

# The Constitution

Who is the king of Spain?  
Who is his successor?

The **Constitution** is the most important law in Spain. It was approved on **6 December 1978**. The Constitution defines the organisation of Spanish territory, the organisation of the government and the rights and responsibilities of citizens.

The Constitution defines the flag, the national anthem and the coat of arms as the symbols of the State.

- The **flag** consists of three horizontal stripes: red, yellow and red.
- The **national anthem** is called the *Marcha Real* (Royal March) and it has no official lyrics.
- The **coat of arms** is made up of six other coats of arms, the Spanish national motto *Plus Ultra* (Further Beyond) and the Pillars of Hercules. This usually appears on the flag of Spain.



The flag of Spain



The coat of arms of Spain

## Did you know?

The Pillars of Hercules are the huge rocks located where the Mediterranean Sea and the Atlantic Ocean meet. One of them is the Rock of Gibraltar and the other one probably Monte Hacho in Ceuta. They are named after the Roman hero called Hercules.

Find out about the myth of the Pillars of Hercules.



The Rock of Gibraltar

The Constitution establishes Spain as a **parliamentary monarchy**. This means that the king or queen is the Head of State but Parliament is responsible for making and approving new laws.

**Felipe VI** is the Head of State, but he doesn't establish laws. He represents Spain in international relations. He also holds the title of Commander-in-Chief of the Spanish Armed Forces. The Crown of Spain is hereditary.



Felipe VI



Leonor, Princess of Asturias

## Rights and responsibilities of citizens

The Constitution defines rights and responsibilities that all Spanish citizens should respect.

### Some rights

- We are all equal. Discrimination against a person is forbidden.
- We have the right to be free and to be protected by the law.
- We have the right to use public services, including education and health services.
- We have the right to choose where to live and to travel freely.
- We have the right to have a job.
- We have the right to vote and to elect leaders.



### Some responsibilities

- We must pay taxes to pay for public services.
- We must protect the environment.
- We must respect the law.
- We must respect other people's beliefs, culture, language and religion.
- We must respect public services.
- We mustn't tolerate discrimination or unfair behaviour.



1 Find out more about the elements on the Spanish coat of arms. What does each element represent?

2 'The Crown of Spain is hereditary'. What does it mean? Who is the heir to the Spanish throne?

3 On what occasions is the Spanish anthem played?

4 Analyse the lists of rights and responsibilities. Explain why they are important. Imagine what would happen if they didn't exist.



## Aims

- Recognise the importance of voting within a democracy.
- Decide which issues are most important to students in the class.

## Hypothesis

I think that students in the class ...

- can contribute to making the classroom a better place, or
- can't contribute to making the classroom a better place.

I think that good ideas ...

- will attract votes, or
- won't attract votes.

## Method

1. Get into in groups of four or five. Ensure that your group has the following members:
  - a candidate
  - secretaries
  - poster designers
2. Prepare the campaign.
  - a. Decide on changes you want to introduce in the classroom.
  - b. Choose a message.
  - c. Create your campaign poster.
  - d. Prepare a speech.
3. The candidate should present the project to the class outlining the roles of the different members of the group.
4. The class votes for the best project.

## Conclusions

- 1 Did everybody in the class vote?
- 2 Was there a clear winner? Did everyone in the class respect the result?
- 3 What had most influence on the voting: the message, the speech or the poster?
- 4 Do you think that a good campaign could win more votes than an important message?



- a large piece of card
- coloured pencils
- felt-tips
- scissors
- glue



## Democracy in Spain

In a democratic society, citizens choose their representatives by voting in an **election**. In Spain, there are national and municipal elections every four years.

Before the elections, the different political parties run a **campaign**. In a campaign, the candidates explain their ideas for improving society. They also explain their plans and ideas in a document called a **manifesto**.

On Election Day, citizens vote by choosing a piece of paper with the name of the political party and the list of candidates they want to support. Each paper is sealed in an envelope and placed in a **ballot box**. The voters choose the deputies (or councillors for local elections) who then choose the Prime Minister (or mayor for local elections).



## The importance of elections

Elections are very important because they allow people to express their opinions and to help make important decisions in society. Every citizen has the responsibility to vote in democratic elections.

- Voting is the most important right citizens have.
- In many places in the world, people do not have the right to vote.
- By voting, people can make sure that their opinions are heard.
- In most countries, you can exercise your right to vote when you're 18 years old or over.



- 1 How do Spanish citizens participate in the political process?
- 2 Explain what a manifesto is.
- 3 Why should citizens participate in elections?
- 4 What happens when people don't have the right to vote?
- 5 Why are political campaign important?



