

Constitutional Law

Code: 101120
ECTS Credits: 6

2025/2026

Degree	Type	Year
Political Science and Public Management	OT	3
Political Science and Public Management	OT	4

Contact

Name: Montserrat Gispert Bosch

Email: montse.gispert@uab.cat

Teachers

(External) professor a determinar (pendent de concurs)

Teaching groups languages

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

Prerequisites

As the student has studied the subject of Fundamentals of Public Law, no other legal knowledge than those acquired by passing this subject is required.

Objectives and Contextualisation

The content of this subject is approached around two thematic axes: on the one hand, the structure and organization of constitutional institutions from the perspective of the multilevel distribution of power (both horizontally and territorially). On the other hand, the fundamental rights as objective and subjective elements of the constitutional system.

Competences

Political Science and Public Management

- Demonstrating good writing skills in different contexts.
- Distinguishing the discipline's main theories and different fields: conceptual developments, theoretical frameworks and theoretical approaches underlying the discipline's knowledge and different areas and sub-areas, as well as their value for the professional practice through concrete cases.
- Identifying sources of data and conducting bibliographic and documentary searches.

- Managing the available time in order to accomplish the established objectives and fulfil the intended task.
- Realising effective oral presentations that are suited to the audience.
- Showing a good capacity for transmitting information, distinguishing key messages for their different recipients.
- Synthesizing and critically analysing information.
- Working autonomously.
- Working in teams and networking, particularly in interdisciplinary conditions.

Learning Outcomes

1. Critically analysing and assessing the legal elements of the relations between the political power and its citizens and generally, in the political processes.
2. Demonstrating good writing skills in different contexts.
3. Describing basic elements of the parliamentary monarchy in Spain.
4. Describing the theoretical foundations and historical evolution of the European and North American constitutionalism.
5. Explaining the concept and sources of the Administrative Law, as well as the laws and regulations.
6. Explaining the concept of Constitution and basic constitutional principles and the State of Law and social and democratic state principles.
7. Identifying sources of data and conducting bibliographic and documentary searches.
8. Managing the available time in order to accomplish the established objectives and fulfil the intended task.
9. Realising effective oral presentations that are suited to the audience.
10. Showing a good capacity for transmitting information, distinguishing key messages for their different recipients.
11. Synthesizing and critically analysing information.
12. Working autonomously.
13. Working in teams and networking, particularly in interdisciplinary conditions.

Content

CONSTITUTIONAL LAW PROGRAM

Part I. The organization of public powers

Topic 1. Introduction.

- 1.1.- The Constitution as the supreme legal norm
- 1.2.- Structure and function of the Constitution
- 1.3.- The configuration of the multilevel constitutional system

Topic 2. The horizontal organization of public power

- 2.1.- The organic structure of the State
- 2.2.- Constitutional institutions and Institutions of constitutional relevance
- 2.3.- The conflict of powers between constitutional institutions of the State

Topic 3. Constitutional institutions I

- 3.1.- The Head of State: the Crown
- 3.2.- The Spanish parliamentary system: the Cortes Generales.
- 3.3.- The Government and the Administration

3.4.- Government-Cortes Generales relations

Topic 4. Constitutional institutions II

- 4.1.- The judiciary. The General Council of the Judiciary
- 4.2.- The Constitutional Court
- 4.3.- Other institutions : the Ombudsman, the Court of Accounts

Topic 5. The territorial organization of the State

- 5.2.- The model of the 1978 Constitution: the State of the autonomies
- 5.3.- The constitutional principles of the Autonomous State.
- 5.4.- Local autonomy

5.5.- The European Union

Topic 6. The institutional and competence organization of the Autonomous Communities

6.1.- The institutional structure of the Autonomous Communities

6.2.- The internal organization of the Autonomous Communities: legislative, executive and other autonomous bodies

6.3.- The competence framework of the State and the Autonomous Communities.

Topic 7. Relations between the State and territorial entities

7.1.- The means of conflict resolution between the State and the Autonomous Communities. Conflict of competences.

7.2.- Conflicts in defense of local autonomy

7.3.- Conflicts with the European Union

Part II The recognition of rights in the Constitution

Topic 8.- Human dignity as the foundation of fundamental rights.

8.1.- Rights as the foundation of the democratic system

8.2.- The double dimension, subjective and objective, of fundamental rights

8.3.- Fundamental rights in the Constitution, in the European Convention on Human Rights, in European Union Law and in other systems for the protection of rights.

Topic 9.- Current cases regarding fundamental rights and freedoms

9.1.- Cases regarding personal freedom

9.2- Cases regarding participation

9.3.- Cases regarding economic, social and cultural rights

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Text discussion seminar	20	0.8	2, 4, 6, 9, 7, 11
Theoretical classes	30	1.2	1, 3, 4, 6
Type: Supervised			
Preparation of the practical activities	4.5	0.18	1, 8, 7, 11, 12
Research work preparation	10	0.4	1, 3, 4, 10, 11, 12
Tutorial class	1	0.04	8
Type: Autonomous			
Reading of text	26	1.04	1, 8, 7, 11, 12
Study of the subject	51	2.04	1, 8, 7, 10, 11, 12

1. Directed activities: Master or Seminar classes

1.1. Master classes: where students acquire through the transmission of knowledge from the professor the conceptual bases of the subject and establish the normative and jurisprudential legal framework.

