



IDENTIFYING DATA

Law: Constitutional law 1

Subject	Law: Constitutional law 1			
Code	V08G081V01103			
Study programme	Degree in Law			
Descriptors	ECTS Credits	Choose	Year	Quadmester
	9	Basic education	1st	1st
Teaching language	Spanish Galician English			
Department				
Coordinator	García Gestoso, María Noemí			
Lecturers	García Gestoso, María Noemí			
E-mail	ngestoso@uvigo.es			
Web				
General description	The Constitutional Right **I (one of the two blocks in the that structures the *docencia of the Constitutional Right) centers basically in the study of the following points: Theory of the Constitution; **constitucionalismo historical Spaniard; principles computers of the *ordenamento constitutional; sources of the Right; territorial decentralization of the power; structure, composition and operation of the following constitutional organs: Crown, general Cuts; executive Power and Judiciary.			

Competencies

Code	
A2	That students know how to apply their knowledge to their work or vocation in a professional way and possess the skills that are usually demonstrated through the elaboration and defense of arguments and problem solving within their area of study. Know How
A3	That students have the ability to gather and interpret relevant data (usually within their area of study) to make judgments that include a reflection on relevant social, scientific or ethical issues. Know How Know be
A5	That students have developed those learning skills necessary to undertake further studies with a high degree of autonomy. Know be
B1	Know the role of law as a regulatory system of social relations. Know
B2	Know the different manifestations of Law in its historical evolution and in its current reality.
B3	To be able to use constitutional principles and values as a working tool for interpreting the law and developing legal dialectics.
B4	To be able to identify legal problems and approach their solution in an interdisciplinary way
C30	CE38-To know the constitutional theory and the constitutional norms that base the organization of the Spanish State, especially the normative creation and the different organs of the State as well as their composition, operation and functions
C31	CE39-Know how to interpret and apply constitutional rules.
D1	Capacity for analysis and synthesis for the elaboration and defense of arguments, as well as organization, planning and use of time in situations of pressure
D4	Ability to behave ethically and with social responsibility as a citizen and as a professional, respecting diversity and multiculturalism.
D5	To be able to solve problems and interpret data from reality with their associated meanings, and to establish links with the different branches of the juridical order.

Learning outcomes

Expected results from this subject	Training and Learning Results			
New	A2	B1	C30	D1
	A3	B2	C31	D4
	A5	B3		D5
		B4		

Contents

Topic

1.- Origins and evolution of Constitutionalism and Constitutional State's models. Concept of Constitution.	a) Origins of Constitutionalism. b) The Constitutional State. c) Transformations of Constitutionalism. d) Concept of Constitution.
2.- History of Spanish Constitutionalism. The Spanish Constitution of 1978: characteristics.	a) Origins of Spanish Constitutionalism. b) The nineteenth century Spanish Constitutions. c) Characteristics of Spanish Constitutionalism. d) The Spanish Political Transition. e) Features of the Constitution of 1978.
3.- Basic structural principles, principles of the Spanish legal order and values of the Spanish Constitution of 1978.	a) Constitution and legal order. b) Basic structural principles of the Constitution of 1978. c) Basic values of the Constitution of 1978. d) Principles of the Spanish legal order in the 1978 Constitution.
4.- Legal production in the constitutional system. Articulating principles	a) Legal production in the Constitution of 1978. b) Principles articulating the legal system.
5.- Sources of Law. Forms, effects and connections	a) The sources of Law in the Constitution of 1978. b) Typology of sources. c) Definition. d) Effects.
6.- Democratic system.	a) Direct democracy. b) Representative democracy. c) Representation of political parties. d) Electoral regime.
7.- State's powers. Organization and division of the State's power: action principles, composition, competences and procedures.	a) Head of State. b) Parliament. c) Government and Administration. d) Judiciary.
8.- Territorial organization of the State	a) General principles of the State's territorial organization. b) Regional State. Estatutos de autonomía. c) Regions (Comunidades autónomas). Special reference to Galicia.

Planning

	Class hours	Hours outside the classroom	Total hours
Case studies	23.5	23.5	47
Lecturing	49.85	49.85	99.7
Essay questions exam	2	71	73
Self-assessment	3	1.5	4.5
Essay	0.15	0.65	0.8

*The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

Methodologies

	Description
Case studies	Reading and analysis of juridical documents or a fact, problem or real practical cases with the aim that the student complete knowledges, reflections envelope the @particular and interpret and generate the hypotheses that consider opportune. The student develops exercises or projects in the low classroom the guidelines and supervision of the professor. It can be linked his development with autonomous activities of the student. Be able to be included proofs type test to check these objectives.
Lecturing	Exhibition by part of the @docente of the contained referents to the subject object of study.

