

COPYRIGHT LAW OF THE EUROPEAN UNION

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Dr. habil. Péter Mezei				
Institute/Department	Institute of Comparative Law and Legal Theory				
3) Main objectives of the course					
The aim of the course is to provide a fundamental insight into the doctrine and practice of the copyright regime of the European Union. As a part of that participants of the course can get familiarized with the leading sources of law, concepts, and case law of the EU, and the relevant methodological approaches that a graduate student might apply in writing a doctoral thesis.					
4) Content of the course					
I. The development of international and European copyright law; basic features of EU copyright law					
II. Sources and case law of EU copyright law					
a) Software Directive;					
b) Rental, Lending and Related Rights Directive;					
c) Satellite and Cable Directive;					
d) Term Directive;					
e) Database Directive;					
f) InfoSoc Directive;					
g) Resale Royalty Right Directive;					
h) Orphan Works Directive;					
i) CRM Directive;					
III. Law enforcement in the EU					
a) Enforcement Directive;					
b) E-commerce and copyright law;					
c) jurisdiction + applicable law.					
IV. Digital Single Market Strategy					
5) Materials					
Justine Pila & Paul Torremans: <i>European Intellectual Property Law</i> , Oxford University Press, Oxford, 2016: p. 243-360.					
Catherine Seville: <i>EU Intellectual Property Law and Policy</i> , Second Edition, Elgar European Law, Edward Elgar, Cheltenham, 2016: p. 7-101.					
Anette Kur & Thomas Dreier: <i>European Intellectual Property Law</i> , Text, Cases & Materials, Edward Elgar, Cheltenham, 2013: p. 241-322.					
Michel M. Walter & Silke von Lewinski: <i>European Copyright Law</i> , A Commentary, Oxford University Press, Oxford, 2010					
6) Evaluation for the credit	A max. 10 pages long home assignment on a topic that is closely related to the subject of the course.				

SOME CURRENT PROBLEMS OF THE HUNGARIAN CRIMINAL PROCEDURE

(doctoral programme – elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Prof. Dr. Zsanett Fantoly				
Institute/Department	Institute of Criminal Sciences				
3) Main objectives of the course					
<p>This course is aimed at preparing the students for their future studies in the field of criminal law of procedure. During the course the students get to know the fundamental rules of the Hungarian criminal procedural law, based on their previous knowledge. The course also enlightens the relationship of the Hungarian criminal procedural law to other country's criminal procedural law.</p>					
4) Content of the course					
<p>The principles and the subjects of the criminal procedure in the continental European countries The equality of arms in the criminal procedure in the accusatorial and in the inquisitorial criminal justice systems The law of evidence in criminal proceedings Human rights and coercive measures (stop and search, arrest, pre-trial detention) in the criminal procedures Covert policing and undercover investigations in Hungary The rules of the criminal investigation; the relationship of the prosecutor and the police in the Hungarian criminal procedure Plea bargaining in common law and continental European law jurisdictions The ordinary and extraordinary procedures, alternatives to prosecution in the Hungarian criminal jurisdiction Prosecutorial discretion in the [Hungarian] criminal procedure The system of the legal remedies and the appellate procedures in Hungary</p>					
5) Materials					
<p>Fantoly Zsanett: The current questions of the Hungarian law of criminal procedure. Lambert. 2016. Hautzinger Zoltán – Herke Csongor: The Hungarian Criminal Procedure Law. Pécs, 2006. Herke Csongor: The Modification of New Hungarian Criminal Procedure Law. www.jesz.ajk.elte 2002/4. Karsai Krisztina – Szomora Zsolt: Criminal Law in Hungary. Wolters Kluwer.</p>					
6) Evaluation for the credit	oral exam or compulsory written assignment				

CRIMINAL POLICY DEBATES

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Prof. Dr. Krisztina Karsai				
Institute/Department	Institute of Criminal Law and Criminal Science				
3) Main objectives of the course					
<p>After completing this course, students will have a set of portable argumentation and advocacy skills that they can use in a variety of experiences throughout their academic carrier. Students will initially learn about and practice structured extemporaneous speeches with emphasis on verbal and nonverbal delivery skills (organization, projection, inflection, eye-contact, hand gestures, and more). Students will then build a foundation for effective argumentation and advocacy (claim/warrant/evidence) by participating in classroom debates (especially on issues of criminal justice). Special emphasis will be placed on critical thinking and listening skills as well as argument building and identifying bad argumentation techniques. In addition to practicing constructive, rebuttal, and cross-examination strategies, students will develop a variety of tactical skills including: evidence comparison, cost-benefit analysis, note-taking, audience adaptation and more.</p>					
4) Content of the course					
<ol style="list-style-type: none"> 1. Public speaking 2. Argument's structures 3. Argumentation Studies 4. Cross examining 5. Debate 					
5) Materials					
Larsen -Hodge: The Art of Argument. Classical Academic Press, 2003					
6) Evaluation for the credit	individual and team exercises during the semester participation at the closing debate				

