



# UNIVERSIDAD DE CASTILLA - LA MANCHA

## GUÍA DOCENTE

### 1. General information

**Course:** PHILOSOPHY OF LAW  
**Type:** ELECTIVE  
**Degree:** 335 - UNDERGRADUATE DEGREE PROGRAMME IN LAW (TO)  
**Center:** 6 - FACULTY OF LAW AND SOCIAL SCIENCES  
**Year:** 4  
**Main language:** Spanish  
**Use of additional languages:**  
**Web site:**

**Code:** 35363  
**ECTS credits:** 4.5  
**Academic year:** 2023-24  
**Group(s):** 40 42 43  
**Duration:** First semester  
**Second language:** English  
**English Friendly:** Y  
**Bilingual:** N

Lecturer: ALFONSO GARCIA FIGUEROA - Group(s): 40 42 43				
Building/Office	Department	Phone number	Email	Office hours
San Pedro mártir/Área Filosofía del Derecho	CIENCIA JURÍDICA Y DERECHO PÚBLICO	5140	alfonsoj.gfigueroa@uclm.es	

### 2. Pre-Requisites

Not established

### 3. Justification in the curriculum, relation to other subjects and to the profession

Not established

### 4. Degree competences achieved in this course

#### Course competences

Code	Description
E01	To become aware of the importance of law as a regulator of social relations.
E03	Learn to use constitutional principles and values as a working tool in the interpretation of the legal system.
E07	To critically analyze the legal system that allows the identification of the social values underlying the legal norms and principles.
E08	Work on dialogue, debate, argumentation and the proposal of reasonable solutions in different contexts.
E09	To apply the legal system based on the values and ethical principles of the different legal professions.
E11	Ability to create and structure standards.
E13	Solve problems arising from the application of general principles of law and legal norms to factual situations.
E18	To be able to critically evaluate the framework within which State action is carried out and public policies are defined and implemented.
G04	Incorporate the sense and ethical principles in their professional activity
G05	Commitment to the culture of peace, democratic values, human rights and the principles of equal opportunity, non-discrimination and universal accessibility for persons with disabilities, as well as gender issues.
G09	Develop critical and self-critical thinking.
G10	Develop the capacity for analysis and synthesis and promote autonomous learning.

### 5. Objectives or Learning Outcomes

#### Course learning outcomes

##### Description

Critically analyze historical and current normative texts and interpret and apply legal sources.

To be able to review, at a meta-theoretical level, the concepts of traditional law theory and, at a normative or critical level, to submit legal and political institutions to moral and political evaluation.

Consolidate the knowledge of the legal institutions that form the basis of the current legal system.

To develop the capacity to use constitutional and statutory principles and values in the interpretation of the autonomous and local legal system.

To assimilate the assumptions of liberal democracy in a globalized world and the repercussions for it of the distinction between liberalism and republicanism.

To promote a critical awareness in the analysis of the legal system

### 6. Units / Contents

**Unit 1:**  
**Unit 2:**  
**Unit 3:**  
**Unit 4:**  
**Unit 5:**  
**Unit 6:**  
**Unit 7:**  
**Unit 8:**  
**Unit 9:**  
**Unit 10:**  
**Unit 11:**  
**Unit 12:**  
**Unit 13:**

Unit 14:

Unit 15:

### 7. Activities, Units/Modules and Methodology

Training Activity	Methodology	Related Competences (only degrees before RD 822/2021)	ECTS	Hours	As	Com	Description
Class Attendance (theory) [ON-SITE]	Lectures	E01 E03 E07 E08 E09 E11 G04 G05 G09 G10	0.84	21	N	-	
Class Attendance (practical) [ON-SITE]	Combination of methods	E01 E03 E07 E08 E09 E11 G04 G05 G09 G10	0.45	11.25	Y	N	
Study and Exam Preparation [OFF-SITE]	Self-study	E01 E03 E07 E08 E09 E11 G04 G05 G09 G10	1.35	33.75	N	-	
Practicum and practical activities report writing or preparation [OFF-SITE]	Combination of methods	E01 E03 E07 E08 E09 E11 G04 G05 G09 G10	1.2	30	N	-	
Analysis of articles and reviews [OFF-SITE]	Self-study	E01 E03 E07 E08 E09 E11 G04 G05 G09 G10	0.6	15	N	-	
Progress test [ON-SITE]	Assessment tests	E09 E11 E13 E18	0.06	1.5	Y	Y	
<b>Total:</b>			<b>4.5</b>	<b>112.5</b>			
<b>Total credits of in-class work: 1.35</b>							<b>Total class time hours: 33.75</b>
<b>Total credits of out of class work: 3.15</b>							<b>Total hours of out of class work: 78.75</b>

As: Assessable training activity

Com: Training activity of compulsory overcoming (It will be essential to overcome both continuous and non-continuous assessment).

### 8. Evaluation criteria and Grading System

Evaluation System	Continuous assessment	Non-continuous evaluation*	Description
Final test	60.00%	100.00%	
Assessment of problem solving and/or case studies	20.00%	0.00%	
Practicum and practical activities reports assessment	20.00%	0.00%	
<b>Total:</b>	<b>100.00%</b>	<b>100.00%</b>	

According to art. 4 of the UCLM Student Evaluation Regulations, it must be provided to students who cannot regularly attend face-to-face training activities the passing of the subject, having the right (art. 12.2) to be globally graded, in 2 annual calls per subject, an ordinary and an extraordinary one (evaluating 100% of the competences).

