

**THEORY OF STATE AND CONSTITUTIONAL LAW
2016-2017**

Bachelor Degree:	Law	202G
Course title:	Theory of state and constitutional law	709
Year/Semester:	1/1S	ECTS Credits: 6

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CONTENTS

UNIT1.

1. The sequence Power, Politics, State, Law
2. The constitution and constitutional law, today.

UNIT2.

1. Features of our political and constitutional history.
2. The constitutional process.
3. Characteristics of the Spanish Constitution of 1978.
4. The Constitution of 1978 and previous constitutions.
5. The Constitution of 1978 and constitutional reference models.

UNIT 3.

1. Formal structure of the Spanish Constitution.
2. The constitutional normativity.
3. The Constitution and sources of law.
4. Constitutional interpretation
5. Kinds of constitutional norms: rules and principles.
6. Constitutional values in article 1.1 CE.

UNIT4.

1. The Rule of Law in the Constitution of 1978.
2. The Democratic State in the Constitution of 1978.
3. Participation and representation.
4. Representation as a form of participation.
5. Direct participation in the Spanish Constitution.

UNIT 5.

1. The Social State in the Spanish Constitution.
2. Guiding principles of social and economic policy.
3. Constitutional features of the economic model.

UNIT 6.

1. Constitutional role of political parties.
2. Regulation of political parties.

UNIT 7.

1. The electoral system: concept and elements
2. Regulation of electoral processes: the general electoral system.
3. Electoral guarantees.

UNIT 8.

1. Constitutional treatment of political decentralization.
2. Principles of the Autonomic State.
3. Institutional organization of the Autonomous Communities.

UNIT 9.

1. The competential distribution between State and Autonomous Communities.
2. Determination of the competence rules.
3. Relationships of integration, collaboration, cooperation and coordination.
4. Relationships of control and conflict.

UNIT 10.

1. Political autonomy and financial sufficiency.
2. Diversity of funding systems.
3. Principle of financial solidarity: constitutional and legal instruments.

UNIT 11.

1. Constitutional bodies and state bodies.
2. Nature of Parliamentary Monarchy.
3. Legal status of Head of State: King functions.

UNIT 12.

1. Constitutional role of Parliament.
2. The bicameral system.
3. Composition of Parliament: election of members.

UNIT 13.

1. Parliamentary bodies.
2. Operating rules: sessions and parliamentary voting.
3. Legal status of parliamentarians.
4. Parliamentary Groups.

UNIT 14.

1. The legislative procedure.
2. The budgetary function.

UNIT 15.

1. Legal control and political control.
2. Questions, interpellations and motions.
3. Commissions of Inquiry.

UNIT 16.

1. The government in the parliamentary system.
2. Functions of Government.
3. Composition and appointment of Government.
4. Legal status of government members.
5. The president of the Government.
6. The dismissal of the Government: the caretaker government.

UNIT 17.

1. Parliamentary government in the Spanish Constitution: political trust.
2. The confidence question.
3. The motion of censure.
4. Dissolution of Parliament.

UNIT 18.

1. Nature of the Constitutional Court.
2. The jurisprudence of Constitutional Court.
3. Constitutional justice and ordinary justice.

UNIT 19.

1. Structure of the Constitutional Court.
2. System of appointment of judges.
3. Status of judges.

UNIT 20.

1. Competences of Constitutional Court.
2. Constitutional processes.
3. Types of pronouncement of Constitutional Court.



REFERENCES

Title
Manual de derecho constitucional / Francisco Balaguer Callejón (coordinador) ; Gregorio Cámara Villar ...[et al.]-- última edición -- Madrid : Tecnos, 2 v

EVALUATION SYSTEM

Oral tests: 15% (unrecoverable)
Assignments and projects: 10% (unrecoverable)
Written tests (final exam): 75 % (recoverable)