THE EFFECTS OF EUROPEAN AND INTERNATIONAL LAW TO OTHER BRANCHES OF LAW

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	dr. Anikó SZALAI, Ph.D; dr. Szilvia VÁRADI KERTÉSZNÉ, Ph.D.				
Institute/Department	Department of International and European Law				
3) Main objectives of the course					
<p>Nowadays, scientific research requires a broad perspective analyses concerning the context of international and European law. Therefore, one of the main objectives of this course is to raise awareness of the PhD candidates for the relevant provisions of international law and EU law regarding their research field, and to broaden and improve their research skills. We aim to support PhD students to set out relevant research questions and to advance their dissertation. The course lays an emphasis on decision-making and legislative processes of international organisations and the European Union, and in particular the interpretation of the international courts' relevant case-law.</p>					
4) Content of the course					
<p><u>International law</u> „Internationalization” of the law, reasons for the necessity of international law-making The influence of international organizations on the development of domestic law (mainly UN, specialised agencies of the UN and the Council of Europe) The relationship of international law with other fields of public law (constitutional law, administrative law, criminal law) The relationship of international law with private law The relevance of the decisions of international courts in the development of certain domestic fields of law</p> <p><u>EU-law</u> - Area of freedom security and justice: Policies on border checks, asylum and immigration; - Judicial cooperation in civil matters; - Judicial cooperation in criminal matters; Police cooperation - The role of the EU in private law development - An introduction to the EU's environmental policies and objectives - Labour law in EU - Constitutional law and EU law; Fundamental Rights in the European Union - Effects and contribution of the case-law of the CJEU on other branches of law</p>					
5) Materials					
<p><u>International law</u> - Malcolm Shaw: International Law, 8th ed., Cambridge University Press, 2017. - Piero Bernardini: Private law and general principles of public international law, Uniform Law Review – Oxford, 2016, Vol. 21, 184-196. o. - Varela, Marcelo Dias: Internationalization of Law. Globalization, International Law and Complexity. Springer, Berlin – Heidelberg, 2014.</p>					

EU-law

- Dennis Patterson, Anna Södersten: A companion to European Union law and international law, Wiley-Blackwell, Malden MA, 2016.
- Anthony Arnall – Damian Chalmers: The Oxford handbook of European Union law. Oxford University Press, Oxford, 2015.
- Dorota Leczykiewicz: Human Rights and the Area of Freedom, Security and Justice: Immigration, Criminal Justice and Judicial Cooperation in Civil Matters. Oxford Legal Studies Research Paper No. 1/2016.
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2712421
- Kramer, Xandra E., Strengthening Civil Justice Cooperation: The Quest for Model Rules and Common Minimum Standards of Civil Procedure in Europe (May 25, 2018). Intended for publication in: Marco Antonio Rodrigues & Hermes Zaneti Jr, Repercussões do CPC - Processo Internacional, Editora Juspodivm 2018. Available at SSRN:
<https://ssrn.com/abstract=3191570>
- Kingston, Suzanne, The Uneasy Relationship between EU Environmental and Economic Policies, and the Role of the CJEU (November 5, 2015) UCD Working Papers in Law, Criminology & Socio-Legal Studies Research Paper No. 13/2015. Available at SSRN:
<https://ssrn.com/abstract=2686526>
- Labour law and working conditions, European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Publications Office of the EU, Luxembourg, 2014.

