

Introduction to Law

Code: 102821
ECTS Credits: 3

Degree	Type	Year	Semester
2501915 Environmental Sciences	OB	2	1

Contact

Name: Adrian Pascale Pascale
Email: AdrianAlberto.Pascale@uab.cat

Use of Languages

Principal working language: spanish (spa)
Some groups entirely in English: No
Some groups entirely in Catalan: No
Some groups entirely in Spanish: No

Prerequisites

Is essential a minimum ability writing in Catalan or Spanish. However, English will be accepted in participations at the class and practices that are carried out (only if the student/s has problems with these two languages). The final exam will be in Spanish. A minimum reading comprehension capacity in English is also desirable.

Objectives and Contextualisation

Provide students a basic knowledge about law, why it is essential and what functions it has in our society and political organization.

Form a critical awareness of the role of law in the world (in general) and environmental regulation (in particular).

Offer basic knowledge about the legal concepts and legal institutions, focuses in the international and European context. Also in the Spanish state and autonomous communities, all of them, basing in actual the legal order.

Competences

- Adequately convey information verbally, written and graphic, including the use of new communication and information technologies.
- Analyze and use information critically.
- Demonstrate adequate knowledge and use the tools and concepts of the most relevant social science environment.
- Demonstrate concern for quality and praxis.
- Demonstrate initiative and adapt to new situations and problems.
- Teaming developing personal values regarding social skills and teamwork.
- Work autonomously

Learning Outcomes

1. Adequately convey information verbally, written and graphic, including the use of new communication and information technologies.

2. Advise on environmental legislation.
3. Analyze and use information critically.
4. Demonstrate concern for quality and praxis.
5. Demonstrate initiative and adapt to new situations and problems.
6. Describe the main techniques of administrative intervention in relation to the environment.
7. Develop an administrative appeal.
8. Interpret the key elements of administrative law.
9. Require environmental administrative procedure.
10. Teaming developing personal values regarding social skills and teamwork.
11. Work autonomously

Content

1 - Definition and approximation to the Law

1.1 Preliminary issues: problems and conceptions in the definition of Law

1.2 Legal doctrines and essential foundations: *iusnaturalism and iuspositivism*

2. The Law and another regulatory systems

2.1 Criteria and relationships between Law and moral

2.2 Morality, justice and the response of the Philosophy of Law

2.3 Examples of conscientious objection and civil disobedience

3. Law and Society

3.1 The social dimension of Law

3.2 Law and social relations

3.3 Law and social change

3.4 Functionalist theories of Law

4. Law and social organization: The State

4.1 The relationship between Law and power

4.2 The evolution of the State: from the liberal State to the Social Rule of Law through the Rule of Law

4.3 New models of regulation and governance: the end of the nation-state?

5. The sources of Civil Law

5.1 The concept of legal sources

5.2 The system of sources in the Spanish legal system

5.3 Introduction to the other legal systems and the impact on the Spanish legal system

6. Law and social organization: the Spanish legal system

6.1 The Law as a system

6.2 The notion of legal order

6.3 Unit of the legal system: the concept of validity

6.4 Fullness and coherence of the legal system: gaps and antinomies

7. Human rights and legal values of universal commitment

7.1 The concept of Human Rights

7.2 Generations of Human Rights

7.3 Universality and equality as inherent properties of Human Rights

7.4 New Human Rights and the phenomenon of the multiplication of Rights

8. Interpretation of Law

8.1 Concept

8.2 Types of Interpretation

a) according to the organ

b) according to the means

c) according to the results

8.3 Classical theory of application of law

8.4 Interpretation of the Spanish Constitution

9. General Principles of Law

9.1 Formal and material source

9.2 Definitions

9.3 Guiding criteria for interpretation

a) Principle of Legality and due process in criminal matters

b) Presumption of innocent

c) Personal criminal sanction and for the fact in particular

d) Criminal law as a *last ratio clause*

9.4 Principles of Administrative Law

9.5 Principle of Equality and non-discrimination (Article 14 EC)

9.6 Principle of good faith

9.7 Higher interest of the child

10 Relevant legal concepts

10.1 Legal Personality

10.2 Personality Legal Concept

a) Physical person

b) Legal person

c) Legal Capacity

10.3 Ability to Act

10.4 Penalty

10.5 Crime

10.6 Legal Transaction

11 The Branches of the Legal Order.

11.1 Basic structure

11.2 Public law

a) Constitutional Law

b) Administrative Law

c) Criminal Law

d) Procedural Law

e) Financial and Tax Law

f) Labor law

11.3 Private law

a) Civil law

b) Commercial law

11.4 International Law

Methodology

TYPE OF ACTIVITIES	ACTIVITIES	HOURS	RESULTS OF KNOWLEDGE
DIRECTED	<p>Master classes</p> <p>The teacher will do an initial exposition of the topic with TIC supports and tools.</p> <p>Then there will be an open discussion in class about the most relevant aspects of the topic, according to some guide questions that the teacher will provide.</p>	25	Acquisition of specific knowledge
AUTÓNOMES	Lecture and study of the theory	40	Acquisition of knowledge and transversal competences.

Search for information

10

Acquisition of knowledge and transversals competences.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Master classes	25	1	3, 2, 5, 4, 8, 10
Type: Autonomous			
Information search	10	0.4	3, 5, 4, 1, 10
Reading and theoretic studys	40	1.6	3, 2, 5, 4, 8, 1, 11

Assessment

The final note will be obtained from:

- Individual work (s) of research and group practices (40%)
- Participation in class (10%)
- Final exam (50%)

To ask for a reevaluation the student must have been received a mark in activities that represent at least 2/3 of the global mark during the course.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final Exam	50%	0	0	3, 2, 4, 8, 1
Individual research and groupal exposition	40%	0	0	3, 2, 5, 4, 6, 7, 8, 9, 1, 11
Participation in class	10%	0	0	3, 2, 5, 4, 1, 10

Bibliography

Bibliography:

DE LUCAS, J., Introducció a la Teoria del Dret. Barcelona, Tirant lo Blanch, 1995

([enllaç](#) (link) to UAB library, preferably one of the most recent editions. You can find the book in Spanish or Catalan)

Complementary readings:

The teacher reserves the right to provide:

- Texts and complementary materials for specific topics of the program

(with prior notice and always through the application of the Virtual Campus UAB);

- Materials needed for debate, practices and group participation in class.