### 9. Assignments, course calendar and important dates

#### Not related to the syllabus/contents

Hours	hours
<b>Unit 1 (de 15):</b>	
<b>Activities</b>	<b>Hours</b>
Class Attendance (theory) [PRESENCIAL][Lectures]	21
Class Attendance (practical) [PRESENCIAL][Combination of methods]	11.25
Study and Exam Preparation [AUTÓNOMA][Self-study]	33.75
Practicum and practical activities report writing or preparation [AUTÓNOMA][Combination of methods]	30
Analysis of articles and reviews [AUTÓNOMA][Self-study]	15
Progress test [PRESENCIAL][Assessment tests]	1.5
Group 42:	
<b>Initial date:</b> 05-09-2023	<b>End date:</b> 20-12-2023
Group 40:	
<b>Initial date:</b> 05-09-2023	<b>End date:</b> 20-12-2023
<b>Global activity</b>	
<b>Activities</b>	<b>hours</b>
Class Attendance (theory) [PRESENCIAL][Lectures]	21
Class Attendance (practical) [PRESENCIAL][Combination of methods]	11.25
Study and Exam Preparation [AUTÓNOMA][Self-study]	33.75
Practicum and practical activities report writing or preparation [AUTÓNOMA][Combination of methods]	30
Analysis of articles and reviews [AUTÓNOMA][Self-study]	15
Progress test [PRESENCIAL][Assessment tests]	1.5
<b>Total horas: 112.5</b>	

### 10. Bibliography and Sources

Author(s)	Title/Link	Publishing house	City	ISBN	Year	Description
García Figueroa, Alfonso	Moral de victoria. Una filosofía del deporte	Hexis	Terrassa	978-84-123202-5-1	2021	En este libro se aplican conceptos de la filosofía del Derecho al ámbito del deporte
Nino, C.S.	<a href="https://static1.squarespace.com/static/5ff1d5413fe4fe33db8e0dd5/t61bf34de56d8c2157cbc0a58/1639920863273/vision+previa+moral+de+victoria.pdf">https://static1.squarespace.com/static/5ff1d5413fe4fe33db8e0dd5/t61bf34de56d8c2157cbc0a58/1639920863273/vision+previa+moral+de+victoria.pdf</a>	Ariel			1991	págs. 353-370 y 382-416.
Pacheco, M.A.	El estado del Estado social. Una culminación pendiente	Atelier	Barcelona		2017	

Prieto, L.	Derechos fundamentales y Constitución www.iustel.com		
Prieto, L.	La doctrina del Derecho natural	Mac-Graw Hill	1997 págs. 31-66.
Pérez Luño, A.E.	Iusnaturalismo www.iustel.com		
Ramos Pascua, J.A.	Kelsen y la teoría pura del Derecho www.iustel.com		
Sastre, S.	Clasificación de los derechos humanos www.iustel.com		
von Wright, G.H.	Explicación y comprensión	Alianza	1987 cap I
Águila, R. de y Vallespín, F. (eds.)	La democracia en sus textos	Alianza	1998 en especial caps. 3 y 4
AA.VV.	Base de conocimiento jurídico iustel (sección de filosofía del Derecho) www.iustel.com		
Alchourrón, C.E. y Bulygin, E.	Sobre el concepto de orden jurídico	Centro de Estudios Constitucionales	1991 págs. 393-407
Alexy, R./García Figuroa, A.	Star Trek y los derechos humanos	Tirant lo Blanch	2007
Atienza, M. Betegón, J.	Curso de argumentación jurídica Concepto y fundamento de los derechos humanos www.iustel.com	Trotta,	2013
Bobbio, N. Díaz, E y Colomer, J.L. (eds.),	Naturaleza y función de la filosofía del Derecho Estado, justicia, derechos	Debate Alianza	1990 pp. 91-100 2002
García Figuroa, A.	Criaturas de la moralidad. Una aproximación neoconstitucionalista al Derecho a través de los derechos	Trotta,	2009
García Figuroa, A.	Teorías del Derecho neoconstitucionalistas www.iustel.com		
García Figuroa, A.	Una primera aproximación a la teoría de la argumentación <a href="http://enj.org/portal/biblioteca/penal/fundamentacion_de_recursos/32.pdf">http://enj.org/portal/biblioteca/penal/fundamentacion_de_recursos/32.pdf</a>		
García Figuroa, A.	Praxis. Una introducción a la moral, la política y el Derecho	Atelier	Barcelona 9788416652716 2017
Gascón/García Figuroa	La argumentación en el Derecho	Palestra	2005 2ª ed.
González Vicén, F.	La filosofía del Derecho como concepto histórico	Universidad de La Laguna,	1979 págs. 207-216.
Iglesias Vila, M.	La teoría del Derecho de Dworkin www.iustel.com		
J. Malem	Sistemas normativos y sistemas jurídicos www.iustel.com		
Moreso, J.J.,	La filosofía analítica www.iustel.com		