6) Evaluation for the credit

MULTI-LEVEL GOVERNANCE AND EUROPEAN TERRITORIAL COOPERATION

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Dr Zsuzsanna FEJES				
Institute/Department	International and Regional Studies Institute				
3) Main objectives of the course					
<p>The aim of the course is to explain why multi-level governance has taken place and how it shapes conflict in national and European political arenas. European politics has been reshaped in recent decades by a dual process of centralization and decentralization.</p> <p>The goal of the course is to provide an overview on the basic principles and sources of the theoretical background and practice of the Multi-level Governance. Students will be able to acquire in-depth knowledge about the concept and mechanism of European and subnational governance, and the fundamental principles of democracy. Lectures will discuss topics such as the nature of sovereignty, new modes of governance, claims of political legitimacy, principles of subsidiarity and proportionality, and origins of territorial cooperation. The course provides an appreciation of the characteristics of the multi-level governance (MLG) in the European Union (EU). It explains that MLG originated in the 1980s and that Gary Marks was the first to use this term to capture developments in EU cohesion policy. The course suggests that MLG has made a significant contribution to understanding the nature of governance in the EU by directing attention to increasingly complex relations between actors from different sectors organized at different territorial levels, and by raising important questions about the mechanisms, strategies, and tactics through which decisions are made in contemporary politics, and about their implications for democratic accountability.</p> <p>After a selective introduction into theory of governance and an analytical description of the historical development of governance systems, the course shifts focus to the origins of Multi-Level Governance. The course provides key information on the policy-making process at national and European and subnational levels. The course will also analyse what is the impact of subnational (territorial) actors on the EU and the nation-state, how should be redesigned the state so that people can benefit from MLG; what state capacities are most needed to respond to the challenges and perspectives of new modes of governance. These are all crucial questions, which will be addressed in this course whose main objective is to explore what factors contribute to the successful integration of a country into the multi-level European policy.</p>					
4) Content of the course					
<ol style="list-style-type: none"> 1. Introduction 2. Origins of governance. State and governance. Principles of democratic governance. Centralisation – decentralisation. 3. Theoretical background of Multi-level Governance. Models of MLG (Hooghe-Marks). 4. Essential Assumptions of Multilevel Governance. Issues of Legitimacy: Efficiency and Effectiveness vs. Democracy and Partnership. 5. Actors of MLG: Supranational Actors vs. National Governments. Empowerment of Subnational Actors. 6. EU policy-making: multi-level vs. state centric. Case studies. 					

7. Multi-level Governance in the Implementation of the European Territorial and Cohesion Policy. Concept of the European Territorial Cooperation. MLG and European cross-border cooperation.
8. The MLG and the Role of the European Committee of the Regions. White Paper on the Multi-level Governance (CoR, 2009)
9. Globalization and Multi-level Governance: Challenges and Perspectives.
10. Evaluation of the course.

5) Materials

Reading materials:

- Bache, I.: Multi-Level Governance in the European Union. In: David Levi-Faur (ed.): The Oxford Handbook of Governance. Oxford University Press, 2012. ISBN: 9780199560530
- Conzelmann, T. – Smith, R. (eds.): Multi-Level Governance in the European Union: Taking Stock and Looking Ahead. Baden-Baden: Nomos. 2008.
- Homsy, G. C. – Liu, Z. – Warner, M. E.: Multilevel Governance: Framing the Integration of Top-Down and Bottom-Up Policymaking. International Journal of Public Administration, 2018. 1-11.
- Hooghe, L. – Marks, G.: Multi-level Governance and European Integration. Rowman & Littlefield Publishers, New York and Oxford, 2001.
- Papadopoulos, Y.: Accountability and multilevel governance: more accountability, less democracy? West European Politics, 33 (5) 2010. 1030–1049.
- Pierre, J.: Globalization and governance. Edward Elgar, USA, 2013.
- Stephenson, P.: Twenty years of multi-level governance: ‘Where Does It Come From? What Is It? Where Is It Going?’. Journal of European Public Policy, 20 (6) 2013. 817–837.
- Verdun A. – Zeitlin J.: Introduction: the European Semester as a new architecture of EU socioeconomic governance in theory and practice, Journal of European Public Policy, 25 (2) 2018. 137-148.
- Zürn, M.: Global governance as multi-level governance. In: David Levi-Faur (ed.): The Oxford Handbook of Governance. Oxford University Press, 2012. ISBN: 9780199560530

Documents:

- White Paper on European Governance, The European Commission 2001.
- White Paper on Multi-level Governance, The Committee of the Regions 2009.

