

1. OVERVIEW

Subject Area	Fundamental Rights and Civil Liberties
Degree	Bachelor's Degree in Law
School/Faculty	Social Sciences and Communication
Year	First
ECTS	6 ECTS
Type	Core
Language(s)	Spanish
Delivery Mode	On-campus/Online
Semester	Second semester

2. INTRODUCTION

Knowledge of fundamental rights and the core aspects of the general theory of fundamental rights is important for any area of legal study, especially for the area of Constitutional Law. This knowledge allows us to understand the wording of the Constitution with regard to citizens, the elements that define the dignity of every person, subjects of rights, the purpose and content of rights, the effectiveness and limitations of rights, etc. Even if we view law as a system created to guarantee political harmony, fundamental rights are the core objectives and principles that give structure to the State and justify its fundamental aims. Fundamental rights form a significant part of constitutional theory, as the defining elements of the entire legal order, and therefore they should be covered by every Law degree programme. From a strictly normative point of view, the fundamental rights set out in the Constitution enjoy the full force of the law. This means they are binding on all public authorities (Art. 53(1) Spanish Constitution), including the legislature. This subject area therefore involves the study not only of Title I of the Constitution, but of all other constitutional rights set out or protected under other Titles of the Constitution (such as Articles 105 and 125, among others). All of them enjoy normative constitutional status (Art. 9(1) Spanish Constitution), serve as the basis for the validity of laws, constitute the aims and principles behind the actions of all public authorities, and underpin the legitimacy of all secondary legislation.

Therefore, fundamental rights are essential to all Law degree programmes, constituting a compulsory subject area within the Bachelor's Degree in Law and is worth 6 ECTS credits, as are all compulsory subject areas of the degree. Importance of the subject area within the curriculum and how it relates to a career in law. The importance of the subject area within the curriculum is clear, as knowledge of fundamental rights is an essential part of any legal professional's training. This knowledge will aid understanding of the legal system as a whole, as well as the essential principles and aims informing it. A legal professional's ability to correctly approach and provide solutions to cases involving fundamental rights and civil liberties rests on their ability to analyse and interpret the content of fundamental rights. They form the basis of the constitutional legal systems of all democracies, the foundation of the rule of law and, specifically, the basis of the European and Spanish legal systems. They are of relevance to all areas of expertise and career paths: business, legal practice and advice services, etc.

3. SKILLS AND LEARNING OUTCOMES

Basic skills (CB, by their acronym in Spanish):

- **CB1.** Students have shown their knowledge and understanding of a study area originating from general secondary school education, and are usually at the level where, with the support of more advanced textbooks, they may also demonstrate awareness of the latest developments in their field of study.
- **CB2.** Students can apply their knowledge to their work or vocation in a professional manner and possess the skills which are usually evident through the forming and defending of opinions and resolving problems within their study area.
- **CB3.** Students have the ability to gather and interpret relevant data (usually within their study area) to form opinions which include reflecting on relevant social, scientific or ethical matters.

Cross-curricular skills (CT, by their acronym in Spanish):

- **CT04 - Oral or written communication:** Ability to communicate and gather information, ideas, opinions and viewpoints to understand and be able to act, spoken through words or gestures or written through words and/or graphic elements.
- **CT05.** Awareness of ethical values: Ability to think and act in line with universal principles based on the value of a person, contributing to their development and involving commitment to certain social values.
- **CT07.** Initiative and entrepreneurial spirit: Ability to undertake difficult or risky actions with resolve. Ability to anticipate problems, propose improvements and persevere to ensure they are implemented. Willingness to take on and carry out tasks.
- **CT09.** Problem solving: Ability to resolve an unclear or complex issue or situation which has no established solution and requires skill to reach a conclusion.

Specific skills (CE, by their acronym in Spanish):

- **CE01.** Ability to understand the framework of legislation, legal principles and case law governing public and private legal relations.
- **CE02.** Ability to understand the law as a systematic, coherent whole, taking into account issues within the socioeconomic context.
- **CE03.** Ability to develop legal argumentation skills and techniques in another language.
- **CE07.** Ability to develop critical awareness in the analysis of the legal system.
- **CE08.** Ability to identify legal issues and provide appropriate solutions to real situations.
- **CE10.** Ability to understand the differences between the various fields within the legal profession.

Learning outcomes (RA, by their acronym in Spanish):

- **RA1.** Understand the core elements of the general theory of fundamental rights.
- **RA2.** Understand the constitutional system of fundamental rights and civil liberties under the Spanish Constitution.
- **RA3.** Knowledge of international regimes for the recognition and protection of human rights, especially the ECHR.
- **RA4.** Knowledge of the institutional safeguards for rights.
- **RA5.** In-depth knowledge of the various rights to freedom (freedom of thought, conscience and religion; freedom of expression and information; freedom of teaching; the right to education and academic freedom), political rights (assembly, protest, association, political

participation, political parties), the right to effective legal protection, and social and economic rights.