## **Título II. De la Corona**

### **Artículo 57**

1. La Corona de España es hereditaria en los sucesores de S. M. Don Juan Carlos I de Borbón, legítimo heredero de la dinastía histórica. La sucesión en el trono seguirá el orden regular de primogenitura y representación, siendo preferida siempre la línea anterior a las posteriores; en la misma línea, el grado más próximo al más remoto; en el mismo grado, el varón a la mujer, y en el mismo sexo, la persona de más edad a la de menos.
2. El Príncipe heredero, desde su nacimiento o desde que se produzca el hecho que origine el llamamiento, tendrá la dignidad de Príncipe de Asturias y los demás títulos vinculados tradicionalmente al sucesor de la Corona de España.
3. Extinguidas todas las líneas llamadas en Derecho, las Cortes Generales proveerán a la sucesión en la Corona en la forma que más convenga a los intereses de España.
4. Aquellas personas que teniendo derecho a la sucesión en el trono contrajeran matrimonio contra la expresa prohibición del Rey y de las Cortes Generales, quedarán excluidas en la sucesión a la Corona por sí y sus descendientes.
5. Las abdicaciones y renunciaciones y cualquier duda de hecho o de derecho que ocurra en el orden de sucesión a la Corona se resolverán por una ley orgánica.

### **Artículo 9**

2. Corresponde a los poderes públicos promover las condiciones para que la libertad y la igualdad del individuo y de los grupos en que se integra sean reales y efectivas; remover los obstáculos que impidan o dificulten su plenitud y facilitar la participación de todos los ciudadanos en la vida política, económica, cultural y social.

## **Capítulo segundo. Derechos y libertades**

### **Artículo 14**

Los españoles son iguales ante la ley, sin que pueda prevalecer discriminación alguna por razón de nacimiento, raza, sexo, religión, opinión o cualquier otra condición o circunstancia personal o social.

The Constitution sets out three powers: **legislative**, **executive** and **judicial**. Each of these are carried out by different people. They are held in different institutions.

## Legislative Power

Parliament in Spain (*Cortes Generales*), whose function is to represent all Spanish citizens, is divided into two legislative chambers. In other words, it's **bicameral**.

- The lower chamber: The **Congress of Deputies** (*El Congreso de los Diputados*)

The members of this chamber are called *diputados* (**deputies**) and they approve and veto laws. They belong to different political parties and their number depends on the number of votes they receive in the general elections.

- The upper chamber: The **Senate** (*El Senado*)

The members of this chamber are called *senadores* (**senators**). They make sure the Autonomous Communities follow the Constitution.

Senators can also pass laws but they cannot veto them.

The two chambers of Parliament make joint decisions on budgets and controlling the Executive.



## Executive Power

The party that gets the most votes in the elections forms the **Government**. The **Prime Minister** is selected by members of the Congress. He, or she, is the head of the Government and chooses the **ministers** who will help him or her.

There are ministers for different areas. They propose ideas that are voted on in Parliament. There are 12 ministries in Spain:

- |   |                                   |
|---|-----------------------------------|
| • Health, Social Services and Equality        | • Defence                         |
| • Education, Culture and Sport                | • Interior                        |
| • Employment and Social Security              | • Justice                         |
| • Economic Affairs and Competitiveness        | • Public Works                    |
| • Treasury and Public Administrations         | • Industry, Energy and Tourism    |
| • Agriculture, Food and Environmental Affairs | • Foreign Affairs and Cooperation |



## Judicial Power

Judicial Power refers to the **courts** and **tribunals**. These are composed of **judges** and **magistrates** who ensure that laws are obeyed.

The highest judicial bodies are the **Supreme Court** (*El Tribunal Supremo*) and the **Constitutional Court** (*El Tribunal Constitucional*).

### The Supreme Court

- can accept or reject sentences passed in the lower courts.
- can start legal proceedings against ministers, senators and even the Prime Minister if necessary.

### The Constitutional Court

- has the power to decide whether laws are in accordance with the Constitution. It can also reject decisions by the Supreme



- Answer the questions in your notebook.
  - Which Parliamentary chamber has the most power? What are two of those powers?
  - Who represents the Autonomous Communities?
  - Who chooses the Prime Minister?
  - Who decides whether a law violates the Constitution?
  - What is the main opposition party and who is its leader in Spain?
  - When are the next general elections?

2 There are currently 12 ministries. Do you think there should be others? Make suggestions. Justify your answers.

3 All the buildings shown on this page and on the previous page are in Madrid. Mark them on a map with the help of the Internet.

- Find out the names of the last 5 Ministers of Education and put them in chronological order.
- Investigate one of the 12 ministries and make a list of some of the areas they cover and activities they carry out.
- Copy and complete the table.

	people	places
Legislative power	.....	.....
Executive power	.....	.....
Judicial power	.....	.....