

Academic Year: (2022 / 2023)

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Department assigned to the subject: Public State Law Department

Coordinating teacher: LOPEZ RUBIO, DANIEL

Type: Compulsory ECTS Credits : 4.0

Year : 2 Semester : 1

OBJECTIVES

The specific aims of the subject constitutional law regarding academic competences, or as regards the acquisition of basic knowledge, are the following:

1. To learn the significance of the democratic principle as a basis of the Constitutional Organization and the various instruments which allow the participation in the public affairs
2. Knowledge of the legal elements of the process of formation of power in a democracy: the right to vote, election, political parties, direct democracy.
3. Knowledge of constitutional settings of the Crown as head of State.
4. Knowledge of the role of the Cortes Generales as Parliament: mode of election, structure and organization, status of their members, functions.
5. Knowledge of the constitutional position of the Government: establishment, operation, structure functions and cessation.
6. Knowledge of the function of the Spanish parliamentary system: parliamentary control, political responsibility requirement, dissolution of the Parliament.
7. Knowledge of the role of the judiciary in the constitutional system
8. Knowledge of the main rules of the territorial organization of the State: territorial autonomy, distribution of powers State-Autonomous Communities.

LEARNING ACTIVITIES AND METHODOLOGY

METHODOLOGY: The methodology is a coherent set of techniques and activities, logically coordinated, to address learning process towards certain aims. The techniques mentioned below, can be used in either of the teaching units or lessons mentioned in the previous paragraph, and their objectives are specified in line with their descriptions.

LECTURES: The lectures are oral presentations by teachers. The lecturers will explain relevant information about the theoretical foundations of lessons of the subject. These classes will be held no notes, and the teacher in advance will indicate some texts or papers that need to be read prior to the class in order to keep exposure adequately.

SEMINARS: The seminars are academic sessions in which specific legal problems will be solved. The students must have previously assimilated knowledge related to one or more lessons of the subject if they can be able to solve them. The lessons will ordinarily go through facts that will be well in advance sent to the students. There is a chance of the practical lessons to also be used to:

- discuss a working document: the student will receive well in advance a document (a doctrinal document, a ruling, a legislative document, a press article,...) which should be analysed and reflected upon.
- write an opinion or judgement: the student will receive well in advance a description of facts that depicts a problematic situation. Instead of answering specific questions (as it happens in the ordinary practical lessons), the student will have to write a general opinion or judgment that will include a legal opinion and solutions.
- discuss by teams: the students will receive well in advance a description of a problematic issue. The positions in favour or against the concrete idea will be assigned to the different groups randomly. The groups will discuss the issue throughout the class.
- hand over research papers: eventually, a small research paper on the contents of any unit of the

syllabus may be required. These papers are to be elaborated individually or in groups and will be presented orally to the rest of the class.

-do multiple choice tests: the students will regularly do multiple choice tests in relation to the contents of the syllabus that have been previously explained in lectures.

ASSESSMENT SYSTEM

% end-of-term-examination/test: 60

% of continuous assessment (assignments, laboratory, practicals...): 40

The students' evaluation will take into account the activities carried out and the result of the tests undergone in the small groups along the term (40% of the final grade) as well as a comprehensive exam to be passed at the end of the term (60% of the final grade).

In order to pass the subject, a minimum grade (2.5 out of 6) in the final exam shall be required.

BASIC BIBLIOGRAPHY

- BALAGUER CALLEJÓN, Francisco (coord.) Manual de Derecho Constitucional, Madrid, Tecnos, 2018
- BIGLINO, Paloma; BILBAO, Juan María; REY, Fernando; MATIA, Javier; VIDAL, José Miguel (coord.) Lecciones de Derecho Constitucional II, Thomson Reuters, 2018
- CASTELLÀ ANDREU, Josep María Derecho constitucional básico, Huygens, 2018
- LÓPEZ GUERRA, Luis; ESPÍN, Eduardo; GARCÍA MORILLO, Joaquín; PÉREZ TREMPES, Pablo; SATRÚSTEGUI, Miguel Derecho Constitucional, Valencia, Tirant lo blanch, 2018
- PÉREZ ROYO, Javier; CARRASCO DURÁN, Manuel Curso de Derecho Constitucional, Madrid, Marcial Pons, 2018
- RUIZ ROBLEDO, Agustín Compendio de Derecho Constitucional, Tirant Lo Blanch, 2018
- SANTAOLALLA LÓPEZ, Fernando Derecho Constitucional, Dykinson, 2010
- TORRES DEL MORAL, Antonio Principios de Derecho Constitucional, Servicio de publicaciones de la Facultad de Derecho de la Universidad Complutense, 2010
- ÁLVAREZ CONDE, Enrique; TUR AUSINA, Rosario Derecho Constitucional, Madrid, Tecnos, 2018

ADDITIONAL BIBLIOGRAPHY

- AJA, Eliseo Estado autonómico y reforma federal, Madrid, Alianza, 2014
- ARAGÓN, Manuel Dos estudios sobre la Monarquía parlamentaria en la Constitución española, Madrid, Civitas, 1990
- BARAS, M y BOTELLA, J. El sistema electoral, Madrid, Tecnos, 1996.
- BLANCO VALDÉS, R. Los partidos políticos, Madrid, Tecnos, 1990.
- DÍEZ-PICAZO, L. M. "El régimen constitucional del poder judicial", Madrid, Civitas, 1991.
- GARCÍA FERNÁNDEZ, J. "Estudios sobre el Gobierno", Madrid, Instituto Nacional de la Administración Pública, 2007.

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- SANTOLAYA, Pablo Procedimiento y garantías electorales, Cizur Menor, Civitas, 2013
- SOLOZÁBAL, J.J. "Nación y Constitución : soberanía y autonomía en la forma política española", Madrid, Biblioteca Nueva, 2006.