6) Evaluation for the credit

Final assessment:

- 1.) Active class participation is required with 3 absences.
- 2.) Students are required to prepare a power-point presentation (25-30 minutes) in work-groups, and submit a final paper, based on individual research following the formal criteria:

When calculating the final grade, the assessment criteria will be considered with the following weight:

- Class attendance: 10%
- Class activity (assignments individually and presentations in group): 40%
- Final paper: 50%

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	<p>Grading scale:</p> <p>90-100% 5</p> <p>77-89% 4</p> <p>64-76% 3</p> <p>51-63% 2</p> <p>0-50% 1 (Fail)</p> <p>The general rules of rounding apply in case points earned place students between two grades.</p>
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NEW CHALLENGES FOR LABOUR LAW AND SOCIAL SECURITY IN DIGITAL AGE

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Prof. Dr. József HAJDÚ				
Institute/Department	Department of Labour Law and Social Security				
3) Main objectives of the course					
<p>International and European employment law and social security are at a crossroads: the emergence of new forms of work – from zero-hours contracts to crowd-sourcing platforms such as Uber, industry 4.0, robots, artificial intelligency (AI), etc. – challenge established patterns of labour market regulation; an ageing population combined with changing migration patterns put increasing pressure on domestic social security systems; and, even as the macro-economic situation in most Member States recovers from the financial crisis, workers continue to see their share of the recovery diminish. This course intends to introduce the new challenges in a complex structure.</p>					
4) Content of the course					
<p>1. The role of work for individuals and society 1.1. Individuals work and society (atypical employment). 1.2. Addressing the situation and aspirations of youth. 1.3. Reflexive social security-UBI (unconditional basic income). 1.4. Emerging private insurance solutions for social protection</p> <p>2. Women’s inequality in the workplace 2.1. Addressing care for inclusive labour markets and gender equality 2.2. Empowering women working in the informal economy</p> <p>3. Technology for social, environmental and economic development 3.1. Job quality in the platform economy 3.2. The impact of technology on the quality and quantity of jobs (robots, AI, etc.)</p> <p>4. Managing change during every phase of education (life-long learning) 4.1. Managing transitions over the life cycle 4.2. Skills policies and systems for a future workforce</p> <p>5. New approaches to growth and development 5.1. New business models for inclusive growth 5.2. Global value chains for an inclusive and sustainable future (outsourcing, chain liability, etc.)</p> <p>6. The future governance of work 6.1. New directions for the governance of work 6.2. Innovative approaches for ensuring universal social protection for the future of work (</p> <p>7. International standards 7.1. International labour standards (ILO) 7.2. Supranational law</p>					

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7.3. International trade law (non-trade values, social clauses, etc.)	
5) Materials	
<p>- Work for a brighter future – Global Commission on the Future of Work, International Labour Office – Geneva: ILO, 2019</p> <p>- Michael Doherty (2014) Back to the Future of EU Labour Law?, King's Law Journal, 25:3, 467-475, (https://www.tandfonline.com/doi/pdf/10.5235/09615768.25.3.467)</p> <p>- Game Changers in Labour Law: Shaping the Future of Work, Edited by Frank Hendrickx , Valerio De Stefano (https://lrus.wolterskluwer.com/store/product/game-changers-in-labour-law-shaping-the-future-of-work/)</p>	
6) Evaluation for the credit	written paper

CHALLENGES OF THE STATE IN THE 21ST CENTURY

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer	Norbert MERKOVITY, PhD				
Institute/Department	Department of Political Science				
3) Main objectives of the course					
<p>The course analyses the discourses of social sciences, especially political sciences discourses of governance, parliamentarism, and political campaigns (political trends) regarding challenges of the 21st century state. Political trends are primarily analysed from the side of “politics” through political communication research while trends of governmental issues are analysed from the “policy” side through research on e-democracy, e-government, and e-public administration.</p> <p>The students will also learn about theory and practice of “new” (21st century’s) political communication and attention-based politics that will enable them to frame the relationship between the political system and the citizens, and to conduct further research on the subject.</p>					
4) Content of the course					
<p>The course examines, but is not limited to the following topics:</p> <ol style="list-style-type: none"> 1. Information society and the state 2. The appearances of the ‘state’ and the ‘government’ in new public spheres: the changes in political public sphere in the 21st century 3. The answers of eDemocracy, eGovernance, and ePublic Administration on ‘new’ public sphere: Digital Era Governance, Transformational Governance 4. Social Networking Sites and new parties, new movements: parliamentary representatives and parties; attitudes in the information environment 5. Radicalisation and populism on information networks: the critics of European radicalisation and populism on state 6. Changes in political campaigns from the Millennium years 7. Answers of (European) governments on the changes of political and cultural public sphere 8. Challenges of parliaments’ publicity 9. Policy research in political communication 10. Present and future of attention-based politics 					
5) Materials					
<p>Aalberg, Toril, Esser, Frank, Reinemann, Carsten, Strömbäck, Jesper & de Vreese, Claes (szerk.) (2017): Populist Political Communication in Europe. New York: Routledge. (ISBN: 978-113-8654-79-2)</p> <p>Allcott, Hunt & Gentzkow, Matthew (2017): Social Media and Fake News in the 2016 Election. Journal of Economic Perspectives, Vol. 31, No. 2, 211–236.</p> <p>Altheide, David L. (1989): The Culture of Electronic Communication. Cultural Dynamics, 2(1), 62–78.</p> <p>Blumler, Jay G. (2016): The Fourth Age of Political Communication. Politiques de</p>					

communication, Vol. 4, No. 1(6), 19–30.

