



COURSE UNIT (MODULE) DESCRIPTION

Course unit (module) title	Code
FUNDAMENTAL RIGHTS IN COMPARATIVE PERSPECTIVE	

Lecturer(s)	Department(s)
Coordinator: Assoc. Prof. Dr. Donatas Murauskas Other(s): Prof. Charles Szypszak (UNC-Chapel Hill School of Government)	Vilnius University, Faculty of Law, Department of Public Law Saulėtekio av. 9, Building 1, 405 Room, LT-10222, Vilnius Phone (8 5) 2366175, e-mail: vtkatedra@tf.vu.lt

Study cycle	Type of the course unit (module)
Second	Elective

Mode of delivery	Course unit delivery period	Language(s) of instruction
Online (implemented with students from the University of North Carolina)	8 (spring) semester	English

Requirements for students	
Pre-requisites: None	Co-requisites (if any): None

Number of credits allocated	Total student's workload	Contact hours	Self-study hours
5	133	32	101

Purpose of the course unit (module): programme competences to be developed		
<p>The course aims to develop understanding of the core principles and institutional frameworks for the protection of fundamental rights in a comparative perspective. It trains students to analyze, evaluate, and discuss key fundamental rights issues across different legal systems, with a focus on Europe, the United States, also enriching with examples from South America and Africa. The course also enhances the ability to explain how similar rights are interpreted and enforced in different constitutional and human rights contexts. Additionally, it fosters the capacity to express oneself more effectively, both orally and in writing, within a multicultural academic environment.</p>		
Learning outcomes of the course unit (module)	Teaching and learning methods	Assessment methods
The student is able to discern and explain of the major European and the United States fundamental rights issues in comparative perspective.	An interactive method of teaching during lectures and seminars (oral presentations, the analysis of problematic issues, group discussions, case study, analytical dialogue method), individual studies (analysis of the relevant legal framework, policy and case-law, reading of academic literature)	Participation in class activities; oral presentations of case studies; written paper and discussion of it
The student is able to analyze major European and the United States fundamental rights issues in comparative perspective and to provide genuine interpretation on difficult legal topics.	An interactive method of teaching during lectures and seminars (oral presentations, the analysis of problematic issues, group discussions, case study, analytical dialogue method), individual studies (analysis of the relevant legal framework, policy and case-law, reading of academic literature)	Participation in class activities; oral presentations of case studies; written paper and discussion of it
The student is able to take critical (and self-critical) approach, orally or in written to provide their opinion in a consistent and argumentative manner and to evaluate the current position assumed by others.	An interactive method of teaching during seminars (analytical dialogue method, oral presentations, the analysis of problematic issues, group discussions), individual studies (analysis of the relevant legal framework, policy and case-law, reading of academic literature)	Participation in class activities; oral presentations of case studies; written paper and discussion of it

The student is able to enhance acquired knowledge and abilities independently, to use legal information databases and other sources, to select relevant theoretical and practical material, and to substantiate their own conclusions by the achievements of jurisprudence.	An interactive method of teaching during seminars (oral presentations, the analysis of problematic issues, group discussions, case study), individual studies (analysis of the relevant legal framework, policy and case-law, reading of academic literature)	Participation in class activities; oral presentations of case studies; written paper and discussion of it
The student is able to identify and respect diverse backgrounds and perspectives, be familiar with the notion of equality and the principle of non-discrimination and apply this knowledge to the resolution of ethical and other professional dilemmas while working in a miscellaneous team.	An interactive method of teaching during seminars (oral presentations, the analysis of problematic issues, group discussions, case study).	Participation in class activities; oral presentations of case studies; written paper and discussion of it

Topics	Contact hours						Self-study work: time and assignments		
	Lectures	Consultations	Seminars	Exercises	Laboratory work	Internship/work	Contact hours	Self-study hours	Assignments
1. Introduction of the course.	1						1		
2. Federalism and supra-nationalism;	2						2	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
3. Judicial selection and court powers in constitutional systems	2						2	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
4. Administrative bodies and judicial review	2						2	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
5. Freedom of speech and expression	2		1				3	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
6. Reproductive rights and regulation	2		1				3	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
7. Freedom of religion and establishment of religion	2		1				3	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
8. Privacy and internet regulation	2		1				3	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
9. Immigration and immigrant rights	2						2	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
10. Public health care and children’s welfare	2						2	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
11. Relevant topic, aligning with the most recent case-law	2		1				3	8	Reading assignments before the class. Preparation for discussion. Group presentation assignments
12. Presentation of papers	3		3				6	21	Preparation of papers and individual presentations, presenting reviews. Preparation for discussion
Total	24		8				32	101	

