

Academic Year: (2022 / 2023)

Review date: 21-06-2022

Department assigned to the subject:

Coordinating teacher: AREAL LUDEÑA, SANTIAGO

Type: Compulsory ECTS Credits : 6.0

Year : 1 Semester : 1

OBJECTIVES

Offer a subject with a basically introductory profile, in which students are offered a set of basic knowledge and skills on Law.

Taking into account that these students can enroll in a Bachelor's degree subject, it has been decided that "Introduction to Law" will not become a subject that can "compete" or "duplicate" (excessively) contents that are explained in those other subjects.

In this way, a "panoramic subject" is proposed, aimed at offering minimal, basic knowledge of essential concepts, almost of "useful tools" that can be used to face undergraduate studies, once they pass the course offered by Foundation.

The program proposal consists of 10 lessons and all of them include a practical exercise (called motivation) to check the assimilation of the explained contents.

This proposal has its origin in the experience accumulated during 4 courses teaching this subject, as well as in the consultation of manuals on «Introduction to Law»

DESCRIPTION OF CONTENTS: PROGRAMME

Lesson 1: Presentation of the subject

- 1.1. Teachers and program
- 1.2. Schedule of activities
- 1.3. Assessment system: partial exam and teamwork. Other activities
- 1.4. Work tools: a) use of dictionaries; b) access to libraries; c) online resources
- 1.5. Motivation exercise: attempt to define the most used technical legal words.

Lesson 2: A World of Standards

- 2.1- Notion of norms: entomological, common sense and sociological. Features
- 2.2- Types of standards. Distinction and examples.
- 2.3- Legal norms: distinctive characteristics. Classification
- 2.4- Distinction between legal, social and moral norms
- 2.5- Motivation exercise: in the event of a factual event, determine the applicable rule

Lesson 3: Law: concept and functions

- 3.1 Basic ideas about the Law: a) Etymological sense; b) Requirement of effectiveness; c) Power and strength.
- 3.2 Origin of Law: main theories
- 3.3 The Functions of Law
- 3.4 Purpose of the Law
- 3.5 Motivation exercise: formulation of a basic notion of Law

Lesson 4: The Rule of Law

- 4.1 Types of States. Features of the rule of law
- 4.2 The rule of law. Government by law and government by law
- 4.3 The separation of powers. Notion and content
- 4.4 The control of the Government and the Administration. The recognition and guarantee of fundamental rights
- 4.5 Exercise of motivation: approach to situations of reality and determination of the feature of the rule of law that concurs.

Lesson 5: Human Rights

- 5.1 Basic notion of human rights
- 5.2 Characteristics of human rights
- 5.3 The generations of rights. Main classifications.
- 5.4 International and national instruments on human rights
- 5.5 Exercise of motivation: the classification of human rights.

Lesson 6: Sources of Law

- 6.1 Notion of source. Classification
- 6.2 Sources at the national and international level
- 6.3 The interpretation of the Law. Essence and purpose
- 6.4 The methods of interpretation of the Law
- 6.5 Motivation exercise: practical case on sources of national law

Lesson 7: The Constitution

- 7.1 Constitutional Law: emergence, definition and importance.
- 7.2 Brief historical review of the Constitutions in Spain.
- 7.3 The Spanish Constitution of 1978. The preliminary title: main contents. Higher values. Institutions in Spain. Territorial organization
- 7.4 The importance of Title I. The role of the Constitutional Court
- 7.5 Motivation exercise: practical cases to identify the main institutions in Spain and apply knowledge about the rule of law.

Lesson 8: Branches of Private Law

- 8.1 Concept and evolution of the branches of Law
- 8.2 Roman law. Value and importance
- 8.3 The Civil Law. Main contents and normative texts. Supplementary value
- 8.4 Commercial Law and Private International Law: basic notions and areas of action
- 8.5 Exercise of motivation: through practical cases they should determine the branch of private law that would apply

Lesson 9: Branches of Public Law

- 9.1 Administrative Law
- 9.2 Criminal law and procedural law
- 9.3 Financial and tax law. Labor law
- 9.4 Other branches of public law (environmental, ecclesiastical, etc.)
- 9.5 Exercise of motivation: through practical cases they should determine the branch of private law that would apply

Lesson 10: International Law

- 10.1 International society. Evolution and traits
- 10.2 International Law. Distinctive features
- 10.3 The subjects and actors of International Law. Role of States and International Organizations. The UN.
- 10.4 The fundamental principles of International Law. Essence and regulation
- 10.5 Motivation exercise: through situations of international reality (events, conferences, problems to be solved), the main features of international society will be studied in depth.

LEARNING ACTIVITIES AND METHODOLOGY

When dealing with the introductory content subject, it must be appreciated that the activities carried out must have as instrumental objectives, that is, offer practical knowledge. They would be aimed at enhancing students' skills in searching for information and in identifying the institutions that are linked to the subject being taught.

Proposal A

Visit to the Spanish Parliament (Congress, Deputies and Senate; if it can be coordinated with these institutions, it would be ideal; but it can be "an external visit"). The profile of the institution and its main functions would be explained *in situ*.

This visit can be extended to the Supreme Court, the National Court, the National Library, the Royal Academy of the Language and a Ministry.

A full day is required for this. A common test or development exam will be evaluated on the knowledge acquired.

Proposal B

Visit to the Court of First Instance and Instruction of Getafe. It would be necessary to coordinate the visit, but it would be very useful for the students (a small group) to be able to visit the facilities, learn

about the work carried out there, witness an oral trial, appearance or judicial act.
A common test or development exam will be evaluated on the knowledge acquired.

ASSESSMENT SYSTEM

a) Partial Exam: It will be a written exam, "development" mode. The student will be offered several questions and will be asked to develop the proposed topics. The mastery of the contents, the writing and the spelling will be valued. It has a value of 2.5 points

b) Teamwork: Student groups (up to 3 students) will be formed. Teamwork consists of two parts: a written part and an oral part. Free choice of topic, but linked to the program. The subject must be communicated to the teacher, who may formulate suggestions, ideas or proposals.

The main objective of the exercise is to apply the knowledge acquired in the subject "Introduction to Law".

The written part is free of form in the sense that teams can choose from the delivery of a summary work (kind of report), in which there is no page limit; But if it must have coherence and logical structure (summary, introduction, development, conclusions and bibliography) until making a power-point, a prezi, a diagram, a synoptic table, a video, etc. So that students can choose the formal options they want as long as the chosen content is understandable.

The oral part will be the presentation of the work. The teacher will assess oral expression, mastery of the exposed topic, the effort made by the team in the search for materials and research on the topic, the correct use of the legal terms that are used and the application of the course contents in the realization of work.

BASIC BIBLIOGRAPHY

- ATIENZA, M Introducción al Derecho, Barcanova, 1994
- BOBBIO, N Contribución a la Teoría del Derecho, Debate, 1990
- PECES-BARBA, G Introducción a la Filosofía del Derecho, Debate, 1983
- RODRÍGUEZ URIBES, J. M Gregorio Peces-Barba. Justicia y Derecho, Thomson-Reuters, 2015