Borras, John (2012). The OASIS Transformational Government Framework. *European Journal of ePractice*, 2012, (15), 26–51.

Chadwick, Andrew (2006): *Internet Politics: states, citizens, and new communication technologies*. Oxford: Oxford University Press. (ISBN: 978-019-517-773-2)

Dunleavy, Patrick, & Margetts, Helen (2010). ‘The second wave of digital era governance’, paper presented at American Political Science Association Conference, 4 September 2010, Washington.

Dunleavy, Patrick, Margetts, Helen, Bastow, S., & Tinkler, J. (2006). *Digital Era Governance: IT Corporations, the State and E-Government*. Oxford: Oxford University Press. (ISBN: 978-019-9547-00-5)

Froio, Caterina, Bevan, Shaun & Jennings, Will (2016): *Party Mandates and the Politics of Attention: Party Platforms, Public Priorities and the Policy Agenda in Britain*. *Party Politics*, Online First: 2016. január 20. Doi: 10.1177/1354068815625228.

Gibson, Rachel & Ward, Stephen (2009): *Parties in the digital age: A review article*. *Representation*, 45(1), 87–100.

Kelly, Peter (2016): *The Self as Enterprise: Foucault and the Spirit of 21st Century Capitalism*. Milton Park: Routledge. (ISBN: 978-140-9473-57-2)

Merkovity Norbert (2017): *Introduction to attention-based politics*. *Przegląd Politologiczny*, Vol. 2017, No. 4, 61–73. DOI: <https://doi.org/10.14746/pp.2017.22.4.5>

Merkovity Norbert, Imre, Robert & Owen, Stephen (2015): *Homogenizing Social Media: Affect/Effect and Globalization of Media and the Public Sphere*. In Biernaczka-Ligieza, Ilona (szerk.): *Media and Globalization Different Cultures, Societies, Political Systems*. Lublin: Maria Curies Skłodowska University Press, 57–69. (ISBN: 978-837-7847-01-5)

Mudde, Cas (2013): „Three Decades of Populist Radical Right Parties in Western Europe: So What?” *European Journal of Political Research* Vol. 52, No. 1, 1–19.

Mudde, Cas & Kaltwasser, Cristobal Rovira (szerk.): *Populism in Europe and the Americas: Threat or Corrective for Democracy?* New York: Cambridge University Press. (ISBN: 978-110-7023-85-7)

Scullion Richard et al (2013). *The Media, Political Participation and Empowerment*. London: Routledge. (ISBN: 978-041-5633-49-9)

6) Evaluation for the credit

Students will prove their knowledge through oral presentation on literature and submitted paper. To complete the course it is recommended for the students to complete a course-relevant analysis related to their research topic during the semester.

**LEGAL, POLITOLOGICAL, SOCIOLOGICAL, HISTORICAL AND
PSYCHOLOGICAL ISSUES OF SECRET SERVICES**

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Dr. Béla RÉVÉSZ				
Institute/Department	Department of Political Science				
3) Main objectives of the course					
<p>The main objective of present course is to answer the question whether what kind of scientific conditions can bring closer the survey of legal, politological, sociological, historical and psychological approach to the komplex phenomena of the secret services. Nevertheless, after the collapse of the communist regime in Hungary (and in Central-Europe, as well) important research has started in many directions, but mostly in a historic way. Political history is the narrative and analysis of secret services, ideas, movements, and leaders. This scientific situation can be a good basis to hope that the politological characteristics of the watchful state of the past political systems will become more and more completely disclosed in the near future. Politology is the field concerning the theory and practice of politics and the description and analysis of political systems and political behavior. The question is what happens, when the secret services stand in the centre of watching, their theory and practice, political processes and political behaviors.</p> <p>In additional intention of present course is to resolve the problem of semantic differences between the two types of secret services: the state security services – connected to the dictatorship, and the national security services based upon the role of law.</p> <p>Another essential aim of course is to present in the field of politics, how can pressure the secret services the content of the political decisions, even to bring them instead of the formal decision-makers.</p>					
4) Content of the course					
<ul style="list-style-type: none"> – Secret services before the Twentieth Century – Secret services of the World Wars – Secret services of the Cold War – Secret services and the political systems – Secret services and legal, politological, sociological, historical and psychological studies. – Secret services of Post-Cold War and transition – The history of secret services's activities in Hungary – Covert operations of secret services – Comparative analysis of the world's major secret services. 					
5) Materials					
<ol style="list-style-type: none"> 1. Béla Révész: Documents on the Dictatorship and the Cold War in the Hungarian Archives. Acta Juridica et Politica, Szeged, 2005. 96. p. » http://acta.bibl.u-szeged.hu/7282/1/juridpol_067_fasc_017_001-096.pdf« 2. Béla Révész: How to Consolidate the Secret Services in East-Europe after the Transition. In: National, regional or state security issues? Regio 2007. » http://epa.oszk.hu/00400/00476/00007/pdf/106-116.pdf« 3. Béla Révész [co-author]: The Ethics and Politics of Memory in Universities of Romania, Hungary and Republic of Moldova. Curriculum Research Fellowships. Research projects supported in 2007-2008. Central European University, 2008. » http://web.ceu.hu/crc/crc_resfel_rsp07-08.html#1« 					