Assessment strategy	Weight, percentage	Assessment period	Assessment criteria
Participation in class activities (case-studies, discussions)	40	During semester	Presenting a view based on assigned material; active discussion of assigned material and cases; comprehensive and critical assessment of issues, raising important questions, discussing them with colleagues by providing clear arguments; participation in a prof. lead discussion (analytical dialogue method). Assessment will be based on student's ability to interpret the doctrine, relevant legal norms, and recent case law in the discipline, to identify legal challenges and suggest viable solutions in problematic areas. Presence of students is mandatory in all [online] classes (missing one class is allowed) – presence is mandatory precondition to be graded at the end of the semester.
Oral group presentation on assigned topic	20	During semester	Each student has to prepare a comparative view on assigned topic (case study) in collaboration with the student from the University of North Carolina. Assessment will be based on student's ability to interpret the doctrine, relevant legal norms, and recent case law in the discipline, to identify legal challenges and suggest viable solutions in problematic areas, as well as ability to present topic in a clear and brief manner.
Paper (project) on assigned topic, presentation, discussing other papers	40	At the end of the course	Each student has to prepare a paper (project) on assigned topic, to present it and to discuss it with peers during the final classes as a final assignment. The final assessment consists of: <ul style="list-style-type: none"> - <i>Quality of a paper</i> (student's capability to write in a logical, clear and well-structured manner, comprehensive problem analysis, proper source application). - <i>Presentation of a paper</i> (student's capability to support his/her view with the relevant legal provisions and case-law, student's own reasonable and convincing argumentation). - <i>Student's engagement in discussing presentations of other students</i> (student's capability to engage in grounded, rational discussion, responses to follow-up questions).

Author	Year of publication	Title	Issue of a periodical or volume of a publication	Publishing place and house or web link
Compulsory reading				
Sandra Fredman	2018	<i>Comparative Human Rights Law</i>		Oxford University Press
Samantha Besson	2019	<i>Chapter 44. Comparative Law and Human Rights. In The Oxford Handbook of Comparative Law (edited by M. Reimann and R. Zimmermann).</i>	2nd ed.	Oxford University Press
Tom Ginsburg and Rosalind Dixon (Editors)	2011	<i>Comparative constitutional law</i>		Edward Elgar
Massey, Calvin R.	2009	<i>American Constitutional Law: Powers and Liberties</i>		Wolters Kluwer
Florczak-Wątor, Monika (Editor)	2022	<i>Constitutional Law and Precedent. International Perspectives on Case-Based Reasoning</i>		Taylor & Francis
		Cases of national constitutional / supreme courts and supranational tribunals on relevant topics		
Optional reading				
Emily Roscoe; Charles Szypszak	2021	<i>Herein Lies the Rub with Comparative Law Research – From an American Perspective.</i>	Vol. 27	Comparative Law Review
Başak Çalı, Mikael Rask	2018	<i>Comparative regional human rights regimes: Defining a research agenda</i>	V. 16, Issue 1	International Journal of Constitutional Law

Madsen, Frans Viljoen				
Armin von Bogdandy and Jürgen Bast (Editors)	2011	<i>Principles of European constitutional law</i>	2nd ed.	Oxford: Hart Publishing
Donatas Murauskas	2021	<i>Predictive analytics in crime prevention and the European Convention on Human Rights: tackling risks in privacy and fair trial frameworks</i>	Vol. 97	Folia Juridica
Maartje De Visser	2022	<i>Grappling with the Civil-Common Law Divide in Constitutional Law</i>	Int'l J. Const. L. Blog	Int'l J. Const. L. Blog
Ran Hirschl	2013	<i>From comparative constitutional law to comparative constitutional studies</i>	Volume 11, Issue 1	International Journal of Constitutional Law
		<i>EJIL:Talk! Blog of the European Journal of International Law</i>		https://www.ejiltalk.org/
		<i>Strasbourg Observers blog</i>		https://strasbourgobservers.com/