

Fundamental Rights and Freedoms (20612)

Degree awarded: Degree in Law

Academic year: 1

Term: 3rd

Number of ECTS credits 6

Student hours: 150

Syllabus

This subject studies the system for the protection of fundamental rights in the Spanish legal system. It includes the analysis of mechanisms provided for in the 1978 Spanish Constitution to protect fundamental rights, their legislative development and the impact of the European and international systems for the protection of human rights on the Spanish legal system.

On completing the course students will understand the concept and basics of what is meant by fundamental human rights and their relationship with constitutionalism and with the international human rights movement. They will also understand the protection and guarantee mechanisms provided for in the 1978 Spanish Constitution and their interrelation with European systems for protecting fundamental rights. Finally, students will have acquired essential knowledge of the content of the main fundamental rights recognised in the Spanish legal system. To follow the course students need to develop skills related to the ability to understand and analyse historical and modern constitutional texts, constitutional case law and doctrinal articles, as well as being able to apply the structures of constitutional argument to conflict resolution and the critique of institutions.

Topic 1. Fundamental rights: evolution and concept

Topic 2. Fundamental rights in the 1978 Spanish Constitution

Topic 3. The holding and exercise of fundamental rights

Topic 4. The regulatory configuration of fundamental rights

Topic 5. The judicial and institutional guarantees of fundamental rights

Topic 6. Fundamental rights in Europe and their projection on the Spanish legal system

Topic 7. The equality principle

Topic 8. The right to an individual and private sphere

Topic 9. Freedom of expression and information

Topic 10. Political rights and the right to participation

Topic 11. Effective protection of the court. The principle of criminal legality

Topic 12. Rights with social and economic content