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4. Michael Humphrey: The Politics of Atrocity and Reconciliation. From Terror to Trauma. Routledge, London – New York, 2002. (Uploading to Coospace)
5. To sign up for the ACIPSS Newsletter, a weekly bilingual (German/English) collection of media coverage and information on the areas of Intelligence, Propaganda and Security Studies
»http://www.acipss.org/newsletter_archiv.htm«

6) Evaluation for the credit

Oral exam

BETTER LAW MAKING

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Dr. habil. Edit SOÓS				
Institute/Department	Department of Political Science				
3) Main objectives of the course					
<p>The better law-making agreement (2016) aims to improve the way the EU legislates and it should make the EU legislative process more transparent, open to stakeholder input and easier to follow. The aim of the course is to understand how a legislative proposal comes about at EU level and following its path through all the institutions until the moment it is transposed into national law.</p>					
4) Content of the course					
<p>In the Interinstitutional Agreement between the European Parliament, the Council and the European Commission on Better Law-Making (2016) the three institutions recognise their joint responsibility in delivering high-quality Union legislation and in ensuring that such legislation focuses on policy areas where it has the greatest added value for European citizens.</p> <p>The better law-making is a way of working to ensure that decisions are prepared in an open, transparent manner, informed by the best available evidence and backed by the comprehensive involvement of stakeholders.</p> <p>The three institutions are committed to simple and as clear as possible cooperation through the entire legislative process, avoiding overregulation and administrative burdens for citizens, administrations and businesses, especially small and medium-sized enterprises (SMEs).</p> <p>Better regulation covers the whole policy cycle - policy design and preparation, adoption, implementation, application, evaluation and revision. For each phase of this cycle, there are specific principles, objectives, tools and procedures to make sure that the EU has the best regulation possible.</p>					
5) Materials					
<p>Andrea Renda: Too good to be true? A quick assessment of the European Commission's new Better Regulation Package. CEPS Special Report. No. 108 / May 2015</p> <p>Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making. OJ L 123, 12.5.2016</p> <p>European Commission: Better Regulation. Delivering better results for a stronger Union. COM (2016) final, Brussels, 14.9.2016</p> <p>European Commission: Better regulation: guidelines and toolbox Available at: https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en</p>					
6) Evaluation for the credit	examination				

