

Degree	Type	Year
2500259 Political Science and Public Management	OB	2

## Contact

Name: Alfredo Ramirez Nardiz

Email: alfredo.ramirez@uab.cat

## Teaching groups languages

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

## Prerequisites

### Prerequisites

Students must have a basic background in social sciences. Since they have never studied any legal subject, and it is an introductory subject to Public Law, no previous legal knowledge is required.

### Previous considerations

This course the Teaching Plan has been modified by transferring teaching to the Third Course. For this reason, during this year 2024-2025, teaching is proposed through tutorials with those students who have not passed the subject in previous courses

## Objectives and Contextualisation

The content of the course will deal with the basic knowledge of legal concepts and the constitutional organization of the State. A nuclear aspect will be the concept of the rule of law as a guarantee of rights and freedoms. This subject should serve as a basis for the subsequent development of the subjects of Constitutional Law, Administrative Law and Public International Law.

## Competences

- Act with ethical responsibility and respect for fundamental rights and duties, diversity and democratic values.
- Assess the social, economic and environmental impact when acting in this field of knowledge.
- Develop critical thought and reasoning and be able to communicate them effectively, both in your own language and second or third languages.
- Develop strategies for autonomous learning.
- Make changes to the methods and processes of the area of knowledge to provide innovative responses to the needs and wishes of society.
- Take sex- or gender-based inequalities into consideration when operating within one's own area of knowledge.

## Learning Outcomes

1. Act with ethical responsibility and respect for fundamental rights and duties, diversity and democratic values.
2. Assess the social, economic and environmental impact when acting in this field of knowledge.
3. Develop critical thought and reasoning and be able to communicate them effectively, both in your own language and second or third languages.
4. Develop strategies for autonomous learning.
5. Make changes to the methods and processes of the area of knowledge to provide innovative responses to the needs and wishes of society.
6. Take sex- or gender-based inequalities into consideration when operating within one's own area of knowledge.

## Content

### FUNDAMENTALS OF PUBLIC LAW PROGRAM

#### UNIT 1. Law and State

- 1.1.- Concept and functions of Law
- 1.2.- Law, morality and social uses. Law and justice.
- 1.3.- Legality and legitimacy: Validity, validity, applicability, effectiveness
- 1.4.- State and Law
- 1.5.- Legal concepts from a gender perspective.

#### UNIT 2. The legal system

- 2.1.- The order as a system of norms.
- 2.2.- The great legal systems: common law and civil law.
- 2.3.- Criteria of relations between norms and normative systems.
- 2.4.- The sources of law: the rules (type of rules), customs, general principles of law, jurisprudence.
- 2.5.- The branches of Law. Public Law

#### UNIT 3. The Constitution and constitutionalism

- 3.1.- Theoretical foundations and evolution of constitutionalism
- 3.2.- Historical evolution of constitutionalism
- 3.3.- Concepts of Constitution
- 3.4.- The Spanish Constitution of 1978

#### UNIT 4. The guarantees of the Constitution

- 4.1.- The defense of the Constitution: control of constitutionality and reform of the Constitution.
- 4.2.- Constitutional justice. Historical models of constitutional justice: the American system and the European system
- 4.3.- La justicia constitucional en el ordenamiento español: el Tribunal Constitucional

UNIT 5. The form of State: the social and democratic State of law

5.1.- The rule of law: concept and manifestations

5.2.- The democratic state and the concepts of democracy and representation. Embodiment in the Spanish Constitution.

5.3.- The social state. The economic constitution. Normative efficacy and social status.

UNIT 6. The Law and the Regulation

6.1.- Concept of Law.

6.2.- The legislative procedure Type of Law

6.3.- Regulations with the force of law: decree-laws and legislative decrees

6.4.- Concept and types of Regulation

6.5.- Relations with the law: control of the legality of the Regulations.

UNIT 7. The State of the Autonomies

7.1.- The autonomic principle and the structure of the legal system.

7.2.- The Statutes of Autonomy.

7.3.- The laws of Article 150 of the Constitution.

7.4.- The regulatory power of the bodies of the Autonomous Communities.

UNIT 8. International Law and Community Law

8.1.- The sources of International Law.

8.2.- International Treaties. The integration of International Law in the domestic legal system.

8.3.- European Union and Community Law. Effects of community law in the Spanish legal system.

UNIT 9. Fundamental rights (I)

9.1.- Human rights and fundamental rights

9.2.- The configuration of fundamental rights in the Spanish Constitution of 1978

9.3.- Effectiveness, ownership and exercise of fundamental rights

9.4.- The guarantees of fundamental rights

9.5.- The right to effective judicial protection

UNIT 10. Fundamental rights (II)

10.1.- The principle of equality. Right not to be discriminated against on the basis of sex.

