

Academic Year: (2022 / 2023)

Review date: 18-04-2022

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: CELADOR ANGON, OSCAR

Type: Compulsory ECTS Credits : 4.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

None

OBJECTIVES

Conscience is an internal phenomenon initially which, when intentionally or unintentionally is externalized, it reaches some legal significance that requires an attitude of respect from others, and respect, defense and promotion from the State legal regulation. The aim of this course is that students get an overview of the relationship that everyday occurs between the individual conscience and the human rights and legal rules designed by the State to promote that individuals can freely develop their personality.

Competences:

- Ability to understand the relevance of individual convictions or beliefs
- Ability to understand the relevance of individual beliefs and convictions in the legal system
- Ability to locate cases of conscientious objection
- Ability to resolve conflicts between individual beliefs and convictions and private law regulation
- Ability to resolve conflicts between individual beliefs and convictions and public law regulation
- Ability to resolve conflicts between individual beliefs and convictions and legal duties

DESCRIPTION OF CONTENTS: PROGRAMME

I. Basic concepts.

1. Freedom of thought and conscience and personal identity.
2. Freedom of belief in a globalized world.
3. Personal identity and multiculturalism.

II. Freedom of conscience and freedom of religion

1. Legal nature of the right to conscientious objection.
2. Contradiction between public law and freedom of conscience
3. Contradiction between private law and freedom of conscience

III. Globalization, multiculturalism and Public Liberties in the labor relations:

- 1) Freedom of conscience in the labor relations
 - a) Freedom of conscience and weekly rest.
 - b) Conscientious objection in the labor relations.
 - Conscientious objection to performing abortions.
 - Conscientious objection to marry same-sex couples.
- 2) The specific problem of the so-called ideological corporations.
 - a) Media. The conscience clause for journalists.
 - b) Schools. Ideology and academic freedom.
 - c) religious organizations.
 - d) NGOs and civil associations.

IV. Immigration, Integration and Citizenship.

- 1) The phenomenon of immigration
 - a) Immigration European policies.
 - b) Immigration policy in Spain.
 - c) Regulatory framework of Aliens in Spain
- 2) Immigration, integration and education.
 - a) The educational system and immigration
 - b) Public policies and intercultural education.

d) Education and intercultural citizenship

V. Right to information, freedom of information and freedom of expression

a) Freedom of expression and information.

b) Accuracy of information.

c) Internal and external Pluralism in the media.

d) Ideological neutrality in the media.

3. The right to information.

a) Media Professionals.

B) Media public control

4. Limits to the freedoms of expression and information.

LEARNING ACTIVITIES AND METHODOLOGY

This course should be particularly dynamic, due to the subjects studied and the numerous court decisions and controversies that have arisen around them in the media. For this reason, the dynamics will be to deliver teaching material to students regularly, in order to prepare exhibitions, which will be discussed in class.

To facilitate the work of the students will be a voluntary group tutoring session in order to meet the concerns or make it easier for students to obtain the materials they need.

ASSESSMENT SYSTEM

The evaluation will be performed according to two parameters:

1) A final exam: one written work related to the contents of the program (60% of the final grade).

And 2) continuous evaluation of the work done by students throughout the course shall be 40% of the final grade.

Extraordinary call: Same criteria as in the ordinary evaluation, but the student may replace the qualification of the continuous evaluation by a research directed by a tutor.

% end-of-term-examination: 60

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

BASIC BIBLIOGRAPHY

- Celador Angón, O., Laicidad Ideología y escuela pública en la Jurisprudencia del TEDH, en Revista europea de derechos fundamentales, Nº. 17,, 2011, págs. 61-90

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- Celador Angón, O Reflexiones acerca del ámbito de aplicación de la Ley orgánica de libertad religiosa, Derecho y religión, ISSN 1887-3243, Nº. 15, 2020 (Ejemplar dedicado a: 40 aniversario de la Ley Orgánica de Libertad Religiosa), págs. 263-274, Derecho y religión, 2020

- Celador Angón, O Libertad religiosa en la era Covid-19 Derecho y pandemia desde una perspectiva global / coord. por Agustín Andrades Navarro; Manuel Espejo Lerdo de Tejada (dir.), Javier García Oliva (dir.), Javier Martínez Cruz (dir.), Juan Pablo Murga Fernández (dir.), 2021, ISBN 978-84-1390-584-6, págs. 151-167, Aranzadi, 2021

- Celador Angón, O Régimen jurídico del personal no religioso de las organizaciones con fines religiosos que realiza tareas neutras. Los límites a la autonomía de las confesiones religiosas / María Adoración Castro Jover (dir.), 2019, ISBN 978-84-1346-483-1, págs. 157-191, Aranzadi, 2019

- Celador Angón, O Artículo 16.3, Comentario a la Constitución Española: 40 aniversario 1978-2018 : Libro-homenaje a Luis López Guerra / coord. por Carmen Montesinos Padilla; Pablo Pérez Tremps (dir.), Alejandro Sáiz Arnaiz (dir.), Vol. 1, 2018 (Tomo I (Preámbulo a artículo 96)), ISBN 978-84-9190-789-3, págs. 379-388, Tirant lo Blanch, 2018

- Celador Angón, O El principio de neutralidad religiosa en las instituciones públicas en Estados Unidos, en Modelos de neutralidad religiosa del Estado: experiencias comparadas / coord. por Benito Aláez Corral, Sergio Díaz Rendón, 2021, ISBN 978-84-1378-138-9, Tirant lo Blanch págs. 201-252, Tirant lo Blanch, 2021

- Celador Angón, O. Derecho a la educación, libertad de enseñanza y laicidad del Estado, Cuadernos de derecho judicial, Nº. 1, , 2008, págs. 45-109

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- Óscar Celador Angón Régimen jurídico del personal no religioso de las organizaciones con fines religiosos que realiza tareas neutras. En los límites a la autonomía de las confesiones religiosas / María Adoración Castro Jover (dir.), Aranzadi Thomson. ISBN 978-84-1346-483-1, 2019