FREE TRADE AND LOCAL PUBLIC INTEREST IN INTERNATIONAL TRADE

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Prof. Dr. Csongor István Nagy				
Institute/Department	Department of Private International Law				
3) Main objectives of the course					
The course is designed to provide students with an overview on the economic and legal issues of free trade systems and to equip them with the basic substantive concepts and conceptual tools that are necessary for analyzing such issues.					
4) Content of the course					
The course covers the following topics:					
<ul style="list-style-type: none"> – how is the concept of restriction of competition/trade defined (e.g. discriminatory and non-discriminatory restrictions); – the status of state-granted monopolies and market liberalization; – the concepts of public service, universal service, service of general economic interest; – violations of fundamental rights (freedoms) and restrictions of competition/trade; – how is public interest determined (the state’s margin of appreciation in respect of determining local ends); – can the court/tribunal make value-judgments when contrasting disgeneric values (free competition/trade versus public interest goals); – the grasp of the state’s margin of appreciation in comparing the weight of free trade with the public interest values; – what is the extent of deferentialism enjoyed by the state when making factual evaluations in an information vacuum (e.g. if the scientific community is divided as to certain additive’s impact on health, can the state opt for a non-mainstream theory); – how is the burden of proof allocated and how is the standard of proof defined as to the existence of a restriction, balancing the restriction and the value of local legitimate ends, the existence of less restrictive alternatives etc.; – do citizens/undertakings have a “normative right to compete/trade”, is this taken into account when balancing the restriction against public interest arguments; – how can disguised protectionism be unveiled (may the measure’s subjective side be investigated); – enforcement and procedural issues: legal tools, procedural patterns, enforcement effectiveness? 					
5) Materials					
<p><i>1. Free trade and local public interest</i></p> <ul style="list-style-type: none"> – Case 26/62 Van Gend een Loos – Baldwin v. Fish and Game Commission of Montana 436 U.S. 371 (1978) – Hicklin v. Orbeck, 437 U.S. 518 (1978) <p><i>2. Discriminatory measures (1)</i></p> <ul style="list-style-type: none"> – Reeves, Inc. v. Stake, 447 U.S. 429 (1980) – Cases C-267 and 268/91 Keck (Bernard) and Mithouard (Daniel) – C-385/12 Hervis – Joined cases C-34/95, C-35/95 and C-36/95 Konsumentombudsmannen (KO) v De 					

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3. Discriminatory measures (2)

- Case 82/77 van Tiggele (1978) ECR 25.
- Cloverland-Green Springs Dairies, Inc. v. Pa. Milk Mktg. Bd., 298 F.3d 201 (3d Cir. 2002)
- Joined cases C-290/05 and C-333/05 the Hungarian motor vehicle registration duty
- Pike v. Bruce Church, Inc., 397 U.S. 137 (1970)

4. Non-discriminatory measures

- Minnesota v. Clover Leaf Creamery Co., 449 U.S. 456 (1981)
- Bibb v. Navajo Freight Lines 359 U.S. 520, 524 (1959)
- Cole v Whitfield [1988] HCA 18; (1988) 165 CLR 360 (2 May 1988)
- Case 120/78 Rewe-Zentral AG v Bundesmonopolverwaltung für Branntwein (Cassis de Dijon)

5. Restriction of free trade with reference to public interest

- EC – Hormones (DS26, 48)
- Dominican Republic — Import and Sale of Cigarettes (DS302)
- US – Shrimp (DS58)
- Case 341/05 International Transport Workers Federation v Viking Line ABP
- Case C-341 /05 Laval Un Partneri Ltd v Svenska Byggnadsarbetareförbundet

Csongor István Nagy, Free trade, public interest and reality: new generation free trade agreements and national regulatory sovereignty. In: Czech Yearbook of International Law, 2018, vol. 9, pp. 197-216, available at <https://ssrn.com/abstract=3172064>

6) Evaluation for the credit

Essay / case-study

NON-PROFIT SECTOR IN LAW AND IN PRACTICE IN HUNGARY

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Tóth, Judit				
Institute/Department	Department of Constitutional Law				
3) Main objectives of the course					
The aim of the course is to focus attention on the complexity of this sphere from the perspective of law, political and international relations. The realm of NGOs and civil organisations may facilitate the better practice of interdisciplinary approach, as well as knowledge of specific examples from the operation.					
4) Content of the course					
<ol style="list-style-type: none"> 1. The concept of non-profit (third / charity sector, NGOs) 2. The role of social innovation and the civil sector in Hungary 3. The non-profit sector and fundamental rights, human rights 4. Type, creation and termination of non-profit organizations 5. Public benefit status, participation in the supplying of public services 6. Management of the non-profit sector, economic funds 7. The role of the non-profit sector in the international arena 8. Publicity and watchdog civil organisations 9. The operation of some known NGOs - the projectism 					
5) Materials					
<p>JULIA SZALAI AND SARA SVENSSON: Contested forms of solidarity: An overview of civil society organisations in Hungary and their impact on policy and the social economy. Centre for Policy Studies, CPS Working Paper 2017/10, pp.36</p> <p>https://cps.ceu.edu/sites/cps.ceu.edu/files/attachment/publication/2977/cps-working-paper-solidus-hungary-civil-society-organisations-2017.pdf</p>					
6) Evaluation for the credit		presentation of own data collection (observation, interviews, statistics...) on a civil organisation's operation			