- **RA6.** Address current, specific legal problems.

The following table shows how the skills developed in the course match up with the intended learning outcomes:

Skills	Learning outcomes
CB1, CB2, CB3, CE1, CE2, CE3, CE7, CE10, CT4, CT5, CT7	RA1. Understand the core elements of the general theory of fundamental rights.
CB1, CB2, CB3, CE1, CE2, CE3, CE7, CE10, CT4, CT5, CT7	RA2. Understand the constitutional system of fundamental rights and civil liberties under the Spanish Constitution.
CB1, CB2, CB3, CE1, CE2, CE3, CE7, CE8, CE10 CT4, CT, 5, CT7, CT9	RA3. Knowledge of international regimes for the recognition and protection of human rights, especially the ECHR.
CB1, CB2, CB3, CE1, CE2, CE3, CE7, CE8, CE10 CT4, CT, 5, CT7, CT9	RA4. Knowledge of the institutional safeguards for rights.
CB1, CB2, CB3, CE1, CE2, CE3, CE7, CE8, CE10 CT4, CT, 5, CT7, CT9	RA5. In-depth knowledge of the various rights to freedom (freedom of thought, conscience and religion; freedom of expression and information; freedom of teaching; the right to education and academic freedom), political rights (assembly, protest, association, political participation, political parties), the right to effective legal protection, and social and economic rights.
CB1, CB2, CB3, CE1, CE2, CE3, CE7, CE8, CE10 CT4, CT, 5, CT7, CT9	RA6. Address current, specific legal problems.

4. CONTENT

- Fundamental Rights in the Spanish Constitution (meaning and function of fundamental rights; constitutional effectiveness; classification of fundamental rights; regulatory framework; interpretation of fundamental rights and Article 10(2) of the Constitution)
- Guarantees of Fundamental Rights (statutory guarantees: institutions for protection – Ombudsman and related regional figures; judicial guarantees: protection through the ordinary courts and remedy before the Constitutional Court; international guarantees: ECHR and EU Charter of Fundamental Rights)
- Equality (the general equality provision, equal application of the law, equality before the law)
- Rights in the personal sphere (right to life and to bodily integrity; freedom of thought and religion); rights to a private life: right to privacy, right to self-image, right to reputation; right to respect for home; right to respect for correspondence; protection of personal data)
- Rights to personal freedoms and freedom of movement (freedom of residence and travel; personal liberty and security: remand/provisional detention, ‘habeas corpus’ proceedings; principle of legality of criminal sanctions and state power to impose sanctions)

- Freedom of communication (freedom of expression and the right to information; freedom to express facts and opinions: nature, content and limits; legal rules applicable to the media).
- Civil liberties of assembly and association (right to assembly; right to association; creation, organisation and exercise of association activities and the legal status of political parties)
- Political rights (right to participate in public affairs, right to political participation and right to petition)
- The Right to Effective Legal Protection (right to a fair trial; access to justice; general procedural guarantees; specific criminal procedure guarantees, presumption of innocence and the adversarial principle)
- Economic and social rights (right to education and freedom of teaching; labour rights: right to strike and freedom to join a trade union; right to property)
- Governing principles of social and economic policy: legal force and link with the 'social state' provision.

5. TEACHING/LEARNING METHODS

The types of teaching/learning methods are as follows:

- Lecture / Web conference
- Case studies
- Collaborative learning
- Project-based learning
- Field experience

6. LEARNING ACTIVITIES

The types of learning activities, plus the amount of time spent on each activity, are as follows:

On-campus delivery mode:

Learning activity	Number of hours
Lectures	45 h
Asynchronous lectures	12 h
Case studies	13 h
Essays, text commentaries and critical text analysis	30 h
Group work	10 h
Excursions	4 h
Independent working	20 h
Tutorials	10 h
Knowledge tests	6 h
TOTAL	75 h

Online Delivery Mode:

Learning activity	Number of hours
Readings of course content (online delivery mode)	60.0
Case studies (online delivery mode)	10.0
Debates and discussions through seminars or online forums on the Virtual Campus (online delivery mode)	10.0
Finding resources and sources of information (online delivery mode)	20.0
Writing reports and papers (online delivery mode)	20.0
Online Tutorials (online delivery mode)	5.0
Independent working (online delivery mode)	20.0
Knowledge tests (online delivery mode)	5.0
TOTAL	hours

7. ASSESSMENT

The assessment systems, plus their weighting for the final grade for the subject area, are as follows:

On-campus delivery mode:

Assessment system	Weighting
Knowledge test	50%
Oral presentations	10%
Learning portfolio	30%
Reports and papers	10%

Online Delivery Mode:

Assessment system	Weighting
Knowledge test	50%
Oral presentations	10%
Learning portfolio	30%
Reports and papers	10%

On the Virtual Campus, when you open the subject area, you can see all the details of your assessment tasks, including deadlines and assessment procedures.

8. BIBLIOGRAPHY

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