



Information about the subject

Degree: Bachelor of Science Degree in Criminology

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 1301104 **Name:** Constitutional Law

Credits: 6,00 **ECTS Year:** 1 **Semester:** 1

Module: Law

Subject Matter: Public Law **Type:** Basic Formation

Field of knowledge: Social and Legal Sciences

Department: -

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

1301A Patricia Boix Maño (**Responsible Lecturer**)

patricia.boix@ucv.es



Module organization

Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Public Law	42,00	Constitutional Law	6,00	1/1
		Criminal Law I	6,00	2/1
		Criminal Law II	6,00	2/2
		Criminal Proceedings	6,00	3/1
		Labour Law	6,00	3/1
		Legal Sociology	6,00	1/1
		Penology and Prison Law	6,00	3/2
Private law	12,00	Civil Law	6,00	1/2
		Commercial Law	6,00	3/1

Recommended knowledge

No previous requirement needed



Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 Learning how to find and use legal norms.
- R2 Applying and interpreting the regulatory stipulations for the resolution of practical problems that may arise.
- R3 Knowledge of the legal framework of fundamental rights, with special attention to the rights that can have an impact on freedom, security and privacy rights.
- R4 Critically interpreting and understanding the idea of justice that informs a legal system.
- R5 Knowing the different formulations that have been given to human rights.
- R6 Counterbalancing the resolution of problems concerning human dignity from the perspective of iusnaturalism and from the perspective of legal positivism.
- R7 Knowledge of the theories on democracy.
- R8 Identifying the components of the political system and understanding the relationships between the components of a political system.
- R9 Introduction to the theories of power, authority, political citizenship and the State. Forms of political organization.
- R10 Knowing the fundamental rights and those of equality between men and women.
- R11 Knowledge of the values of a culture of peace and democratic values.



Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

BASIC		Weighting			
		1	2	3	4
CB1	Showing a command and understanding of knowledge in an area of study that is based on the general secondary education and that is usually at a level that implies the support on advanced textbooks but also the inclusion of knowledge from the cutting edge of their field of study.		X		
CB2	Being able to apply their knowledge to their jobs or vocational activities professionally and holding the competences that are demonstrated through the elaboration and defence of arguments as well as the solution of problems within their area of study.				X
CB3	The ability to gather and interpret relevant data (normally within their area of study) so as to make judgements that include a reflection on relevant social, scientific or ethical issues.			X	
CB4	Being able to convey information, ideas, problems and solutions to a specialised or non-specialised public.			X	
CB5	Having developed the learning abilities necessary to pursue postgraduate studies with a high degree of autonomy.				X
GENERAL		Weighting			
		1	2	3	4
CG1	Understanding and integrating the different theories and scientific knowledge developed by Social, Legal and Behavioural Sciences through a critical lens in order to understand the sociocultural and personal context of all the elements that integrate the crime sphere.			X	
CG2	Being able to assess the complexity and diversity of the criminal phenomenon in a global context.			X	



CG3	The capacity to apply the knowledge, skills and abilities acquired from an ethical and intellectually upright perspective with the aim of achieving a society whose fundamental pillars are Freedom, Justice, Pluralism and Equality.				X
CG4	The capacity for teamwork and efficient collaboration with other professionals from the different areas of criminology through negotiation and consensus.	X			
CG5	The capacity to obtain and manage efficiently the information from the scientific literature, specialised journals, databases and other sources.	X			
CG6	The capacity to establish explanatory hypotheses, using predictive and operative relationships that offer responses to the criminal phenomenon in a criminological context.	X			
CG8	Being able to convey information, ideas, problems and solutions to a specialised or non-specialised public.		X		
CG14	Knowing and understanding psychological, sociological, legal, and technical language necessary for a good command of criminological concepts.		X		
CG16	Oral and written communication skills in the native language with regards to Criminological Science in order to present, circulate and validate the outcomes of criminological and criminalistic research both through scientific development and through the proposal of specific policies and lines of action.		X		
CG17	Having a critical awareness of social reality and associated problems respecting the principles of equality, human rights, peace and universal access.				X

SPECIFIC		Weighting			
		1	2	3	4
CE1	Understanding the importance of the Law as a system that regulates social relationships and adopting Ethics and intellectual integrity as essential values of the professional practice with the acquisition of ethical values and principles.				X
CE2	Knowing the social basis of norms, fundamental values of Law, their origin, organization, functioning, and application in the recognition of fundamental rights, public liberties and others enshrined in our legal system.				X



