



Universidad  
de Navarra

*Law and the state (RRII/RRII+Hist) 1º curso*

*Teaching guide 2023-24*

## INTRODUCTION

[Despacho desde el patio IMG-6119.jpg](#)

### Course Description:

States are the most relevant actors in International Relations (IRS). Law is an essential tool for IRS (for example, International Treaties). Law is also vital to shaping the States' institutions (Governments, Parliaments, Courts of Justice), enforcing public policies and democratic processes, and ensuring the effectiveness of the rights of the citizens and human rights throughout the world.

The fundamental purpose of this course is to help students to develop knowledge and understanding of those categories. You will need them to become an IRS expert. After taking this subject, students will be able to evaluate the arguments of others and to make independent judgments regarding Law and the State in the context of the IRS.

Students will improve their reading critically with this course, drafting clear, reasoned, and well-documented arguments supported by sound evidence.

- **Degree:** International Relations
- **Module in the Degree Program:** "Formación complementaria" "Derecho"
- **Number of credits:** 6 ECTS
- **Year:** First, 1st. semester
- **Type of course:** Required
- **Instructors:** Prof. Dr. Francisco López-Jurado
- **Language:** English
- **Department:** Derecho público e instituciones básicas del Derecho
- **Lecture schedule:** Lectures: Monday, 16.30h. to 18.30 h. Aula 35, 2nd floor, Central building. Seminars: Group B: Wednesday, 15.30h. to 17.00h. Group A Wednesday, 17.00h. to 18.30h. Both in Aula 8, Amigos Building.

## COMPETENCIES *(shared with other courses of the IRS Degree)*

### *General*

CG05 to conduct an academic foreign affairs conversation/dialogue/discussion in an articulated way.

CG07 to develop a critical understanding of international issues and their specific problems.

### *Basic*

CB1 to acquire knowledge and knowledge development capabilities based on secondary education background, advanced handbooks, and specialised academic bibliography.

CB3 be able to gather relevant information and conduct data analysis to enunciate value judgments and reflections of socio-political, scientific or ethical relevance.



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CB4 be able to efficiently transmit information, ideas, problems, and solutions to the public and specialised audiences.

CB5 to develop those learning skills needed to further develop research and study with a high degree of autonomy.

### ***Specific***

CE01 capacity to consistently use the central concepts and applied techniques to analyse international relations, including the underlying structures, actors involved, and ongoing processes of the international arena.

CE07 be acquainted with the necessary knowledge/foundations of global geopolitics and global society.

CE13 to be able to understand, assess, and critically discuss contemporary political ideologies and their relevance.

CE20 to assess international relations problems considering their diverse socio-political, historical, economic and legal dimensions.

## **SYLLABUS**

### **Part 1. Law and the State in Context**

#### **Lesson 1. International vs Internal Perspective**

- Both are important, but this subject focuses on the internal perspective key to understanding the international dimension.

#### **Lesson 2. Phenomenological Approach**

- Law and the State are universal phenomena, manifesting in relevant events and daily life. Their main manifestations can be observed and assessed.

#### **Lesson 3. Theoretical Approach**

- Political Theory and Legal Jurisprudence have studied Law and the State for centuries. Which are some of the main approaches?

#### **Lesson 4. Different Types of States**

- Classifications of States help to grasp some of its main features but cannot avoid the reality: each State is unique.

#### **Lesson 5. Roles of Law**

- Law performs different roles depending on the type of State. Should it be connected to justice? Rule of Law and *Rechtsstaat*.

### **Part 2. The Law in a Constitutional State**

#### **Lesson 6. Concepts and Fields**

- Basic ideas regarding Law in a Constitutional State



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### **Lesson 7. Private Law**

- The branch of Law which deals with mutual relations between citizens. The Law of Contract, Tort Law and Property Law.

### **Lesson 8. Criminal Law**

- Between sword and shield.

### **Lesson 9. Administrative Law**

- Authorities, agencies and administrations in the quest for the common good, the limits and remedies imposed by Law.

### **Lesson 10. Procedural Law**

- General principles and central aspects of procedures.

## **EDUCATIONAL ACTIVITIES**

### **I. CLASSROOM TEACHING ACTIVITIES**

#### **1. Lectures (Required)**

Lectures are given by the professor on the themes indicated in the syllabus with the help of the blackboard or PowerPoint presentations. The professor will post the PowerPoint presentations on ADI. The lectures explain the lessons' meaning, foundations, and basic concepts.

#### **2. Seminars (Required)**

They consist of a discussion or an application activity in groups previously organised by the School administration and include:

- Responses to students' questions by the professor and classmates.
- Presentation by the professor of current scientific issues related to the course.
- Debates by students on topics or materials prepared by the professor.
- Oral presentations by the students on topics proposed by the professor. The students will have to answer questions at the end of the presentation.

Active participation in lectures and seminars is strongly encouraged. In Lectures and seminars, students should follow the ideas, take notes, and ask what they want to be clarified.

#### **3. One-to-one tutorials**

Each student may have personal interviews with the professor to help them with personal study and learning.