Personalized assistance

Methodologies	Description
Case studies	Academic activity developed pole teaching staff, individual or in small group, that has how aim attend the needs and queries of the students related with the study and/or subjects linked with the subject, providing orientation, support and motivation in the process of learning. This activity can developed of form *presencial (directly in the classroom and in the moments that the professor has assigned to *titorías of dispatch).
Tests	Description
Essay	Academic activity developed pole teaching staff, individual or in small group, that has how aim attend the needs and queries of the students related with the manufacture of works on subjects of the subject proposed pole teaching staff

Assessment				
	Description	Qualification	Training and Learning Results	
Case studies	The resolution of cases related to the subject and the practices will be evaluated. The various exercises or projects in the classroom will be evaluated under the guidance and supervision of the teacher. Its development may be linked to autonomous student activities. Where appropriate, they will be used to measure the degree of knowledge of the subjects, for which short question tests and test-type tests, the result of the debates and presentations, may be used.	10	A2 A3	C30 C31 D1 D4 D5
Essay questions exam	EEvaluation of the final result of learning through the development of question / s on the subject matter	70	A5	B1 B2 B3 C30 C31 D1 D4 D5
Self-assessment	Objective tests aimed at which students can assume and be aware of their strengths and weaknesses in their own learning process	10	A5	B1 B2 B3 C30 C31 D1 D4 D5
Essay	The written presentation and oral defense of works carried out of works on subjects of the subject proposed by the teaching staff will be evaluated.	10	A2 A3 A5	B3 B4 C30 C31 D1 D4 D5

Other comments on the Evaluation

According to article 13.2 d) of the Real Decreto 1791/2010, de 30 de diciembre, por el que se aprueba el Estatuto del Estudiante Universitario, students must refrain from fraudulent actions in relation to the evaluation.

EVALUATION. Mode, place, date of the exams pertaining to academic course 2020/2021 shall be scheduled by the Deanery of the Faculty of Legal and Labor Sciences. The continuous evaluation shall be only take into account if the student gets more than 4 points in the oral exam.

FIRST EXAM: Continuous evaluation shall amount to 30% of the final mark. Correspondingly, the oral exam shall amount to 70% of it. The oral consists of 2 questions randomly picked from a box containing 30 possible questions. The student shall have 20 minutes to answer at most. When circumstances require, the oral exam may take place by videoconference.

Those students not having followed the continuous evaluation shall solve right after the oral exam a hypothetical case in writing. For that he or she will have 90 minutes. The use of any material shall be strictly forbidden. The mark of the written exercise (30%) shall be only added to the final mark if the student gets more than 4 points both in the oral (70%) and in the written exam.

SECOND CHANCE EXAM: The mark achieved in the continuous evaluation shall be taken into consideration (30%) for the final mark. The evaluation shall be conducted in the aforementioned way.

FIN DE CARRERA EXAM: The evaluation shall also be conducted in the aforementioned way.

Sources of information

Basic Bibliography

Lopez Guerra, L; Espin, E y Otros, **Derecho Constitucional (2Vol)**, 11ª, Tirant lo Blanch, 2018

Agudo Zamora, M y otros, **Manual de Derecho Constitucional**, 10ª, Tecnos, 2019

Rodríguez-Zapata, Jorge, **Teoría y práctica del derecho constitucional**, 4ª, Tecnos, 2018

Ferreres Comella, V, **The Constitution of Spai: a contextual analysis**, Hart Publishing, 2013

Heller, Hermann, **Teoría del Estado**, 1ª, Comares, 2016

Portero Molina, J.A., **Constitución y Jurisprudencia Constitucional**, Tirant lo Blanch,

Código, Normas Políticas, **Código de Normas Políticas**, edición actualizada 2020, Tecnos, 2020

Aranzadi, **Base de datos**, Aranzadi,

Tirant on line, **Base de datos**,

Complementary Bibliography

Castellá Andreu, J.Mª, **Derecho Constitucional Básico**, 5ª, Huygens,

Bilbao Ubillos, J.mª.; Rey, Fernando; Vidal, J. y otros, **Lecciones de Derecho Constitucional II e-book**, 2ª, Aranzadi, 2018

Bilbao Ubillos, J.mª.; Rey, Fernando; Vidal, J. y otros, **Lecciones de Derecho Constitucional I e-book**, 4ª, Aranzadi, 2018

Pérez Calvo, Alberto, **El Estado constitucional español**, 2ª, Reus, 2014

Kelsen, Hans, **Teoría General del Derecho y del Estado**, UNAM-México, 2008

Schmitt, Carl, **Teoría de la Constitución**, Alianza Editorial,

Bergareche Gros, Almudena, **El concepto de Constitución interna en el constitucionalismo de la Restauración española**, 2ª, CEPC, 2002

Pérez Tremps, P.; Saiz Arnaiz; A., **Comentario a la Constitución Española libro-homenaje a Luis López Guerra. 40 aniversario 1978-2018**, 1ª, Tirant lo Blanch, 2018

Rodríguez-Piñero; Casas Baamonde, Mª. Emilia, **COMENTARIOS A LA CONSTITUCIÓN ESPAÑOLA XL Aniversario de la Constitución española XL 2 Vols**, 1ª, coedición de la AEBOE con la Fundación Wolters Klu,

Teoría y Realidad Constitucional, **Teoría y Realidad Constitucional**, UNED,

Recommendations

Subjects that continue the syllabus

Law: Constitutional law 2/V08G081V01204
European Union Law/V08G081V01304
Economic constitution/V08G081V01946

Subjects that are recommended to be taken simultaneously

Law: Roman law/V08G081V01104
Law: Theory of Law/V08G081V01102
History: History of law/V08G081V01205

Other comments

English theoretical lessons of this subject will be held by Lecturer Pablo Riquelme Vázquez (priquelme@uvigo.es), coordinator of the subject. English practical lessons will be conducted by both Pablo Riquelme Vázquez and Tamara Álvarez Robles (tamara.alvarez.robles@uvigo.es).

