Mal for vedtak om opprettelse av nye emner ved Det juridiske fakultet

Tegnforklaring:
*** skal inngå i kursbeskrivelsen i studieplanen.**
**** skal formuleres godt slik at tekstene egner seg for publisering på emnets hjemmeside.**

Tema	
Kursets navn	Constitution and politics
Kode	JUS286-2-A
Kursets navn – bokmål*	Constitution and politics
Kursets navn – nynorsk*	Constitution and politics
Kursets navn – engelsk*	Constitution and politics
Antall studiepoeng*	10
Studienivå (BA eller MA)	MA
Kursansvarlig*	Karl Harald Søvig (jus) og Siri Gloppen (sam. pol.)
Faglærer(e)*	Karl Harald Søvig (jus) og Siri Gloppen (sam. pol.)
Administrativ kontaktperson (kan endres av administrasjonen uten nytt vedtak)	Kjersti Lillegraven
For rettsstudiets emner:	
- Kursinnhold**	*Objectives:* Introduce students to Norwegian Constitutional law, it's foundations and current challenges. The course is an interdisciplinary project between Faculty of social sciences, department of Administration and Organization Theory, department of Comparative Politics and Faculty of law, and addresses the topic both from a legal perspective and from social sciences. The lectures will be given by teachers from both the faculties, as well as invited guests. The aim of the current subject is to bring together students who share the same interest for constitutional matters in the conjunction between law and politics, but who never meet in spaced created by the university. The course will introduce students to ongoing research on central aspects of constitutional development bring students up to date on the frontiers of research and literature in the field, encourage active participation and independent thinking in engaging with the issues, provide a forum for students to present project proposals for master projects and develop their research skills Through this course the student will gain an overview of theoretical literature on the Norwegian constitution, and the relationship between rule of law and democracy. The constitution is an outcome of political activity, and at the same time it establishes the boundaries for all branches of the state, including the parliament, the central administrative apparatus and the Audit Office. The students will engage with the main theoretical perspectives to understand the dilemmas involved in securing the rule of law in a modern state, and the checks and balances between the executive, the legislator and the courts. *Content:* The constitution is the legal basis of all modern states, and in Norway the written constitution "Grunnloven" (from 1814) plays an important role. The executive power is vested with the King, the legislative power lies in the parliament, while the judicative power is conferred to a single court system, with the

	Supreme Court in Oslo. A special feature in Norway has been a rather conservative attitude concerning amendments and revisions to the written constitution. Partly, this conservatism can be traced back to the union with Sweden (1814-1905), where the parliament used the constitution as a form of shelter against Swedish influence. The course will give an introduction to the principles and the architecture of three bodies of the state, and the checks and balances between them. Historically, the combat of constitutional power was between the King and the parliament, where the latter in the end turned out to be the strongest. An ongoing constitutional discussion is related to juridification and judicialization and issues of accountability. This has partly a national component where courts are setting aside parliamentary decisions due to constitutional norms, but the forefront of this discussion is the influx of international norms, like the European Convention of Human Rights and the European Economic Area. Another constitutional development relates to the growth of different forms of accountability mechanism, like the ombudsmen and auditing offices. One aim of the course is to give an introduction of the 'living' constitution which also include the role of political parties, the central government apparatus, the corporative arrangements and the principle of local self government. The course will discuss constitutional policies and politics focusing on reforms and changes in the relationships between the executive, the legislator and the court. Comparative elements will be included when appropriate.
- Læringsutbytte**	The student should acquire insights into how law and legal institutions constitute, shape and constrain political action under the Norwegian constitution, and how the legal institutions themselves are shaped by the political and social context. The student should gain a good understanding of central concepts and theoretical debates such as separation of power, rule of law and access to courts. The student should be able to analyze how legal and political institutions in Norway effects on society.
- Litteratur**	
Særlig egnet i kombinasjon med	
Undervisning:	
- undervisningssemester (høst/vår)*	Hver vår
- undervisningsform*	
- undervisningsspråk*	Engelsk
- obligatoriske elementer*	Deltakelse på 75 % av forelesningene og bestått obligatorisk kursoppgave.
Opptak/adgangsregulering:	
- studierettskrav*	MAJUR – JUSVALG – INTL-JUS
- undervisningsopptak*	Ingen
- deltakerkapasitet	Ubegrenset
- privatistadgang*	Nei
Eksamen:	
- eksamenssemester(høst/vår) *	Eksamen hver vår
- eksamensform* o semester med undervisning	Hjemmeeksamen eller essay med karakter. Essay skrives i løpet av semesteret, mens hjemmeeksamen skrives som avslutning med en ramme på én uke.

o semester uten undervisning	Eksamen bare i undervisningssemestre. (kontinuasjonseksamen i høstsemestrene.)
- eksamenstid*	
- eksamensspråk* -oppgaven -besvarelsen	 Engelsk Engelsk
- karakterregel*	Gradert skala med 5 trinn fra A til E for bestått og F for ikke bestått, jfr. Studieplan for masterstudiet I rettsvitenskap ved UiB § 3-1 nr 2 første punktum.
Hjelpemidler til eksamen, avvik fra § 3-6 flg.	
Forkunnskaper (inkludert språkkunnskaper)**:**	
- obligatoriske*	Bachelorgrad i sammenlignende politikk eller fullført 3. studieår på integrert masterstudium i rettsvitenskap.
- anbefalte*	Bachelorgrad i sammenlignende politikk eller fullført 3. studieår på integrert masterstudium i rettsvitenskap.
Faglig overlapping med andre emner*	Ingen
Evaluering*	I tråd med fakultetets retningslinjer
Kontaktinformasjon*- Avdeling/institutt/ /fakultet	Administrativ kontaktperson: Enhetens navn: **Det juridiske fakultet** Besøksadresse: Magnus Lagabøtes plass 1 Ekspedisjonstid: 09.00 – 14.00. Postadresse: Postboks 7800 Postnummer og -sted: 5020 BERGEN Telefon: 55 58 95 00 Faks: 55 58 95 10 E-post: info@jurfa.uib.no Web: http://www.jur.uib.no/
Målgruppe(r)	Både som valgemne for hjemlige studenter med interesse for skjæringsfeltet mellom juss og politikk, og for tilreisende utvekslingsstudenter.
Behovet for tilrettelegging i forhold til målgruppene	Ingen særskilt.
Finansiering av emnet	Ordinær intern.
Ressurser	
- kursansvarlig	Intern. (Ordinært ansvar for spesialemne pluss godtgjøring for forelesningene og sensur.)
- undervisningsressurser	Fakultetets lærere (Halvard H. Fredriksen, Jørn Ø. Sunde, Eirik Holmøyvik og Karl Harald Søvig) vil gi undervisning med til sammen 10 timer
- administrative ressurser	Intern, ordinær.
Kursets relevans	Kurset er et ledd i UiB sin feiring av det forestående 200 årsjubileet for Grunnloven. Per i dag finnes knapt felleskurs på tvers av fakultetene, og bærende idé er å gi et tilbud til studenter som er interessert i skjæringsfeltet mellom juss og politikk.