



## IDENTIFYING DATA

### Law: Constitutional law 1

Subject	Law: Constitutional law 1			
Code	V08G081V01103			
Study programme	Grado en Derecho			
Descriptors	ECTS Credits	Choose	Year	Quadmester
	9	Basic education	1st	1st
Teaching language	Spanish English			
Department				
Coordinator	García Gestoso, María Noemí			
Lecturers	García Gestoso, María Noemí Riquelme Vázquez, Pablo			
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 constitucional; 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.			

## Training and Learning Results

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.			

## Expected results from this subject

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	16.5	17.5	34
Lecturing	51	51	102
Mentored work	4	10	14
Essay questions exam	2	60	62
Self-assessment	3	10	13

\*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	It Will evaluate the resolution of cases related with the subject and the practical. They Will evaluate the diverse exercises or low projects the guidelines and supervision of the professor. They Will be able to be linked with autonomous activities of the student. They Will use to measure the degree of knowledge of the subjects
Lecturing	Exhibition by part of the @docente of the contained referents to the subject object of study.
Mentored work	

## 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).
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## Assessment

Description	Qualification	Training and Learning Results

Case studies	The laboratory component is an integral part of the course and will provide hands-on experience. Students will analyze complex factual issues and write formal legal opinions or reports. Lab work will be evaluated based on the quality of legal reasoning, data analysis, and the overall solution.	15	A2 A3	C30 C31	D1 D4 D5
	Attendance and active participation in the laboratory sessions are mandatory. Assignments will be given both in written form and online, and they will be submitted electronically. Late submissions will be subject to a penalty of 5% per day unless an extension has been granted based on extenuating circumstances. Detailed instructions, including the due dates, will be provided for each assignment.				
	Active participation in class discussions, asking questions, and engaging with the material will be encouraged. This includes attendance, punctuality, and respectful interaction with peers and the instructor				
Mentored work	There will be one special assignment intended to focus on one or several legal concepts discussed in class and readings: the essay.	15			
	The essay will be submitted both in written form and online, and presented for no longer than 15 minutes before the rest of the students.				
	Late submissions will be subject to a penalty of 5% per day unless an extension has been granted based on extenuating circumstances. Detailed instructions, including the due dates, will be provided for each assignment.				
Essay questions exam	There will be one final exam at the end of the semester, worth 40% of the final grade. The exam will cover material from lectures, readings, and any additional resources provided.	40	A5 B2 B3	B1 C31 C30	D1 D4 D5
	The format of the exam may include long-answer or essay questions as well as problem-solving questions. Dates for the exams will be announced by the Faculty Direction at the beginning of the academic year.				
Self-assessment	There will be two test exams throughout the semester, each worth 15% of the final grade. Test exams will cover material from lectures, readings, and any additional resources provided.	30	A5 B2 B3	B1 C31 C30	D1 D4 D5
	The format of the exams may include multiple-choice questions, right or wrong and so on. Dates for the exams will be announced at the beginning of the term by the professor.				

### Other comments on the Evaluation

-all work submitted must be original and appropriately cited. plagiarism or any form of Academic fraud will not be tolerated. Such deeds will be subject to disciplinary action, as outlined by the university's academic integrity normative. For further details on this respect visit:

<https://secretaria.uvigo.gal/uv/web/normativa/public/show/567>

#### -Spanish Grading Scale:

The final grades will be assigned in Spain based on the following scale:

First Class Honours (A): 90% - 100%

Upper Second-Class Honours (B): 80% - 89%

Lower Second-Class Honours (C): 70% - 79%

Third-Class Honours (D): 50% - 69%

Fail (E): Below 50%

**-A qualification above 40% in the final exam is required** to add to the final grade the complementary points obtained in the assignments and test exams. Those **students that did not attend to regular lessons and lab sessions** will be able to achieve the highest grade in a final global exam. The format of this global exam may include long-answer or essay questions (worth 70% of the final grade) as well as problem-solving questions (worth 30% of the final grade). These group of students can ask for special personal attention during the instructors' office hours. The latter will be announced at the beginning of the academic year. There are specific rules for the **second opportunity**: a) Information for students that attended to regular lessons and lab sessions:

These students should take the part of the exam or complete the activities where they have failed. b) Information for students that did not attend to regular lessons and lab sessions: These students will be able to achieve the highest grade in a final global exam. The format of this global exam may also include long-answer or essay questions (worth 70% of the final grade) as well as problem-solving questions (worth 30% of the final grade).

- Information concerning the so-called "**last opportunity**": Students in this situation will be able to achieve the highest grade in a final global exam. The format of this global exam may again include long-answer or essay questions (worth 70% of the final grade) as well as problem-solving questions (worth 30% of the final grade). These group of students can ask for special personal attention during the instructors' office hours. The latter will

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## Sources of information

### Basic Bibliography

Lopez Guerra, L; Espin, E y Otros, **Manual de Derecho Constitucio (2Vol)**, 9788411472876/9788411472890, 1ª, Tirant lo Blanch, 2022

Agudo Zamora, M y otros, **Manual de Derecho Constitucional**, 11, Tecnos, 2020

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

Castellá Andreu, J.Mª, **Derecho Constitucional Básico**, 5ª, Huygens, 2019

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

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

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

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

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### Complementary Bibliography

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,

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

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

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

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

Revista Española de Derecho Constitucional, **Revista Española de Derecho Constitucional**, CEPC,

[www.congreso.es](http://www.congreso.es),

[www.senado.es](http://www.senado.es),

[www.cepc.es](http://www.cepc.es),

[www.tribunalconstitucional.es](http://www.tribunalconstitucional.es),

Código Leyes políticas del Estado, **Leyes políticas del Estado**, última edición actualizada 2020, Civitas, 2020

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## 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

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## Other comments

English theoretical lessons of this subject will be held by Lecturer Pablo Riquelme Vázquez (prielme@uvigo.es), coordinator of the subject. English practical lessons will be conducted also by Pablo Riquelme Vázquez