

MOA3031 Comparative Constitutional Law in a Digital Society

Extended syllabus

Autumn 2024

Course aims/objectives:	The aim of the course is to introduce the concept of constitutional law, its principles and the essence of constitutional rights and freedoms by using a comparative analysis. It does so by focusing on issues arising from the digitalization process and how does it impact established legal frameworks.
Learning outcomes:	1. explains the general principles of constitutional law from the comparative perspective, the essence of general rights and freedoms, and applies these principles to the individual cases and in creating a position or statement; 2. Understand the role of a constitution in the legal order and how the digital realm challenges the analogue understanding of the established frameworks.
Brief description of the course (topics):	The course explores the evolving nature of constitutional law in the context of digital societies, focusing on the comparative study of constitutional frameworks across different jurisdictions. It examines how digital transformation impacts fundamental rights, governance structures, privacy, freedom of expression, and democratic processes, among others.
Language of the course:	English
ECTS credits:	3 ECTS
Coverage of SDGs and ERS (sustainable development goals, ethics, responsibility and sustainability):	SDGs 9 is covered broadly in all of the topics. The course explores ethical dilemmas arising from technological advancements, fostering critical thinking about their societal impacts.
Students:	This is a compulsory course for students studying on HAJB programme.
Special needs:	Persons with disabilities can participate in this course. Please inform the professor(s) in the beginning of the course of any special instruction, or assessments of this course that may be necessary to enable you to fully participate in this course.
Registration:	Students who would like to take the course should declare the course in the ŐIS (Student Information System) by deadlines set in the academic calendar.
Prerequisite courses and/or knowledge:	None, but a solid command of English is strongly required
Prerequisite resources:	MS Office programmes. For free student download see the instructions here
Professor(s):	Pablo Martínez Ramil, pablo.ramil@taltech.ee
Contacting Professor(s):	Preferred means of contact via e-mail, responses provided within 3 workdays.
Schedule for classes:	Please see Moodle
Study process description:	Lectures will be complemented with in-class discussion on compulsory readings, relevant cases representing different legal systems and independent work by

students. The course topics (including relevant literature) are listed on Moodle and can also be found in the study action plan.

Students are notified about the results of the continuous individual in person or by e-mail. The continuous assessment is based on pass/fail scale, where 'pass' (10 points) is awarded for demonstrating clear reasoning, an accurate interpretation of facts and solid command of spoken and/or written English. The final assessment will be conducted as an exam, which consists of multiple-choice questions (up to 40 points) and a brief essay (up to 40 points).

Course's e-support:

Course materials can be accessed via the e-learning environment Moodle under the course title *MOA3031 Comparative Constitutional Law in a Digital Society (2024/25 Fall)*. Students can enroll to the course themselves using the **password: constitution**

Study literature:

Listed under each lecture below in section: detailed schedule and topics.

Continuous assessment:

1. Readings for each lectures (see Moodle)
2. Preparation of HomeWorks after lectures (four online HomeWorks) (10 points).
3. Preparation of a case note/short individual essay (10 points).

The students must submit in Moodle 4 short assignments after the completion of every thematic unit. The second homework is an individual essay on a specific constitutional law case (minimum 500 words plus footnotes).

Prior to each lecture, students are expected to analyze the articles or legal cases to be found in the homework section on Moodle.

Evaluation criteria for continuous assessment:

Grading of the homework is non-differentiated (either 'not passed' (0) or 'passed' (10 points per each of the two home assignments).

'Not passed' means in this context that the homework was not performed with those efforts expected for a task replacing a class session. In that case or in the case that a homework has not been submitted in due time, the student has the possibility to write and submit an essay (500 words plus footnotes, to be uploaded on Moodle) on the topic of the missed unit to the teacher, which is determined in cooperation with and approved by the teacher in the class following to the missed class and whose submission is due to the next class.

Final grading:

The prerequisite for sitting the exam are:

1. attending over 50% of classes;
2. timely submission of four short assignments in Moodle;
3. submission of a case note/individual essay.

Evaluation criteria for the exam:

The final exam will consist of a multiple-choice test (up to 40 points) and an essay reflection on one of the challenges of law and technology (up to 40 points).

Evaluation criteria for the exam essay are as follows:

31-40 points – the essay argumentation is logical, convincing and comprehensive, the use of the definitions is correct, conclusions are correctly done, no substantive errors;

21-30 points – the essay answers the question, the argumentation has been presented, however, fragmented, there are shortcomings in the use of terms, there are significant gaps;

0-20 points – the essay meets only few content requirements, the argumentation is not given, the terms are not used or used incorrectly, there are severe shortcomings in the work finalizing.

Final grade: The final grade will be formed, based on the accumulated sum of all elements (home assignments and exam):

91% and more - grade 5
81-90% - grade 4
71-80% - grade 3
61-70% - grade 2
51-60% - grade 1
50% or less - grade 0.

Academic integrity: As a student at TalTech School of Business and Governance, you have an obligation to conduct your academic work with honesty and integrity according to University standards. It is expected that all work that you submit will be your own, and that you have actually done the work that you are submitting. Plagiarism and cheating will not be tolerated. Should you be found to be guilty of such activities, it will be followed with grade "0" for the assignment or the whole course and a notice will be filed to the School's Committee for Handling Violations of Academic Practice and Contemptible Behaviour. Depending on the Committee's proposal, it may lead to Dean issuing a letter of reprimand or in case of repeated or very severe misconduct, exmatriculation from the University.

Detailed schedule and topics

The semester plan is soon going to be available in Moodle. The modality of this course will be hybrid:

Online sessions (conducted through MT) 10.00-11.30:

Week 5- 04.10
Week 6- 11.10 History
Week 7- 18.10 History
Week 8- 25.10 History

Face-to-face sessions (SOC 309) 10.00-13.15:

Week 09- 01.11 Comparative / History
Week 10- 08.11 Comparative
Week 11- 15.11 Comparative / Digital
Week 12- 22.11 Digital

Online sessions (conducted through MT) 10.00-11.30:

Week 13- 29.11 Digital
Week 14- 06.12 Digital
Week 15- 13.12 Digital