

Principles of Law

Academic Year: (2022 / 2023)

Review date: 11/05/2022 18:18:11

Department assigned to the subject: Private Law Department, Public State Law Department

Coordinating teacher: FRAILE ORTIZ, MARIA

Type: Basic Core ECTS Credits : 6.0

Year : 1 Semester : 1

Branch of knowledge: Social Sciences and Law

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

None.

OBJECTIVES

- Be able to collect and interpret relevant data in order to issue a reasoned judgement regarding relevant social, scientific or ethical issues.
- Manage fundamental concepts of public and private law.
- Know in some depth the public and private regulatory framework in order to be able to approach labour relations in Spain.
- Understand simple and complex legal problems contextualized and linked to labour relations and employment.

DESCRIPTION OF CONTENTS: PROGRAMME

FIRST PART. CONSTITUTIONAL LAW

1. Introduction to the Spanish Constitution of 1978
2. Structural principles of the legal system (those expressing the form of State and the form of government).
3. Basic concepts for resolution of normative conflicts (validity, effectiveness and the principles of normative hierarchy, competence, etc.).
4. System of sources: Constitution and its supremacy
5. Law and legal norms
6. International Treaties and European Union Law.

SECOND PART. PRIVATE LAW INSTITUTIONS.

1. Basic concepts of private law: Private law. Private law vs. public law. Civil, commercial and labor law. Imperative law vs. dispositive law. Interpretation and application of the rules. Case law.
2. The Person. Natural person and legal person. The legal capacity and its exercise. The representation.
3. The patrimony. Different assets (public and private goods, movable and immovable). The subjective right.
4. The contract. Elements of the contract. Formation of the contract. Effectiveness and ineffectiveness of the contract. Main contractual modalities.
5. General law of obligations. The obligation. The fulfillment and breach of obligations. Contractual liability. Non-contractual liability.
6. Property law, rights in rem and its transmission 'inter vivos' and 'mortis causa'.
7. The family. The kinship. The marriage and its economic regime.

LEARNING ACTIVITIES AND METHODOLOGY

Delivery of lectures and participatory activities by the students that will vary along the course as they acquire the necessary skills.

ASSESSMENT SYSTEM

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

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

For the evaluation of the students shall be taken into account the works developed and tests conducted in small groups in class during the semester (40% of the final grade) and an end-of-term examination (60% of the final grade).

BASIC BIBLIOGRAPHY

- BERCOVITZ y VALLADARES, Manual de Introducción al Derecho,, ed. Bercal, , ult.ed
- BILBAO, J.M.; REY, F. y VIDAL, J.M. "Lecciones de Derecho Constitucional I", Thomson Reuters/Aranzadi, ult. edición
- BLANCO VALDÉS, R. Introducción a la Constitución de 1978, Alianza Editorial, 2016
- CAPILLA RONCERO y OTROS, Introducción al Derecho patrimonial privado,, Tirant lo Blanch, ult. ed.
- CASTELLA ANDREU, J (editor) "Derecho constitucional básico", Huygens Editorial, Barcelona, última edición
- DíEZ-PICAZO, LM Ordenamiento constitucional español, Tirant lo blanch, Valencia, 2020
- GUTIÉRREZ GUTIÉRREZ, I "Elementos de Derecho constitucional español", Marcial Pons, Madrid, última edición
- LACRUZ, rev. por Por Delgado/Parra Lucán, Nociones de Derecho civil patrimonial e introducción al Derecho, Dykinson, , ult. ed.
- LASARTE, C. Curso de Derecho civil patrimonial, Introducción al Derecho, Tecnos, ult. ed.
- LÓPEZ GUERRA, L.; ESPÍN, E.; GARCÍA MORILLO, J.; PÉREZ TREMPs, P. y SATRÚSTEGUI, M. "Derecho Constitucional", vol. I., Tirant lo blanch, Valencia , últ. edición
- MORENO QUESADA y OTROS Derecho civil patrimonial, Conceptos y normativa básica, Comares, , ult. ed.
- SANTOS MORÓN, MJ (Coord) "Lecciones de derecho civil patrimonial", Editorial Tecnos, Madrid, ult.ed