

Constitutional Law

Code: 100490
ECTS Credits: 6

2024/2025

Degree	Type	Year
2500258 Labour Relations	FB	1

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Teachers

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Teaching groups languages

You can view this information at the [end](#) of this document.

Prerequisites

As a subject of the first year of the Degree in Labour Relations, Constitutional Law does not require any previous knowledge or prerequisites. Anyway, it is recommended students make a review of the baccalaureate's Social Sciences subjects related to current historic, legal or political issues.

Objectives and Contextualisation

This is a subject located in the first half of the first year and, consequently, a basic one. Its content is developed from the Spanish Constitution of 1978 and its consideration as supreme law of our legal system. The Constitution has been studied from different disciplines, such as Political Science, Philosophy, Sociology or History. For its part, Constitutional Law makes a legal methodological approach that includes the study of: the Constitution as supreme Law, the sources of Law, the government institutions, the citizens' rights and liberties and the State structure.

The subject provides the basic knowledge about the construction of our democratic system from the normative point of view. Within this framework, the objective is make students able to understand critically the constitutional structure of the political system and the legal system around three basic concepts: who has the power (the legitimacy of the people), how is the power (the division of powers) and for which power is exercised (the defence and guarantee of citizens' rights).

Therefore, the objectives of the subject are:

a) To provide a basic knowledge of the Spanish Constitutional Law.

- b) To understand the historical genesis of the Constitution and its contribution to the implementation of democracy in Spain.
- c) To contextualize the Spanish Constitution in Comparative Law, in particular the European framework.
- d) To obtain a theoretical knowledge about the legitimacy of power, division of powers, its exercise and the guarantee of the citizens' rights and the territorial structure of the State.
- e) To demonstrate theoretical knowledge through written work and oral presentations.

Competences

- Identify the foundations of the main legal and organisational areas in the field of human work.
- Identifying, analysing and solving complex problems and situations from an (economic, historical, legal, psychological, and sociological) interdisciplinary perspective.
- Organising and managing the available time.
- Verbally communicating and defending a project.
- Working autonomously.
- Working effectively in teams.

Learning Outcomes

1. Analysing and solving the problems and situations of the constitutional system of fundamental rights (configurational elements, defence and guarantee mechanisms mechanisms).
2. Identifying the main structural principles of the State as a Social and Democratic State of Law.
3. Organising and managing the available time.
4. Verbally communicating and defending a project.
5. Working autonomously.
6. Working effectively in teams.

Content

Lesson 1: The constitutional State

The State: concept and core elements. The Constitution: concept and historical evolution. The Spanish Constitution of 1978: elaboration procedure and general characteristics. The structural principles: The social and democratic State of Law

Lesson 2: The sources of Law (I)

Concept of legal sources and structure of the legal system. Principles of relationship between rules and principles of relation between law systems. The autonomy of individuals in the creation of the Law.

Lesson 3: The sources of Law (II)

The Constitution as a rule: supremacy and guarantees. The law. The other primary legislation: the decree-law and the legislative decree. The administrative regulations. The international Treaties. The Community law

Lesson 4: The constitutional bodies (I)

General characteristics of the Spanish institutional system. The crown. The Parliament. The President and the Government.

Lesson 5: The constitutional bodies (II)

The Constitutional Court: composition, functions, procedures and resolutions. The Judicial Power: functions and constitutional principles of the Administration of Justice, position and statute of judges, the General Council of the Judicial Power. The Public Prosecutor.

Lesson 6: The State of Autonomies

The territorial model of the State. The Statutes of Autonomy and the distribution of competencies: special reference to competencies in labour matters. The sources of Law of the Autonomous Regions. The institutional system of the Autonomous Regions. Relations between the State and the Autonomous Regions and between the Autonomous Regions: the conflict of competence.

Lesson 7: Fundamental Rights

Evolution, characterization and classification. Ownership, beneficiaries and object of protection. Regulation, exercise and limits. The effectiveness of rights before public authorities and individuals. The rights and freedoms in the workplace.

Lesson 8: The guarantee of Fundamental Rights

The Ombudsman and regional equivalents. The ordinary judicial protection. The constitutional complaint. The international protection.

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Discussion and resolution of practices, text comments, debates and seminars	22.5	0.9	1, 4, 2, 3, 5
Practical classes	4	0.16	1, 4, 2, 3, 5
Theoretical classes	18.5	0.74	1, 4, 2, 3, 5
Type: Autonomous			
To study. Writing of works. Reading of texts. Search of documents and bibliography	65	2.6	1, 4, 2, 3, 5

The learning process focuses on the work of the student, who learns working individually and in groups, the mission of the teaching staff being to help them in this task by providing information and showing them the techniques and sources where it can be obtained.

The development of teaching of the subject and student training is based on the following activities:

1. Directed activities:

1.1. Lectures classes/ theoretical classes: where students achieve through the transmission of knowledge of the teacher the conceptual bases of the subject and assume the legal, regulatory and jurisprudential framework.

1.2. Seminar / practical classes: as a learning space where students assume a preferably active role, together with the teacher, to analyze and interpret previously elaborated questions, issues or cases in order to develop and consolidate the essential content explained in the theoretical classes.

