



COURSE DATA

Data Subject

Code	35199
Name	Constitutional Law I
Cycle	Grade
ECTS Credits	9.0
Academic year	2021 - 2022

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	1	Annual
1921 - Double Degree Program BMA & Law	Faculty of Law	1	Annual
1922 - Double Degree Prog. Law-Political Science	Faculty of Law	1	Annual
1923 - Double Degree Programme Law-Criminology	Faculty of Law	1	Annual
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	Faculty of Law	1	Annual

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	2 - Introduction to constitutional law	Basic Training
1921 - Double Degree Program BMA & Law	1 - Year 1 compulsory subjects	Basic Training
1922 - Double Degree Prog. Law-Political Science	1 - Year 1 compulsory subjects	Obligatory
1923 - Double Degree Programme Law-Criminology	1 - Year 1 compulsory subjects	Obligatory
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	1 - Asignaturas obligatorias de primer curso	Obligatory

Coordination

Name	Department
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ROLLNERT LIERN, GORAN

55 - Constitutional Law, Political and Administrative Sciences

SUMMARY

Constitutional Law I is a basic annual subject that is taught in the first year of the Law Grade and his teaching load is 9 ECTS. This subject is continued in the second-year subject, *Constitutional Law II*.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

1303 - Degree in Law

- Conocer el concepto de Estado y los órganos que lo componen.
- Conocer el concepto de Constitución como norma jurídica y el sistema de fuentes.
- Saber aplicar el modelo constitucional al contexto de información política actual.

LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

- To understand the concept of State and to identify its basic political institutions.
 - To distinguish the different phases in the evolution of the State until today, particularly the defining features of the liberal State and its transformation into a social State.
 - To understand the institutional dynamics of the parliamentary system in its practical application to the Spanish case: the functions of the Head of State and the countersignature, the role of the Parliament with special reference to election and the legislative process; the relationship of trust between Government and Parliament; the Judiciary; the Constitutional Court and, specially, control of the constitutionality proceedings.
 - To frame any legal provision in the distribution of competence system and to know how to work the institutional structure of the Valencian Community in the general constitutional framework.
- To know the concept of Constitution as a legal provision and the system of sources of law:



- To handle properly the fundamental concepts of the Theory of the Constitution, fundamentally, the concept of Constitution and the instrumental notions about it.
- To properly grasp the modern concept of Constitution as a legal provision and its implications for the system of sources of the law. To determine the position of any legal standard in the current complex system of sources. To be able to identify the sources of the law applicable to any legal problem; and to become familiar with the codes or legislative compilations to be able to find legal rules with different criteria (chronological, systematic or analytical).
- To know how to apply the constitutional model to the current context of political information.

DESCRIPTION OF CONTENTS

1. Theory of the State (I)

The concept of State and its constitutive elements.

2. Theory of the State (II)

Historical evolution of the State: the modern State.

3. Theory of the State (III)

Historical evolution of the State: the liberal State and the social State.

4. Constitutional Theory

Constitutional Theory and its application to the present Spanish constitutional system. The concept of Constitution. The constituent power. Defending and amending the Constitution. The amendment of the Constitution in Spain.

5. The Constitution and the law sources (I)

The Constitution as legal provision and the constitutional system of sources of law.

6. The Constitution and the law sources (II)

The Constitutional Court jurisprudence



7. The Constitution and the law sources (III)

The International Treaties and the Law of the European Union in the sources of law system.

8. The Constitution and the law sources (IV)

The Acts and other provisions having the force of a parliament Act. The Regulations.

9. Separation of powers and forms of government

The praxis of the principle of separation of powers: forms of government. Features of presidential system vs parliamentarism.

10. The institutional organization of the State (I)

The Head of State: significance of the institution and functions. The countersignature

11. The institutional organization of the State (II)

The Parliament: features and composition

12. The institutional organization of the State (III)

The Parliament: organization

13. The institutional organization of the State (IV)

The Parliament: functions

14. The institutional organization of the State (V)

The Government: designation, composition and its relationships with the Parliament

15. The institutional organization of the State (VI)

The Government: its relationships with the Parliament.

16. The institutional organization of the State (VII)



The Judiciary: constitutional configuration. The Constitutional Court: organization and performance, control of the constitutionality of laws and constitutional conflicts

17. The territorial organization of the State (I)

Constitutional principles and distribution of competencies.

18. The territorial organization of the State (II)

The Valencian Autonomous Community

WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	90,00	100
Study and independent work	90,00	0
Preparing lectures	30,00	0
Preparation of practical classes and problem	10,50	0
Resolution of case studies	4,50	0
TOTAL	225,00	

TEACHING METHODOLOGY

- Lectures with group discussion.
- Proposal and resolution of practical cases
- Preparation / presentation of individual and group work.
- Carrying out tasks and practices.
- Attendance at tutorials.
- Comprehensive reading materials.
- Drafting of summaries, diagrams, etc.