1.2. Seminar debates: as a learning space where students, together with the teacher, analyze questions and 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 about the solution of some practical assumption in the classroom.

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 practical activity documents: which will be delivered and presented in the classroom. These are practical cases proposed in advance by the teacher or the preparation of critical reviews of books, readings or regulations.

3.3 Search of bibliography, jurisprudence and materials to solve practical cases and complement theoretical questions

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

Continous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final test	20%	1	0.04	1, 2, 3, 6, 8, 7, 10, 11, 12
partial test	20%	1	0.04	1, 2, 3, 6, 8, 10, 11, 12
Practical activity (1)	10%	1.5	0.06	1, 2, 3, 4, 6, 5, 9, 8, 7, 10, 11, 12, 13
Practical activity (2)	20%	2	0.08	1, 2, 3, 4, 6, 5, 9, 8, 7, 10, 11, 12, 13
Research work	30%	2	0.08	1, 2, 3, 4, 6, 5, 9, 8, 7, 10, 11, 12, 13

The competencies in these subjects will be assessed continuously through the following activities:

- Two written tests: one midterm and one final. These tests represent a maximum of 40% of the grade. The final test will cover the entire subject.

- Two practical tests: These will be worth up to 30%. One written individual preparation test will be worth 10%, and another group test will be worth 20%.

- Preparation of a research paper and presentation of an oral summary in class. This will be worth 30%.

In this subject, the use of Artificial Intelligence (AI) technologies is not permitted in any phase of this course. Any work that includes AI-generated fragments will be considered a breach of academic dishonesty and may result in a partial or total penalty in the assignment's grade, or greater penalties in serious cases.

At the beginning of the course, the course program outlined in this guide will be presented and explained, along with the schedule of activities, the assessment system, and the re-assessment system for failed activities. Re-assessment may only be carried out if the student has followed the continuous assessment process. All these instructions will also be posted on the virtual campus/Moodle.

Students who cheat or attempt to cheat on a written test will receive a 0 on the exam. Students who submit a practical assignment containing plagiarism will receive a 0 and a warning. If the behavior is repeated, the student will fail the course.

SINGLE ASSESSMENT: This exam will consist of three tests: 1. a theoretical exam covering the entire subject with a maximum value of 40% of the total grade; 2. a practical exam covering the entire subject with a maximum value of 30% of the total grade; and 3. the presentation and oral defense of a paper with a maximum value of 30% of the total grade.

Bibliography

Bibliography of the subject

- FOSSAS, Enric.- PÉREZ FRANCES, Joan.Lluis. Lliçons de Dret Constitucional, Barcelona: Proa

- LÓPEZ GUERRA, Luis. 1994. Introducción al Derecho Constitucional, València: Tirant Lo Blanch. (*Este libro se encuentra disponible en la Biblioteca Digital UAB*)
- MOLAS BATLLORI, Isidre. 2004. Derecho Constitucional. Madrid: Tecnos.
- BARCELÓ, Merce.- VINTRÓ, Joan (coord.), Dret Públic de Catalunya, Barcelona, Atelier
- ALBERTÍ, Enoch. i altres: Manual de Dret Públic de Catalunya. Barcelona, IEA

Handbooks:

- ÁLVAREZ CONDE, Enrique. Curso de Derecho Constitucional, 2 vols, Tecnos, Madrid.
- BALAGUER CALLEJÓN, Francisco (y otros) Derecho Constitucional, 2 vols., Tecnos. Madrid.
- FERNÁNDEZ SEGADO, Francisco.: El sistema constitucional español. Dykinson, Madrid, 1992.
- GÓMEZ SÁNCHEZ, Yolanda. Introducción al régimen constitucional español, Sanz y Torres, Madrid.
- GARCÍA PELAYO, Manuel., Derecho Constitucional comparado, Alianza, Madrid, 1999
- LOPEZ GUERRA, Luis. (y otros) Derecho Constitucional, 2 vols. Tirant lo Blanc, Valencia.
- PÉREZ ROYO, Javier. Curso de Derecho Constitucional, Marcial Pons, Madrid.
- RODRÍGUEZ RUIZ, Blanca. Constitución y género. Mujeres y Varones en el Orden constitucional español, Juruá, Lisboa, 2017.

Web links:

- <http://www.vlex.com>
- <http://www.noticias.juridicas.com>
- <http://www.casareal.es>
- <http://www.congreso.es> (portal de la Constitución)
- <http://www.senado.es>
- <http://www.lamoncloa.gob.es>
- <http://www.poderjudicial.es>
- <http://www.tribunalconstitucional.es>
- <http://gencat.cat>
- <http://institucions.politiques.com>

Software

This subject does not requiere any especific software

Groups and Languages

Please note that this information is provisional until 30 November 2025. You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject.

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