EUROPEAN ADMINISTRATION: PUBLIC ADMINISTRATIVE LAW OF THE EU

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Erzsébet CSATLÓS, PhD				
Institute/Department	Department of Public Administrative Law				
3) Main objectives of the course					
<p>The Students are introduced in the core issues of the European Administrative Space in material, organisational and procedural point of view. The aim is to discover and make it clear that more or less all the legal areas are related to European Administration including their own research fields. Lectures are held in block of sessions to give a chance to improve a collaborative workshop nature to the meetings.</p>					
4) Content of the course					
<p>1. Introduction</p> <p> 1.1. About the administration of a State</p> <p> 1.2. About the relationship between States and international organizations</p> <p>2. History of European Administration: from economic aspects to the European Administrative Space (EAS) and a multi-level administrative system</p> <p> 2.1. Administration of the European integration, development of the EAS</p> <p> 2.3. Legal frames of the administration of the European Union</p> <p>3. Public administrative structure of the EU</p> <p> 3.1. Direct administration</p> <p> 3.1.1. Organisation and organisational rules</p> <p> 3.1.2. Staff and rules of public service</p> <p> 3.1.3. Procedure and procedural rules</p> <p> 3.1.4. Maladministration at direct level</p> <p> 3.2. Indirect administration and administrative cooperation in the EU</p> <p> 3.2. Types of administrative cooperation in the EU</p> <p> 3.2. EU effect on national public administration</p> <p> 3.4. Maladministration at indirect level</p> <p>4. Specific examples on Europeanisation</p>					
5) Materials					
<p>Obligatory to know: The material of the lectures</p> <p>Advised to read:</p> <ul style="list-style-type: none"> •The Palgrave Handbook of the European Administrative System. Bauer, M., Trondal, J. (Eds.), Palgrave Macmillan UK, 2015. •Herwig C.H. Hofmann, Gerard C. Rowe, and Alexander H. Türk: Administrative Law and Policy of the European Union. OUP, Oxford, 2011. • András TORMA: The European Administrative Space (EAS), European Integration Studies, Volume 9. Number 1. (2011) pp. 149–161. Online available at http://www.matarka.hu/koz/ISSN_1588-6735/GTK_vol_9_no_1_2011_eng/ISSN_1588-6735_vol_9_no1_2011_eng_149-161.pdf 					

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• Erzsébet CSATLÓS: Perspectives of the Cooperation of National Administrative Authorities in the EU. Jogelméleti Szemle 2016:(3) (2016) pp. 45-55.
Online available at: http://jesz.ajk.elte.hu/2016_3.pdf

6) Evaluation for the credit

oral exam

CIVILIAN TRADITION: THE TRACES OF ROMAN LAW IN MODERN LAW SYSTEMS

(doctoral programme - elective course)

Credit:	5	Contact hours (weekly - average - full-time students)	2	Semester:	Spring
Lecturer(s)	Prof. Dr. Éva JAKAB				
Institute/Department	Roman Law				
3) Main objectives of the course					
To introduce the students into the research methods of historical comparative studies; to shed light on the historical roots of the legal institutions of modern European law					
4) Content of the course					
<p>Our way of thinking about law has been decisively influenced by the Roman lawyers. Many legal institutions have been preserved, either entirely unchanged or in a modernized form. Many rules, definitions and principles of Roman law – in some way – do still determine the legal disputes in the European legal orders.</p> <p>Even where a new system, new structure was introduced (for example the early codification deeply rooted in the ideas of <i>ius naturale</i>), it was characterized in opposition to the rules of Roman law.</p> <p>Therefore, Roman law has still a key function in understanding, interpretation and development of the private law systems of Europe.</p> <p>The modern idea that a new law code (codification) can cut all ties with the past, can finish the continuity of historical development, turned out as an unhistorical, unserious and very poor attitude. Even in a codified legal system – the ideas, solutions of the <i>ius commune</i> play a significant role.</p> <p>The present course offers a quick sight at European legal history as an introduction to the topic. In the following, the lectures will focus on special legal institutions:</p> <ul style="list-style-type: none"> - the idea and definition of contract, consensual contract; - the historical roots of liability; - the system of private law; - sale in a historical approach; - thinking of ownership; - the historical roots of the protection of intellectual property rights; - the law of delicts - agency in a historical context; - the nature of <i>societas</i> <p>The above listed subjects can be widened – according the special research topic of the PhD-student, who enrolled.</p>					
5) Materials					
papers and copied material distributed during the lectures					
Basic literature:					
- David L. Carey Miller – Reinhard Zimmermann: The Civilian Tradition and Scots Law, Berlin 1997.					
- Hermann Lange: Römisches Recht im Mittelalter. Band I-II. Verlag –C.H.Beck					
6) Evaluation for the credit					