

29016 - The State: Constitutional Powers

Syllabus Information

Academic year: 2023/24

Subject: 29016 - The State: Constitutional Powers

Faculty / School: 228 - Facultad de Empresa y Gestión Pública

Degree: 429 - Degree in Public Management and Administration

ECTS: 6.0

Year: 3

Semester: First semester

Subject type: Compulsory

Module:

1. General information

The subject Constitutional Powers of the State aims to provide an account of the elements or factors that make up the constitutional State of our time, with a deliberative, participatory and social imprint; overcoming, therefore, the unidimensionality in which the dogmatics of the legal-liberal state model was organized. It also aims to become aware of the origin, meaning and function of the notion of normative Constitution, of the main trends of contemporary constitutionalism and of the problems that afflict some of the most important instruments and actors of the constitutional State. The Constitutional Law explained in Constitutional Powers of the State is, therefore, a law of political content and nature that regulates the processes through which the organized community governs itself. The approaches of this subject are oriented towards the achievement of SDGs 4, 5, 10, 16 and 17.

It is advisable that the students of this course have acquired the basic knowledge of the subject that precedes this one, particularly the subject Fundamentals of Constitutional Law, and that they have a certain level of proficiency in the understanding and handling of political and legal terminology.

2. Learning results

1. Is able to distinguish models and forms of government and state, and explain the functions of political integration that plays the modern constitutional state, especially in the framework of the European Union (SDG 4, 16 and 17).
2. It can specify the role played by political parties and characterize the various forms and instruments of political participation (SDGs 4, 5 and 10).
3. Knows how to explain the concept of the Constitution, its various manifestations, its basis in the idea of constituent power, its functions and normative content, the relationship of the Constitution with the rest of the legal system and, finally, its guarantees against threats and violations of the normative program incorporated into it (SDG 4 and 16).
4. Distinguish the different stages of Spanish constitutionalism and identify its main features (SDGs 4 and 16).

3. Syllabus

Unit 1. The constitutional structure of the State: division of powers and forms of government.

Unit 2. The territorial distribution of power and the forms of State.

Unit 3. Spanish historical constitutionalism.

Unit 4. Power and the political process.

Unit 5. Political regimes.

Unit 6. Political parties.

4. Academic activities

4.1. FACE-TO-FACE ACADEMIC ACTIVITIES

Master class: 30 hours (theoretical-practical sessions in which the contents of the subject will be explained).

Practical exercises: 30 hours (problem solving and case studies, assignments and face-to-face tutorials).

Personal study and preparation of practical assignments: 85 hours.

Assessment tests. 5 hours.

4.2. VIRTUAL ACADEMIC ACTIVITIES

Synchronous and asynchronous activities: 15 hours (theoretical-practical sessions [videoconferences and/or learning pills] at where the contents of the subject will be explained).

Distance learning activities: 15 hours (virtual network work or activities on the Moodle platform or online tutorials).

Personal study and preparation of practical assignments: 115 hours.

Assessment tests. 5 hours.

5. Assessment system

5.1. PRESENCE-BASED MODALITY

5.1.1. Continuous on-site assessment

A. Intermediate tests: consisting of 2 individual written examinations: 1 in the middle and another at the end of the four-month period (70%,. A minimum of 5 out of 10 must be reached in each of them in order to release the theoretical subject that is the object of evaluation). They will consist of multiple choice and/or short answer questions, plus a developmental question. The first test will be related to the first three topics, while the second test will focus on the evaluation of the last three topics.

B. Periodic theoretical-practical exercises: case studies, reports, debates and critical analysis of documents and current news raised by the professor and directly related to the content of the subject directly related to the content of the subject; by means of the delivery in writing in due time and form of the corresponding works, one per subject (30%, 1.5 points out of 5).

5.1.2. Global on-site assessment: students who do not opt for continuous evaluation, who do not pass the subject through continuous evaluation or who wish to improve their grade, will have the right to take the global test, which will consist of a written exam consisting of multiple choice and/or short answer questions, plus a development question and a practical exercise of those solved during the year (100% of the grade [70% theory, 30% practical] and a minimum score of 5 out of 10 must be obtained in the theoretical part of the exam to add the grade achieved in the practical exercise).

Assessment criteria: The knowledge acquired, the adequacy of the question-answer, the clarity and precision of the answers, the suitability of the arguments used, the capacity for synthesis and analysis, and the quality of oral or written expression , as appropriate, of reasoning and application of legal principles will be assessed.

5.2. VIRTUAL MODE

The evaluation system for the virtual modality is the same as for the face-to-face modality. The main difference lies in the fact that the intermediate continuous assessment tests will necessarily be carried out online, through ADD-Moodle, with the tools, tasks and questionnaires.