2. Supervised activities: These are activities that students will develop in the classroom, with the supervision and support of the teacher. It is the solution of some practical assumption in the classroom, the elaboration of some records of sentences and / or regulations, or the realization of outlines or written drafting of some epigraphs of the subject or of complementary readings of monographs or doctrinal articles.

3. Autonomous activities: these are activities in which the student organizes time and effort autonomously, either individually or in groups.

3.1 Study of the subject.

3.2 Preparation of documents of practical activities: which will be delivered and analyzed in the classroom. These are practical cases proposed in advance by the teacher or the preparation of critical reviews of books and readings or files of jurisprudence, regulations, or films.

3.3 Search of bibliography, jurisprudence, and materials for the resolution of practical cases, complementing theoretical questions

3.4. Preparation of course work, reports, etc

The teaching of the subject will be mixed: The Lectures classes/ theoretical classes will be virtual, and the seminars / classroom practices will be face-to-face.

Attendance at seminars, except in justified cases, will be compulsory for students

The teaching methodology and the evaluation may have some modification depending on the circumstances and especially on the restrictions to the attendance established by the health authorities.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Assessment

Continuous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Active participation and quality of the interventions in the debates and discussions different from the one carried out in the seminars / practices	5%	4	0.16	1, 4, 2, 3, 5, 6
Carrying out individual or group practices: Continuous assessment	5%	15	0.6	1, 4, 2, 3, 5
Preparation of reviews, book criticism, reading control, worksheets jurisprudence, legislation or videos or films. made in a way individual or group	5%	7	0.28	1, 4, 2, 3, 5
Realization of Individual or group course work on a topic related to the subject and the public presentation	25%	10	0.4	1, 4, 2, 3, 5, 6
Written Exam - Final Exam	40%	2	0.08	1, 4, 2, 3, 5

Written test - Partial Exam	20%	2	0.08	1, 4, 2, 3, 5
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Competences in these subjects may be assessed through: (1) exams; (2) the preparation of individual or group p
The evaluation system will take into account:

- Written tests (exams): there will be a final exam for the whole subject to check the overall acquisition of skills, abilities and knowledge, which will have a weight of 40% of the grade. There will be a partial exam with a weight of 20% of the grade.
- The realization of practical cases (reports, reviews, legal writings, opinions...) individually or in groups will have an overall weight of 5% of the grade.
- The individual or group completion of work on a topic that is the subject of the subject or related to it and the public presentation, will have a weight of 25%.
- Attendance and participation in class. This is active participation throughout the subject, of quality, legally based, appropriate and relevant to the topics discussed, and different from that carried out in practical classes. It will have a weight of 5%.
- Elaboration of reviews, criticism of books, jurisprudence files, regulations, videos or films. It will have a weight of 5%

The teacher of each group at the beginning of the course will present the program of the subject provided in this (

A student who copies or attempts to copy a final exam will receive a 0 on the exam. A student who submits an as

UNIQUE ASSESSMENT

In the case of a single assessment, on the day set for the assessment, a
For recovery: the same recovery system as for continuous assessment v

Students will be assessed as long as they have completed a set of activities whose weight is equivalent to a mini

Bibliography

A) Handbooks:

- * ARAGÓN REYES, Manuel. (ed.). *Temas básicos de Derecho Constitucional*, Civitas, Madrid.
- * APARICIO PÉREZ, Miguel Angel. (dir.)- BARCELÓ, M., *Manual de Derecho Constitucional*, Atelier, Barcelona.
- * BALAGUER CALLEJÓN, Francisco (y otros). *Derecho Constitucional*, 2 vols., Tecnos. Madrid.
- * CASTELLÀ, Josep María (ed.). *Derecho constitucional básico*, Hygens, Barcelona.
- * FOSSAS, E.- PÉREZ FRANCESCH, Joan Lluís. *Lliçons de Dret Constitucional*, Proa, Barcelona.
- * MOLAS, Isidre. *Derecho Constitucional*, Tecnos. Madrid.
- * PÉREZ ROYO, Javier. *Curso de Derecho Constitucional*, Marcial Pons, Madrid.

B) Legal Texts:

- * ALBERTÍ, Enoch - GONZALEZ, Markus. *Leyes políticas del Estado*, Civitas, Madrid.

C) Comments to the Constitution

- * CASAS BAAMONDE, María Emilia- RODRIGUEZ-PIÑERO. Manuel. *Comentarios a la Constitución*, Wolters Kluwer, 2008
- * GARRIDO FALLA, Francisco (dir.) *Comentarios a la Constitución*. Civitas, Madrid.
- * ALZAGA VILLAAMIL, Oscar. *Comentarios a la Constitución Española* Edersa, Madrid.

Web pages

<http://www.der.uva.es/constitucional/verdugo/matriz.htm> Materials de Dret Constitucional.

<http://www.iustel.com> Informació normativa, jurisprudencial i doctrinal.

www.westlaw.es. Base de dades westlaw.

Software

Knowledge of word processing, access to databases, and internet browsing

Language list

Name	Group	Language	Semester	Turn
(PAUL) Classroom practices	1	Spanish	first semester	morning-mixed
(PAUL) Classroom practices	2	Spanish	first semester	morning-mixed
(PAUL) Classroom practices	51	Catalan	first semester	afternoon

(TE) Theory	1	Spanish	first semester	morning-mixed
(TE) Theory	2	Spanish	first semester	morning-mixed
(TE) Theory	51	Catalan	first semester	afternoon