

Democracy and State powers in a global context

Academic Year: (2024 / 2025)

Review date: 22-04-2024

Department assigned to the subject: Public State Law Department

Coordinating teacher: ARANDA ALVAREZ, ELVIRO

Type: Electives ECTS Credits : 4.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

It is recommended to have passed a degree in Law or Political Science

OBJECTIVES

Main theoretical and case law lines related to political participation, the system of representation, the functions and the legal basis of the political parties, the parliamentary institutions and the statute of its members. Democracy in a globalized society requires that political participation and the activity of State institutions that make them effective open up to the world and transnational organizations. The aim is to conclude the course with an understanding of the democratic principle and its institutional effectiveness in multilevel constitutionalism

DESCRIPTION OF CONTENTS: PROGRAMME

Democracy and organization of State powers in globalization 1. Constitution and instruments for direct participation in the society of information and communication technology (ICT) 2. The articulation of political participation: Electoral law in composite States and transnational areas a. Right to vote: recognition and conditions of exercise b. Electoral guarantees system and electoral procedure c. Configuration and performance of electoral systems 3. Political party democracy and political representation in the resolutions of the Constitutional Justice 4. Open Parliament in the global society. Transformations in parliamentary activity a. Parliamentary strengthening with the incorporation of ICT to its organization and activity b. Transparency and publicity in parliamentary activity. New forms of access to parliamentary information c. The statute of parliamentarians. New technologies and exercise of representation d. The collaboration in the open parliament with the Executive Power and other State bodies e. Open Parliament and the institutions of the European Union. National parliaments and European economic governance.

LEARNING ACTIVITIES AND METHODOLOGY

The development of the sessions, face-to-face, will be mainly devoted to the analysis of the main contents of the subject, with the professor's lectures and the commentary of normative, case law and academic texts. There will also be times dedicated, in whole or in part, to the resolution of practical cases. The coordinator of the subject in any case and the other professors who can collaborate will set a schedule of tutorials, in which there will be occasion to raise problems of constitutional interpretation, as well as to complement (especially for students that they do not previously have legal competences) the study of the institutions object of the subject.

ASSESSMENT SYSTEM

% end-of-term-examination:	60
% of continuous assessment (assignments, laboratory, practicals...):	40

In addition to the attendance and, above all, the active participation in class, in the last sessions of the subject the students will have to: a) present a commentary to a court resolution or set of resolutions from among the previously selected ones; b) develop a topic, assigned by lot, related to any of the subjects included in the program.

In the extraordinary call students will have to perform the same activities.

% end-of-term-examination:	60
% of continuous assessment (assignments, laboratory, practicals...):	40

- ¿ Percentage weight of the Final Exam 90
- ¿ Percentage weight of the rest of the evaluation 10

BASIC BIBLIOGRAPHY

- Angel GARRORENA MORALES Escritos sobre la democracia. La democracia y la crisis de la democracia representativa, CEPC, 2015
- Elviro ARANDA ÁLVAREZ Parlamento abierto: una visión desde los principios de funcionamiento de las Cámaras parlamentarias, Revista Española de Derecho Constitucional. Núm. 111. CEPC, 2017
- Elviro ARANDA ÁLVAREZ la experiencia española en los procedimientos de alerta temprana, Revista de Derecho Comunitario Europeo. Núm. 44. CEPC, 2013
- Javier GARCIA ROCA. Cargos públicos representativos. Un estudio del artículo 23.2 de la Constitución., Aranzadi, 1998
- Javier TAJADURA TEJADA. Partidos políticos y Constitución. Un estudio de la LO 6/2002, de 27 de junio, de Partidos Políticos y de la STC 48/2003, de 12 de marzo, Civitas, 2004
- José Luis CASCAJO CASTRO Y Augusto MARTÍN DE LA VEGA (coord). Participación, representación y democracia., Tirant lo Blanch, 2016
- Pablo SANTAOLAYA MARCHETTI Procedimiento y garantías electorales., Civitas, 2013
- Roberto L. BLANCO VALDÉS Los partidos políticos. , Tecnos, 1990

ADDITIONAL BIBLIOGRAPHY

- Francisco BALAGUER CALLEJÓN Redes sociales, compañías tecnológicas y democracia" , Revista de Derecho Constitucional Europeo, 32, 2019
- Juan Carlos GAVARA DE CARA Modelos comparados de regulación y homogeneidad de los regímenes electorales en los Estados compuestos, Cuadernos de Derecho Público, 22-23 , 2004
- María Reyes PÉREZ ALBERDI La delimitación del derecho de sufragio activo por el Tribunal Europeo de Derechos Humanos, Revista de Derecho Político, 88, 2013
- Víctor CUESTA LÓPEZ La actualización del régimen jurídico de las elecciones al Parlamento Europeo, Revista General de Derecho Europeo, 47 , 2019

BASIC ELECTRONIC RESOURCES

- REVISTA DE DERECHO DE LA UNIÓN EUROPEA . REVISTA DE DERECHO DE LA UNIÓN EUROPEA:
<http://http://revistas.uned.es/index.php/REDUE>
- REVISTA DE LAS CORTES GENERALES . REVISTA DE LAS CORTES GENERALES:
http://http://www.congreso.es/portal/page/portal/Congreso/Congreso/CatPubli?_piref73_11672194_73_1339595_1339595.next_page=/wc/catalogoPubli?ind_cata=25
- REVISTA ESPAÑOLA DE DERECHO CONSTITUCIONAL . REVISTA ESPAÑOLA DE DERECHO CONSTITUCIONAL: <http://https://dialnet.unirioja.es/servlet/revista?codigo=1219>
- TEORÍA Y REALIDAD CONSTITUCIONAL . TEORÍA Y REALIDAD CONSTITUCIONAL: http://https://www.google.es/search?source=hp&ei=8e9xXsi0LpuHjLsPzpeyyA4&q=teor%C3%ADa+y+realidad+constitucional&oq=TEORIA+Y+&gs_l=psy-ab.1.2.0i10.323.2147..5460...0.0..

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+realidad+constitucional&oq=TEORIA+Y+&gs_l=psy-
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