in the Czech Republic, get acquainted with their normative, doctrinal and judicial forms and relevant supranational context in order to understand the interactive dimension between public authority and an individual in the Czech Republic constitutional model and be able to give appropriate assessment from the constitutional point of view.

Requirements on student

active participation in class work
final written test
oral examination

Content

Lectures:

1. Charter of Fundamentals Rights and Basic Freedoms, its presumptions, legal status, characteristics structure, vertical and horizontal relationships and constitutional significance.
2. Ius naturale basis of human rights in the Czech Republic and its consequences, material focus of constitutionality, its content, significance and related case law.
3. Fundamental principles of the Charter, their content, form and specification in individual classifications of human rights.
4. Content of human rights in the Charter, individual, political, minority, economic, social and cultural rights, right to judicial and other legal protection.
5. Inviolability of the person, its types, concept, constitutional grounds, legal regulation and case law.
6. Voting rights, their elements, their constitutional grounds, legal regulation and case law.
7. Freedom of expression and the right to be informed, their constitutional grounds, legal regulation and case law.
8. Rights of national and ethnic minorities, their constitutional grounds, legal regulation, case law, national and supranational protection.
9. Economic, social and cultural rights, their classification, constitutional concept, legal regulation and case law.

10. Right to judicial and other legal protection, its constitutional concept and legal regulation, specific judicial doctrines of the Czech Constitutional Court and the European Court of Human Rights.
11. Relationship of public authority and citizen in view of human rights, its classification according to status negativus, positivus, activus and pasivus, constitutive and constituted power.
12. Constitutional justice and its role in protection of constitutionally guaranteed fundamental rights, constitutional complaint of natural and legal person.
13. Public Defender of Rights, his/her legal status, powers and competence.
14. Supranational normative systems of human rights protection, their institutional protection mechanisms and relationship to the Czech Republic constitutionality.

Seminars:

Selected topics from ÚP 1 a ÚP 2 lectures amended by other important issues of Czech constitutional law.

Fields of study

Guarantors and lecturers

- **Guarantors:** Doc. JUDr. Monika Forejtová, Ph.D. (100%)
- **Seminar lecturer:** JUDr. Zuzana Vostrá, Ph.D. (100%)

Literature

- **Basic:** Pezl Tomáš, Pezl Michael. *Dokumenty ke studiu ústavního práva*, 3. vydání. Plzeň: Aleš Čeněk, 2008. ISBN 978-80-7380-099-4.
- **Basic:** Klíma Karel a kol. *Praktikum českého ústavního práva*, 3. vydání. Plzeň: Aleš Čeněk, 2009. ISBN 978-80-7380-173-1.
- **Basic:** Klíma Karel. *Ústavní právo*, 3. vydání. Plzeň: Aleš Čeněk, 2006. ISBN 80-7380-000-4.
- **Recommended:** Klíma, Karel. *Encyklopedie ústavního práva*. Praha : Aspi, 2007. ISBN 978-80-7357-295-2.
- **Recommended:** Klíma Karel a kol. *Komentář k Ústavě a Listině*, 2. vydání. Plzeň: Aleš Čeněk, 2009.
- **Recommended:** Wintr, Jan. *Principy českého ústavního práva : (s dodatkem principů práva evropského a mezinárodního)*. Vyd. 1. Praha : Eurolex Bohemia, 2006. ISBN 80-86861-75-9.
- **Recommended:** Blahož, Josef; Balaš, Vladimír; Klíma, Karel. *Srovnávací ústavní právo*. 2., přeprac. vyd. Praha : ASPI, 2003. ISBN 80-86395-89-8.
- **Recommended:** Klíma, Karel. *Teorie veřejné moci (vládnutí)*. Praha : ASPI Publishing, 2003. ISBN 80-86395-78-2.
- **Recommended:** Pavlíček, Václav. *Ústavní právo a státověda. II. díl, část 1. Ústavní právo České republiky. 2., podstatně rozš. a dopl. vyd.* Praha : Linde, 2008. ISBN 978-80-7201-694-5.
- **Recommended:** Pavlíček, Václav. *Ústavní právo a státověda. II. díl, část 2., Ústavní právo České republiky*. Praha : Linde, 2004. ISBN 80-7201-472-2.
- **Recommended:** Filip, Jan. *Ústavní právo I : základní pojmy a instituty, ústavní základy ČR*. 3. vyd. Brno : PF MU v Brně, 1999. ISBN 80-210-20326(Masa).

Time requirements

All forms of study

Activities	Time requirements for activity [h]
Contact hours	26
Individual project (40)	18
Practical training (number of hours)	26
Preparation for an examination (30-60)	60
Total:	130

assessment methods

Knowledge - knowledge achieved by taking this course are verified by the following means:

Oral exam

Test

Continuous assessment

prerequisite**Knowledge - students are expected to possess the following knowledge before the course commences to finish it successfully:**

Constitutional Law 1, Theory of State

teaching methods**Knowledge - the following training methods are used to achieve the required knowledge:**

Lecture

Lecture supplemented with a discussion

Students' portfolio

One-to-One tutorial

Seminar classes

learning outcomes**Knowledge - knowledge resulting from the course:**

Students will

- focus on constitutionally guaranteed human rights and the interactive dimensions of public authority and an individual in the constitutional model of the Czech Republic,
- analyze the constitutional concept of human rights, their range, significance and most important implementing legislation, types or relationships between public authority bodies and individuals, as well as case law of the Czech Constitutional Court and the European Court of Human Rights,
- acquire detailed contextual knowledge of the constitutional dimension of public and private status of man and citizen and of their normative and institutional protection as regulated by constitutional law of the Czech Republic.

Course is included in study programmes:

Study Programme	Type of	Form of	Branch	Stage	St. plan v.	Year	Block	Status	R.year	R.
Law and Legal Science	Undergraduate Master	Full-time	Law	1	10	2023	Obligatory subjects - 1st year	A	1	LS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	11	2023	Obligatory subjects - 1st year	A	1	LS