#### **4. Evaluation**

Exams to assess the successful accomplishment of the objectives

### **II. PERSONAL WORK**

Students must understand themes covered early in the course to comprehend information presented later and must be able to integrate material learnt throughout the course.



Therefore, they mustn't fall behind and try to set aside regular times outside class to work on the course material daily.

1. Students must study the **assigned reading** for a subject before the lecture covering that topic. The **Timeline** available in ADI specifies what and when those reading assignments must be studied.
2. Students should conduct a personal study using the professor's notes, notes taken in lectures and seminars, and **reading assignments**.
3. In seminars, students may be required to explain **reading assignments** to other students.

### III. DISTRIBUTION OF ACTIVITIES (credit/hours)

1. Lectures and seminars: 45 h. (three-four every week).
  2. Evaluation: 4 - 6 h. (mid-term plus final exam).
  3. On-to-one tutorials: 1 h.
  4. Personal study and work: 100 - 110 h. (six to seven hours weekly, more before the exams)
- Total: 150 h. (6 ECTS= 150 h 1 ECTS=25 h).

## GRADING

### I. PERCENTAGES

Mid-term exam: 20% (2 points out of 10)

Participation counts for 40% (4 points out of 10).

Final exam: 40% (4 points out of 10).

### II. CONTENT

#### 1. The mid-term exam comprehends:

1. One mini-essay to handwrite with no available material within half an hour lapse, 300 to 400 words. A 'Rubric' covers the grading of essays (see ADI "Rubrics").
2. Two short-answer questions related to key concepts and ideas.

Exams questions will be drawn from lectures, reading assignments, class discussions and seminars covered in previous weeks.

#### 2. Participation score:

A rubric covers participation grading (see ADI "Rubrics").

#### 3. The final exam comprehends:

1. Two mini-essays to handwrite with no available material within half an hour lapse, 300 to 400 words. A 'Rubric' covers the grading of essays (see ADI "Rubrics").
2. Four short-answer questions related to key concepts and ideas.



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Exams questions will be drawn from lectures, reading assignments, class discussions and seminars corresponding to whatever part of the program.

Students with low participation grades can improve their scores by taking an additional question in the final exam.

All students must take the final exam, no matter what score they obtained in the mid-term.

## III. CRITERIA TO PASS THE COURSE

Students must (compulsory) score **5 points out of 10 and at least 2 out of 4 in the final exam** to pass the subject.

- Students whose final grade is below 5 points will not pass the course and will be graded as *suspenso*.
- Students who do not take the final exam will not pass the course and will be graded as *no presentado*.

## IV. REVIEW

Students will be able to review the exams in an interview with the professor after the publication of the grades in a day and place that will be indicated.

## V. EXTRAORDINARY CALL (June)

Students who do not pass the course in May or did not take the exam (grades *suspenso* or *no presentado*) must take a new final exam in June:

- The structure of this exam will be the same as the one described previously (II. 3)
- The score obtained in that exam will count as 60% of the final score.
- The additional 40% will be the participation score obtained during the course.
- Students with low participation grades can improve their scores by taking an additional question in this final exam.

## VI. STUDENTS WITH SPECIAL LEARNING NEEDS

Accommodation will be provided for students with special learning needs, either regarding the methodology and evaluation of the course, but they will be expected to fulfil all course objectives.

## VII. PLAGIARISM

Plagiarism by any form or means (digital, printed) or cheating is strictly forbidden in any activity of this subject. Intellectually dishonest conduct is not acceptable. Students involved shall automatically fail.

## OFFICE HOURS

Prof. Dr. Francisco López-Jurado ([fjjurado@unav.es](mailto:fjjurado@unav.es))

- Despacho 2740. Edificio Ismael Sánchez Bella, 2nd floor, at the level of the entrance to the library.
- Office hours: Monday 12.00h to 14.00h. Wednesday 12.00h. to 13.00h.
- Or by appointment through email



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## BIBLIOGRAPHY

### Textbooks

HAGE, J., WALTERMANN, A., and AKKERMANS, B. (Eds.) *Introduction to Law*, Springer International Publishing, 2017

Electronic access through the University Library:

[Localízalo en la Biblioteca](#)

D'ENTREVES, A.P. *The Notion of the State*, Oxford University Press, Oxford, 1967/1969.

[Localízalo en la Biblioteca](#)

HEYWOOD, A. *Political Theory: An Introduction*, Fourth Edition, Palgrave, 2015.

[Localízalo en la Biblioteca](#)

### Reading Assignments

You can find the documents or the links to the reading assignments in this platform, '**Internal Area: Documents.**' The '**Storyboard**' contains a detailed list before what session you are required to 'master' those readings.

### Complementary Bibliography

BARBER, N.W. *The Constitutional State*, Oxford University Press, New York, 2010.

[Localízalo en la Biblioteca](#)

GARNER, B.A. (Ed.), *Black's Law Dictionary*, St. Paul (M.N.), Thomson-West, Third Pocket Edition, 2006, or subsequent editions.

[Localízalo en la Biblioteca\(Ed. 2019\)](#)

### Translation and pronunciation of words and short sentences

[http://translate.google.com/#en|es|](http://translate.google.com/#en|es)