Contingency plan

Description

EXCEPTIONAL MEASURES PLANNED ===

Given the uncertain and unpredictable evolution of the health alert caused by COVID-19, the University of Vigo establishes extraordinary planning that will be activated at the time that the administrations and the institution itself determine it based on criteria of safety, health and responsibility, and guaranteeing teaching in a non-classroom or partially classroom setting. These already planned measures guarantee, at the required time, the development of teaching in a more agile and effective way, as it is known in advance (or well in advance) by the students and teachers through the standardized tool and institutionalized teaching guides.

=== ADAPTATION OF THE METHODOLOGIES ===

* Teaching methodologies that are maintained

Master lesson

Exposition by the teacher of the contents referring to the subject matter of study.

Study of cases

Reading and analysis of legal documents or a fact, problem or real practical cases in order for the student to complete knowledge, reflections on the particular and interpret and generate the hypotheses that they consider appropriate. The student develops exercises or projects in the classroom under the guidelines and supervision of the teacher. Its development may be linked to autonomous student activities. Test-type tests may be included to verify these objectives.

* Teaching methodologies that are modified

Both the master classes and the Case Studies will adapt the situation of non-attendance using the teledoaching tools provided by UVigo.

To do this, they will use the virtual classrooms provided by UVigo and the existing exchange tools at FAITIC.

* Non-attendance mechanism for student attention (** tutorials)

Through the remote campus in the virtual office assigned by the teacher, at the scheduled times, and providing the access code to the students. Exceptionally through email or other methods, videoconferences, etc.

* Additional bibliography to facilitate self-learning

Apart from the topics, summaries and complementary documents that will be uploaded to FAITIC and the titles provided in the teaching guide, other suitable resources that the University of Vigo will provide will be communicated, such as access to different publications that the University provides and to which You can access it for free, the instructions to access them will be provided in due course through FAITIC.

Information on learning links and other documents will be reinforced.

* Other modifications

=== ADAPTATION OF THE EVALUATION ===

* Tests already carried out

Without modifications.

* Pending tests that are maintained

The tests will be the same but the percentages will vary.

Theoretical exam: Change in the percentage: weight of 60% on the final grade.

Change of modality: test on the content of the program.

Minimum theoretical exam grade: 4 out of 10 to add the continuous assessment grade

Continuous evaluation: Change in the percentage: weight of 40% on the final mark of the tests without modifications except in exceptional circumstances.

The continuous assessment tests in the will be modified except in the weighting of the note of the total of those made before the continuous assessment modality for adaptation of the new percentages from the moment of change.

If a part of the continuous evaluation was done in person and another virtual part, the percentage of 40% would be weighted according to the grade of the face-to-face and the non-face-to-face.

* Evidence that is modified

First call:

The theoretical exam will consist of a test of questions on the content of the test type material, carried out through the platforms that the University of Vigo enables for this purpose.

Second call:

If they occur in the same situation as the first call, the same modalities of tests and percentages will be applied, and the minimum required in the first call, both for the theoretical exam and for the continuous assessment, whose grade will be kept.

In the case of changes in circumstances, which allow for their in-person conduct, the exam will be carried out in accordance with the provisions set forth for all purposes in the normal teaching guide, except in the case of having been part of the teaching and virtually continuous evaluation. In this case, it will be enough to obtain a minimum of 4 points out of 10 in the theoretical exam to add the mark of the continuous evaluation and thus obtain the final mark.

3. Students who did not accept or failed the continuous assessment

First and second call:

Those who do not follow the continuous assessment system during the course, or who did not pass it, will be entitled to a final exam, the same and with the same rules as that done by their peers, either on the first or second call.

End of degree call:

The evaluation will consist of a test of questions about the content of the test-type subject, carried out through the platforms that the University of Vigo enables for this purpose (60% of the final grade) and a development of a practical case (40% of the final grade). It will be enough to obtain in the theoretical exam a minimum of 4 points out of 10 to add the mark of the continuous evaluation to obtain the final mark.

* New tests

In the event that any of the tests provided in the teaching guide cannot be carried out or in exceptional cases, it may be substituted by another type of test determined by the teacher.

* Additional Information

Those who have problems connecting virtually through the virtual platforms established by the University of Vigo should notify the faculty as soon as possible, sending an email with all their data to send it to the corresponding service of the University so that they can provide a solution.