INTRODUCTION TO THE NORWEGIAN LEGAL SYSTEM

Constitutional Law

Dates: 6, 15, 22, 29 September, 13, 20, 27 October and 3, 17, 24 November
Lecturers: Eivind Smith, Iris Nguyên-Duy and Dag Michalsen

Outline of the lectures and reading assignments:

NB: Each student should carry with them an offprint of the text of the Constitution (in translation into English, see the following web-sites) to the lecture room:

http://www.stortinget.no/en/In-English/About-the-Storting/The-Constitution/The-Constitution/
http://www.stortinget.no/In-English/About-the-Storting/The-Constitution/

September 6

I. The Sources of Norwegian Constitutional Law
   The Structure of the Constitution
   Constitutional amendments

   Reading assignment:
   - the Constitution of Norway (in general, but with a particular view on the structure, the separation of powers system and Article 112 (constitutional amendments)
   - Wilberg & Andenaes, The Constitution of Norway pp. 9-19, 137-139,
   - Eivind Smith, Constitutional Cultures: The Constitution between Politics and Law

   Lecturer: Professor Eivind Smith

September 15

II. The Main Characteristics of the Norwegian System of Government

- The Parliament (Stortinget) – elections, composition, functions and procedures.
- The Executive – the King – the Cabinet – government and administration
- Parliamentarism in Norway – Minority and majority governments
- Other aspects of the relationship between Parliament and Government.

Reading assignment:
- The Constitution of Norway, parts B and C
September 22

III. Norway and European Integration – A Constitutional Perspective

- The constitutional challenge: Combining “national sovereignty” and supranational European integration – Transfer of sovereignty under Article 93 – How far?
- Norway and the EU: Outside and inside at the same time – the EEA Agreement.
- The effects of European integration on Parliament and on the Judiciary.

Reading assignment:
- The Constitution of Norway, art. 1, 26, 93 and 112
- Eivind Smith, European Integration and the Constitution of Norway

September 29

IV. The Judiciary & Judicial Review

- The Norwegian Judiciary – Constitutional basis, composition, structure.
- Judicial review of administrative decisions
- The system of judicial review of legislation

Reading assignment:
- The Constitution of Norway, part D

October 13

V. The Protection of Human Rights in Norwegian law

- The catalogue of rights in the Constitution – The constitutional protection of human rights
- The status of the ECHR and UN conventions in Norwegian law
- Examples: (i) The protection of freedom of expression [Constitution art. 100, ECHR art. 10] – (ii) The protection of minorities – the Sami population [Constitution art. 110a].

Reading assignment:
- The Constitution of Norway articles 2, 50, 53, part E
- “There shall be freedom of expression”. Proposed new Article 100 of the Norwegian Constitution (pp. 9-14, 27-40)
- Eivind Smith, Constitutional Protection of Minorities: The Rights and Protection of the Sami population in Norway

Lecturer: Iris Nguyên-Duy

**October 20**

Lecturer: Dag Michalsen

**October 27**

Lecturer: Dag Michalsen

**November 3**

Lecturer: Dag Michalsen

**November 17**

Lecturer: Dag Michalsen

**November 24**

Lecturer: Dag Michalsen