

63175 - Constitutional Law

Syllabus Information

Academic year: 2024/25

Subject: 63175 - Constitutional Law

Faculty / School: 102 - Facultad de Derecho

Degree: 574 - Master's in Administrative Management

ECTS: 3.0

Year: 1

Semester: First semester

Subject type: Compulsory

Module:

1. General information

Through the subject Constitutional Law, students will learn about the constitutional legal system, with special attention to the meaning of an integral social Constitutional State in terms of its structural configuration, the system of sources of law, the system of fundamental rights enshrined in the fundamental norm and the system of distribution of competences between the State and the Autonomous Communities. The subject, in short, deals with the function of the Constitution as the supreme legal norm that articulates everything that happens in the legal, political, social and economic life within the State.

All of these aspects are examined in depth when approaching the legal regime of professional associations and the licensed professions.

2. Learning results

1. To internalise the constitutional state as the basis of the entire legal framework.
2. To manage the political and theoretical logics of what the division, control and responsibility of power entails.
3. With regard to administrative management and professional organizations and associations, to know the system of sources of applicable law, the jurisprudence of the Constitutional Court that affects them and the distribution of competences between the State and the Autonomous Communities in this area.
4. In particular, to know how to search and organize the different normative sources according to the principles of hierarchy and competence and the jurisprudential sources related to the legal-constitutional matter, applying them to the solving of the practical conflicts raised.

3. Syllabus

1. Constitutional State: the concept of the Constitution and the principle of separation of powers. The Constitution as a norm and the system of sources (special reference to the principle of autonomy).
2. Fundamental rights: concept and nature. Effectiveness, limits and ownership. Typology. Warranties. Suspension.
3. Corporate Administration and professional freedom in the Constitution: professional freedom in the 1978 EC; Professional Associations: concept and constitutional functions; The scope of the reserve of Law in Article 36 EC.
4. Legal-constitutional regime of professional associations: distribution of competences between the State and the Autonomous Communities; Regulatory guidelines; The constitutional mandate of democratic internal structure and functioning; The duty of association.

4. Academic activities

Lectures and systematization of knowledge by the teacher.

Dynamic activities of teacher and students: case solving and practical exercises.

Reading of specialized books and monographs, the contents of which will be reported to the teacher through reviews or jurisprudential comments.

Personal study by students, individual and group tutoring.

Seminars or optional extraordinary courses.

5. Assessment system

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The correct resolution of the different practical assumptions raised in class amounts to 30% of the grade. Additionally, there will be an assessment of the required knowledge of the subject (70%, i.e., 7 points out of 10), which will consist of an exam on topics derived from the syllabus in the different ways indicated by the faculty of the subject.

In order to pass the subject, the student must have obtained a grade of 5 points.

Students who have not completed the above activities during the class period or who wish to improve the grade obtained in the completion of the same, may take a GLOBAL TEST which will consist of two questions corresponding to the headings of the program (70%) and the resolution of a practical case (30%).

In order to pass the practical part of the subject, students must carry out all the practical cases presented by the teacher during class hours.

The completion of the practical cases presented throughout the term, and in the final exam, will be assessed by the teacher based on: 1) the active and continuous participation of the students in the debates, 2) the fluency in the handling of the theory and sources of Constitutional Law and 3) the expository, argumentative and critical reflection capacity.

In the second call, the exam will deal with the same topics as the exam of the first call.

6. Sustainable Development Goals

5 - Gender Equality

10 - Reduction of Inequalities

16 - Peace, Justice and Strong Institutions