

27704 - Theory of Law

Syllabus Information

Academic year: 2023/24

Subject: 27704 - Theory of Law

Faculty / School: 102 - Facultad de Derecho

Degree: 421 - Degree in Law

ECTS: 6.0

Year: 1

Semester: First semester

Subject type: Basic Education

Module:

1. General information

This subject offers a theoretical and practical introduction to law in its different dimensions. In it, students learn to use basic legal concepts and acquire notions and skills of normative analysis and methodology and legal argumentation. The subject also aims to provide students with a better understanding of the interrelationships between the legal system and its social environment, and the role of law and its main operators in today's societies. Taken as a whole, the proposed teaching and learning activities are intended to help students develop a conscious, reflective and critical attitude towards legal norms, institutions and ideologies.

These approaches and goals are aligned with the following Sustainable Development Goals (SDGs) of the United Nations Agenda 2030: Goal 10: Reduction of inequalities; Goal 16: Peace, justice and strong institutions

2. Learning results

After taking the subject, the student should have learned to:

- identify the elements that make up the Law and distinguish it from other normative orders.
- explain the fundamental characteristics of legal science.
- explain and apply basic notions of legal sociology and functional analysis of law.
- compare (critically) the main conceptions of law.
- explain the ideal characteristics of a legal system (unity, completeness, coherence).
- identify and differentiate the main types of legal norms, and explain their structure and functions.
- analyse the validity of legal norms, as well as assess their effectiveness and legitimacy.
- describe the sources of Spanish law and explain and apply the principles of hierarchy of norms and competence
- analyse the most important characteristics of the legal language and its consequences when interpreting and applying the law to solve concrete cases.
- explain and apply basic notions of legal methodology (interpretation and argumentation).
- identify and apply the main interpretative rules and criteria in Spanish law, and consider the gender perspective in legal argumentation
- build an argument on basic legal-philosophical problems.

3. Syllabus

- 1.- The concept of law.
- 2.- Law and society. Functions of the Law.
- 3.- Theory of the norm, of the legal system and of the legal decision.
- 4.- Notions of legal interpretation and argumentation

4. Academic activities

Theoretical classes (1.5 ECTS): lectures and systematization of knowledge by the teacher.

- Methodology: theoretical class.

Practical classes (1.0 ECTS): dynamic activities of teacher and students (resolution of practical cases, classroom or outside and seminars).

- Methodology: practical teaching based on text analysis, case studies, presentations and discussion.

Other training activities (3.5 ECTS): student's personal study, tutorials, work and evaluation activities

- Methodology: adapted to the type of activity (individualized or group tutoring, continuous evaluation and theoretical-practical, individualized work tutoring)

5. Assessment system

The regulations on learning evaluation rules establish two possible evaluation systems: a mixed evaluation system and a global test system. To pass the subject through a **mixed system**, the student may obtain up to 30% of the final grade by attending the theoretical and practical classes, performing tests, exercises and seminars that each teacher poses during the term. The rest of the grade will be obtained through an exam consisting of a test (50%) and another part of development questions (20%). It will be necessary to pass each of the parts in order to pass the subject.

In order to pass the subject by means of a global test, to the performance of the exam under the same conditions as in the mixed system (70% of the final grade) it will be necessary to add the performance of a practical exercise (30%)

Likewise, it will be necessary to pass each part to pass the subject.

Each teacher will explain more precisely the criteria for passing the Mixed System and the modalities of examination the program of the subject that will be distributed at the beginning of the term.