

## Doctoral School of Law and Political Sciences (University of Szeged)

### Description (exam material)

#### CONSTITUTIONAL LAW

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| 1) Doctoral programme | Public Law Research Program |
| 2) Effective from     | February 20, 2025           |

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| 3) Topics |   |
| 1.        | The criteria and notion of constitutionalism at national and European level   |
| 2.        | Stability of the constitution and the power of its amendment  |
| 3.        | The methods in constitutional review, the working methods of the Constitutional Courts at national and European level                       |
| 4.        | The role of independent legal protection bodies, criteria of independence (Paris Principles)  |
| 5.        | The law of emergency and its ramification to the fundamental rights, the changing instruments of exceptionalism and normality in regulation |
| 6.        | Is there a coherent structure of constitutional values, aims of the state and closures in public law? (uncertain legal concepts)            |
| 7.        | Active citizenship and civil resistance, right to combat the authoriter regime  |
| 8.        | Digital and the European citizenship  |
| 9.        | The legal instruments of populism   |
| 10.       | Transparency of and the public control on the justice   |
| 11.       | Freedom of arts, science, right to education and free speech  |
| 12.       | Right to legal redress in principles and its practice   |
| 13.       | The discrimination, its prohibition in the legal system and practice of anti-discrimination   |
| 14.       | The open process of law-making, lobbying and the plain language movement  |
| 15.       | Constitutional freedom of the non-profit/civil sector   |

#### 4) Resource materials used in the examination:

##### Mandatory literature:

Christine E. J. Schwöbel: Situating the debate on global constitutionalism. *International Journal of Constitutional Law*, Volume 8, Issue 3, July 2010, Pages 611–635,

Giovanni De Gregorio: The rise of digital constitutionalism in the European Union

*International Journal of Constitutional Law*, Volume 19, Issue 1, January 2021, Pages 41–70,

Rosalind Dixon and David Landau: Transnational constitutionalism and a limited doctrine of unconstitutional constitutional amendment. *International Journal of Constitutional Law*, Volume 13, Issue 3, July 2015, Pages 606–638,

Neil Walker: Populism and constitutional tension. *International Journal of Constitutional Law*, Volume 17, Issue 2, April 2019, Pages 515–535

Mészáros, Gábor: How Misuse of Emergency Powers Dismantled the Rule of Law in Hungary. *Israel Law Review*, Vol.57, 2024/2:288-307. <https://www.cambridge.org/core/journals/israel-law-review/issue/84D752EFD9BCC3EBBE31449DA7960DF0>

Jan Komárek: National constitutional courts in the European constitutional democracy. *International Journal of Constitutional Law*, Volume 12, Issue 3, July 2014, Pages 525–544

Szente, Zoltán: The myth of populist constitutionalism in Hungary and Poland: Populist or authoritarian constitutionalism? *International Journal of Constitutional Law*, Volume 21, Issue 1, January 2023, Pages 127–155,

Alain Zysset: Calibrating the response to populism at the European Court of Human Rights *International Journal of Constitutional Law*, Volume 20, Issue 3, July 2022, Pages 976–1005

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Lourdes Peroni and Alexandra Timmer Vulnerable groups: The promise of an emerging concept in European Human Rights Convention law. *International Journal of Constitutional Law*, Volume 11, Issue 4, October 2013, Pages 1056–1085

Antoine Vauchez: The genie of independence and the European bottle: How independence became Europe's most contentious legal and political category. *International Journal of Constitutional Law*, Volume 20, Issue 5, December 2022, Pages 2032–2058

Carmelo Danisi: How far can the European Court of Human Rights go in the fight against discrimination? Defining new standards in its nondiscrimination jurisprudence. *International Journal of Constitutional Law*, Volume 9, Issue 3-4, October 2011, Pages 793–807

The Congress of Local and Regional Authorities: Fostering active citizenship by building partnerships with civil society. CoE, Resolution 385 and Explanatory Report, 2015. pp.12  
<https://rm.coe.int/fostering-active-citizenship-by-building-partnerships-with-civil-socie/1680719ffb>

UNESCO, Recommendation on Science and Scientific Researchers (2017) pp.17.  
<https://unesdoc.unesco.org/ark:/48223/pf0000263618>

USA 'Plain Writing Act of 2010' and Guidelines 2011

<https://www.govinfo.gov/content/pkg/PLAW-111publ274/pdf/PLAW-111publ274.pdf>  
<https://www.plainlanguage.gov/media/FederalPLGuidelines.pdf>

### Recommended literature:

Sol Picciotto: Constitutionalizing multilevel governance? *International Journal of Constitutional Law*, Volume 6, Issue 3-4, July-October 2008, Pages 457–479,

Pap, András: Hate crimes, underpolicing, institutional discrimination: Hungarian cases, ECHR reflections. MTA Law Working Papers, 2017/13 [http://jog.tk.mta.hu/uploads/files/2017\\_13\\_Pap.pdf](http://jog.tk.mta.hu/uploads/files/2017_13_Pap.pdf)

David McGrogan: The population and the individual: The human rights audit as the governmentalization of global human rights governance. *International Journal of Constitutional Law*, Volume 16, Issue 4, October 2018, Pages 1073–1100

Peter Dobkin Hall: Philanthropy, the Nonprofit Sector & the Democratic Dilemma. *Daedalus*, the *Journal of the American Academy of Arts & Sciences*, 2013, p.139-158  
[https://www.amacad.org/sites/default/files/publication/downloads/daed14202\\_pp139-158\\_hall.pdf](https://www.amacad.org/sites/default/files/publication/downloads/daed14202_pp139-158_hall.pdf)

Richard H. Fallon: Constitutional Remedies in one Era and out the Other. *HARVARD LAW REVIEW* 2023/5:1300-1367 <file:///C:/Users/h2404/Downloads/136-Harv.-L.-Rev.-1300.pdf>

Timothy Garton Ash: *Free Speech: Ten Principles for a Connected World*. Atlantic Books, 2017

5) Instructor responsible for the description of the exam material

Dr. Judit TÓTH Assistant Professor