EVALUATION

It will use the following procedure for assessing competencies:

- Written and/or oral test/sl, consisting of one or more exams that may be objective type tests, including theoretical-practical questions and / or problems. In case of final oral test, it must be recorded.
- Assessment of individual and / or group practical from the preparation, delivery of papers, memos/reports and / or oral presentations, and student attendance at seminars.
- Continuous evaluation of each student, based on regular attendance and active participation in classroom activities proposed, level of involvement in the process of teaching and learning and skills and attitudes displayed during the development of activities. The activities of continuous evaluation, by their nature, are not recoverable in second call.

For the accomplishment of the applied and complementary activities, the lecturer of the subject will be able to use the methodology of the Learning-Service

The overall grade will be distributed as follows:

CONTINUOUS EVALUATION	
Evaluable activity 1	10%
Evaluable activity 2	10%
Evaluable activity 3	10%
Total continous evaluation	30%
GLOBAL TEST (theoretical-practical examInation). A partial qualifying examination with a value of 35% of the grade will be made in which case the final test will have a value of 35% for students who have passed the qualifying exam.	70%
TOTAL	100%



REFERENCES

Basic

- ALVAREZ CONDE, E. y TUR AUSINA, R.: Derecho Constitucional, Madrid, Tecnos, última edición.
- ALZAGA VILLAAMIL, O. y otros: Derecho político español : según la Constitución de 1978, Centro de estudios Ramón Areces, Madrid, 2007.
- BALAGUER CALLEJÓN, F. (coord.), CÁMARA VILLAR, G. y otros: Derecho Constitucional, vol. I, Tecnos, Madrid, última edición.
- CASTELLÁ ANDREU, J. M. (ed.), COTINO HUESO, L. y otros: Derecho Constitucional Básico, Huygens Editorial, Barcelona, última edición.
- DE OTTO PARDO, I.: Derecho Constitucional. Sistema de fuentes, Ariel, Barcelona, 1987.
- GARCIA COTARELO, R. (comp.), Introducción a la Teoría del Estado, 2ª ed., Teide Barcelona, 1981.
- LÓPEZ GUERRA, L. y otros: Derecho Constitucional, 2 vols., Tirant lo Blanch, Valencia, última edición.
- LÓPEZ GUERRA, L.: Introducción al Derecho Constitucional, Tirant lo Blanch, Valencia, 1994.
- Código de leyes políticas, de cualquier editorial salvo indicación específica del profesor del grupo.
- Estatuto de Autonomía de la Comunidad Valenciana.
- SÁNCHEZ FERRIZ, R. y ROLLNERT LIERN, G.: El Estado Constitucional, Tirant lo Blanch, Valencia, 2020.
- RODRÍGUEZ ZAPATA, J.: Teoría y práctica del Derecho Constitucional, Madrid: Tecnos, 2018.
- IGLESIAS BÁREZ, M. y VENTURA FRANCH, A. (coords.): Manual de Derecho constitucional español con perspectiva de género, Salamanca, Ediciones Universidad de Salamanca, 2020.

Additional

- VV.AA.: Derecho Constitucional I, en Base de Conocimiento Jurídico, www.iustel.com (sólo accesible desde un ordenador conectado a la red de la Universidad o mediante conexión VPN)
- VV.AA.: Derecho Constitucional II en Base de Conocimiento Jurídico, www.iustel.com (sólo accesible desde un ordenador conectado a la red de la Universidad o mediante conexión VPN)
- Constitución española comentada, <http://narros.congreso.es/constitucion/index.htm>.
- Derecho Constitucional I, OCW Universidad de Oviedo, <http://ocw.uniovi.es/course/view.php?id=770>.
- MARTIN CUBAS, J. (coord.): Constitución, Política y Administración. España 2017, reflexiones para el debate, Tirant lo Blanch, Valencia 2017
- MARTIN CUBAS, J. (coord.): Constitución, Política y Administración: repensando la Constitución + 4 décadas después, Tirant lo Blanch, Valencia, 2020.



ADDENDUM COVID-19

This addendum will only be activated if the health situation requires so and with the prior agreement of the Governing Council

HYBRID TEACHING

If the academic authority determines it, this subject will be adapted to the hybrid teaching model established by the

Faculty of Law, through which face-to-face theoretical-practical classes will be taught in discontinuous weeks for

the student. To this end, the Secretary of the Faculty will divide the group into as many subgroups as necessary,

teaching in the classroom, at the time established for the subject, to one of the subgroups each week in accordance

with the calendar established by the Faculty, providing for the others, as a priority, follow-up of the class through synchronous VIDEO CONFERENCE.

The contents, volume of work and evaluation are maintained in the terms initially foreseen in the academic guide.

NON-PRESENTIAL TEACHING

If the academic authority establishes the change in non-classroom teaching, this subject will be taught to all

students under the same conditions as those indicated for the non-classroom teaching part of the hybrid system.

The contents, volume of work and evaluation are maintained in the terms initially foreseen in the academic guide.