

Academic Year: (2023 / 2024)

Review date: 22-01-2024

Department assigned to the subject: Criminal Law, Procedural Law and History Law Department

Coordinating teacher: MARTINEZ NEIRA, MANUEL

Type: Compulsory ECTS Credits : 6.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Not applicable

OBJECTIVES

The ability to know and interpret history is essential in the formation of a lawyer , to the point that no thesis that there is no chapter on history. The story lets us know the right answers to social problems in different social , economic, religious contexts. But it is not known as a still photo answers that have been given, but learning to know why they have thus placing them in their historical, political , cultural , religious or social context. Ultimately diachronic understanding of law - why some specific answers to some problems in a given context and its evolution and change in other contexts , it is essential to synchronously know the answers to the current problems in different social and geographical models and the most suitable concrete faced by a lawyer in a particular legal system response problems . It is also necessary to anticipate, based on the lessons of the past interpreted correctly , the answers to the problems of the future that the law should provide.

DESCRIPTION OF CONTENTS: PROGRAMME

Is that students acquire the ability of advanced training enabling him to interpret legal institutions in their historical dimension , so that not only understand the answers that society and therefore the law has been given to various problems , but comprising the reasons that have led to these responses as a result of cultural, religious, ideological , social, etc. . You must learn to discover the historical evolution of legal institutions the connections between all these factors and their interaction. Also be able to draw lessons from the history of the specific institutions and periods are exposed not only to learn about the past right but alive to extract lessons for current problems and even problems that may lie ahead .

The emergence of modernity in the legal system allowed the birth of the public administration and the rule of law within the sources of law , in a legalistic perspective through the codes, as a guarantor perspective through the constitution .

The experience of authoritarian regimes and the subsequent phenomenon of globalization profoundly affected this scheme , leaving emerge today a different interpretation of sovereignty , which emerge tackles new protagonist: the global financial market , international agencies, processes of non-state regulation, etc. .

1. From the monarch sovereignty to the sovereignty of the nation . Law and constitution in the revolutionary process .
2. Encoding in the liberal world.
3. Public Administration and the crisis of liberalism.
4. Authoritarianism and recoding of law.
5. Neoconstitutionalism Rights and in the global world .
6. Decoding and standardization processes of law.

LEARNING ACTIVITIES AND METHODOLOGY

In the development of the course the lectures with seminars, for which a number of readings shall be provided combined. Teachers will be available in time to support learning tutorials.

ASSESSMENT SYSTEM

60% of the rating corresponds to the final examination consists of conducting a trial. The student will choose a topic of several proposed by the teacher (in relation to different parts of matter) and you can use materials for its realization.

100% of the rating corresponds to the examination in the extraordinary call.

% end-of-term-examination: 60

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

BASIC BIBLIOGRAPHY

- Cassese, Sabino, Derecho administrativo, historia y futuro, Global Law Press, 2014
- Fioravanti, Maurizio, Constitucionalismo,, Trotta,, 2016

ADDITIONAL BIBLIOGRAPHY

- Stolleis, Michael, Public Law in Germany. A historical introduction from the 16th to the 21st century, Oxford University Press, 2017