10.2.- Main personal rights: life, personal freedom, thought, privacy

10.3.- Main rights of the public sphere: freedom of expression and information; the right of meeting, association and unionization; the right to participate in public affairs.

10.4.- Main economic, social and cultural rights: property, strike and education. The guiding principles of social and economic policy.

## Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Tutorials	66	2.64	1, 2, 3, 4, 5, 6
Type: Autonomous			
Autonomous activities	76	3.04	1, 2, 3, 4, 5, 6

The learning process focuses on the work that the student must do, the mission of the teaching staff is to help him in this task by providing information and showing him the techniques and sources from which to obtain it.

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

1. Tutorials: Through the transmission of the teacher's knowledge, the students reach the conceptual foundations of the subject and the normative and jurisprudential legal framework is consolidated. 2. Actividades autónomas: Se trata de actividades donde el estudiante se organiza el tiempo y el esfuerzo de forma autónoma ya sea de forma individual o grupal.

2.1. Study of the subject.

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

2.3. Search of bibliography, jurisprudence and materials for the resolution of the practical cases, complement the theoretical questions.

2.4. Preparation of course work, reports, etc.

The teaching methodology and the evaluation may undergo some modification depending on the circumstances and especially the restrictions on 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
Exams	50%	2	0.08	1, 2, 3, 4, 5, 6
homeworks and case studies	50%	6	0.24	1, 2, 3, 4, 5, 6

Competences in these subjects may be assessed through: (1) exams; (2) Elaboration of assignments, the presentation of oral presentations, the completion of work or practical cases (and the possible oral presentations). The evaluation system will take into account: The completion of work or practical cases (and the possible oral presentations). Written exam-type tests will have an overall weight of 50%. Among them, the coordinating teacher of each group at the beginning of the course will select a student who copies or tries to copy in an exam will get a 0 in the exam. Single evaluation: it will consist of a theoretical exam with a value of 50%.

## Bibliography

### A) Bibliography of the subject

FOSSAS, Enric.- PÉREZ FRANCESCH, Joan.Lluís. Lliçons de Dret Constitucional, Barcelona: Proa-LATORRE, Angel. Introducción al Derecho. 1992. Madrid: Ariel. Madrid.

LÓPEZ GUERRA, Luís. 1994. Introducción al Derecho Constitucional, València: Tirant Lo Blanch.

GARRORENA MORALES, Angel. Derecho Constitucional. Madrid. Centro Estudios Políticos y Constitucionales

MOLAS BATLLORI, Isidre. 2004. Derecho Constitucional. Madrid: Tecnos.

RODRIGUEZ RUIZ, Blanca.2017. Género y Constitución, Mujeres y Varones en el Orden Constitucional Español, Lisboa: Editorial Juruá.

### B) reference manuals

APARICIO PÉREZ, Miguel.A. (dir.) i BARCELO, Mercè. (coord). Manual de Derecho Constitucional, Atelier, Barcelona.

BALAGUER CALLEJÓN, Francisco (y otros) Derecho Constitucional, 2 vols., Tecnos. Madrid.

LOPEZ GUERRA, Luis (y otros) Derecho Constitucional, 2 vols. Tirant lo Blanc, Valencia.- PÉREZ ROYO, Javier Curso de Derecho Constitucional, Marcial Pons, Madrid.

### C) Reference works

ARAGÓN REYES, M. (ed.) Temas básicos de Derecho Constitucional, Civitas, Madrid

Enciclopedia Jurídica básica, Civitas, 1994

Enciclopedia Jurídica española, Seix

Diccionario del sistema jurídico español, Akal, 1984

### D) Comments to the Constitution

CASAS BAAMONDE, María Emilia- RODRIGUEZ-PIÑERO, Miguel, Comentarios a la Constitución, Wolkers Kluwer, 2008

GARRIDO FALLA, Fernando (dir.) Comentarios a la Constitución. Civitas, Madrid.

ALZAGA VILLAAMIL, Oscar Comentarios a la Constitución Española Edersa, Madrid.

### E) Legal texts

CARRERAS SERRA, Francesc- GAVARA, Juan Carlos Leyes políticas, Aranzadi, Pamplona. - ALBERTÍ, Enoch- GONZALEZ, Markus Leyes políticas del Estado, Civitas, Madrid.

#### F) Web Links

-<http://www.vlex.com>

-<http://www.todoelderecho.com>

-<http://www.noticias.juridicas.com>

-<http://www.congreso.es> (portal de la Constitución)

-<http://www.europa.eu>

#### F) Monographic works to be read to be evaluated (each group will be told which monograph to read).

- FIORAVANTI, Maurizio: Los derechos fundamentales: apuntes de historia de las constituciones. Trotta 1998

- JIMENEZ ASENSIO. Rafael: El Constitucionalismo: proceso de formación y fundamentos del derecho Constitucional. Marcial Pons. 2005

#### Software

Not needed

#### Language list

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