

Espagne

La Cour Suprême d'Espagne

[Cour Suprême \(Tribunal supremo\)](#) [1]

Article 129 of the Spanish Constitution lays down that the Supreme Court, whose territorial jurisdiction covers the whole of Spain, is the supreme jurisdictional organ in all the legal orders of the judiciary except as regards constitutional guarantees.

The purpose of that exception is to protect the Constitutional Court's recognised role of ultimate interpreter of the Constitution under Article 1 of the Ley Orgánica.

According to Article 53 of the Ley Orgánica del Poder Judicial¹, the Supreme Court, whose seat is in Madrid, exercises jurisdiction over the whole of Spain. No other legal body may use the title "supreme".

The Supreme Court consists of a President, who also presides over the Consejo General del Poder Judicial² (General Council of Judicial Power) made up of the Presidents of the Chambers and Justices appointed by law to each of those Chambers.

It has five Chambers, the first being the Civil Chamber, the second being the Criminal Chamber, the third being the Chamber of Legal Administration, the fourth the Social Chamber and the fifth and last being the Military Chamber.

One of the characteristics of the Spanish legal system stems from the fact that the Legal Administration order is part of the ordinary legal order. Judges or magistrates are legally trained law graduates and form part of the same legal body as judges in the other legal orders. They enjoy the same guarantees and conditions of appointment as they do. This is why the senior level pinnacle of the legal administration order is an integral part of the Supreme Court, within which it has an ordinary Chamber, contrary to other European legal systems in which it is part of the Conseil d'Etat.

The fact that the Military Chamber forms part of the Supreme Court, as last instance for the settlement of military disputes, guarantees the principle of legal unity and the subordination of military to civil power.

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[1] http://www.poderjudicial.es/cgpj/es/Poder_Judicial