CE3	Critical knowledge of the Legal System sector in charge of studying the crime, the penalties, and of their prosecution and execution of penalties and measures, and its application to case studies.			X
CE4	The ability to understand and describe key concepts in the field of Sociology necessary to analyse from a global and specific viewpoint the criminal phenomenon and deviant behaviours.		X	
CE5	Understanding and knowing the functioning of local, regional, national, European and international institutions from their inception and as a whole and identifying the competent institution or administration in each case as well as the sectorial law applicable in each case.		X	
CE6	The capacity to understand the scope of both public and private law as an integrating element and guarantor of fundamental rights in its field of action, adopting a critical vision in the analysis of this system.		X	
CE7	Study and elaboration of reports in the field of minors with regards to risk situations, measures applicable to the minor offender and other types of measures applicable to minors at serious risk.	X		
CE8	Design and analysis of measures and programs in the field of criminal policy.	X		
CE9	The capacity to argue and describe different viewpoints, being able to debate about them in a logical and coherent manner, presenting the conclusions in an adequate academic format on the topics of criminal policy, victimisation, criminalisation, and responses to deviation and crime, as well as their perception and interpretation in the media, by the public and in official reports.		X	
CE10	Explanatory management from a socio-anthropological perspective of the concepts of violence, inequality and difference, delinquency, crime, social control, stigmatisation, and social deviation.		X	
CE12	Understanding of the phenomenon of delinquency in the fields of IT, labour, social security, image and honour, patents and trademarks as well as the strategies for investigating these crimes and knowledge of the regulations.	X		
CE14	Understanding the basic principles of the criminal phenomenon, its spatial, cultural, social, economic, legal, political, labour, and anthropological dimensions.	X		
CE17	The capacity to explain diversity and social inequality, victimisation and the responses to crime and social deviation and their interrelationships from an analytic perspective and developing programs and strategies to assess and predict deviant behaviour.		X	



CE21 Legislative, organizational and functional knowledge of the different public and private security bodies.

x

Assessment system for the acquisition of competencies and grading system

In-class teaching

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3	30,00%	Analysis and resolution of case studies.
R2, R3	20,00%	Attendance and participation in class.
R2, R3	50,00%	Exam or objective test to measure obtained competences.

Observations

None.

Online teaching

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3	50,00%	Final test and/or final work
R2, R3	20,00%	Participation in programmed activities
R2, R3	30,00%	Presentation of works and projects

Observations

No resulta necesario efectuar ninguna observación.



MENTION OF DISTINCTION:

According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 ("Sobresaliente"). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

Learning activities

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Presentation of contents by the teacher, analysis of competencies, explanation and demonstration of abilities, skills and knowledge in the classroom.
- M2 Specific instructions about group and individual assignments for each topic.
- M3 Group work sessions supervised by the teacher. Study of legal cases, both real and fictitious, analysis, diagnosis, problems, field study, computer room, visits, data search, libraries, network, Internet, etc. Significant construction of knowledge through student interaction and activity. Critical analysis on values and social commitment.
- M4 Application of interdisciplinary knowledge.
- M5 Supervised monographic sessions with shared participation
- M7 Set of oral and/or written tests used in the initial, formative or summative evaluation of the student.
- M8 Group preparation of readings, assumptions and problem -olving to present, discuss or deliver in class or tutorial.
- M12 Personalized attention and in small groups. Guidance by a tutor in order to facilitate the work and follow up on the students' internships.
- M16 Student's study: Individual preparation of the degree's final dissertation to present or deliver in the seminars, tutorials. Work carried out on the platform or other virtual spaces.
- M17 Expository Method /Master Class



- M18 Exercise and problem solving
- M19 Case method
- M20 Course works and tasks
- M21 Project-oriented learning
- M22 Guided Practice through debates, resolution of problems and exercises in the virtual classroom.



IN-CLASS LEARNING

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
In-person class M1, M2, M3	R1, R2, R3, R4, R9, R10, R11	20,00	0,80
Practical class M1, M2, M3	R1, R2, R3, R4, R9, R10, R11	25,00	1,00
Seminar M1, M2, M3	R1, R2, R3	2,50	0,10
Group work presentation M1, M2, M3	R1, R2	5,00	0,20
Tutorial M2	R1, R2, R3	5,00	0,20
Evaluation M1	R1, R2, R3	2,50	0,10
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work M3	R1, R2, R3	30,00	1,20
Individual work M1, M2	R1, R2, R3	60,00	2,40
TOTAL		90,00	3,60



ON-LINE LEARNING

SYNCHRONOUS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Master Class M17, M18, M20	R1, R2, R3, R4, R9, R10, R11	15,00	0,60
Practical activity M18, M20	R1, R2, R3, R4, R9, R10, R11	25,00	1,00
Tutorial M18	R1, R2, R3, R4, R9, R10, R11	10,00	0,40
TOTAL		50,00	2,00

ASYNCHRONOUS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Individual or group work of students M18	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	90,00	3,60
Activities through virtual resources M18	R1, R2, R3, R4, R9, R10, R11	2,50	0,10
Access and research on complementary contents M18	R1, R2, R3, R4, R9, R10, R11	5,00	0,20
Individual study M18, M20	R1, R2, R3, R4, R9, R10, R11	2,50	0,10
TOTAL		100,00	4,00



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block

Contents



Constitutional Law

PART I: THEORY OF THE STATE, THEORY OF THE CONSTITUTION, SOURCES AND ORGANIC PART

Introduction: Law. Public Law. Constitutional Law.

Unit 1: The State. The State: concept. The elements of the State: territory, the people and sovereignty. The forms of the State: the unitary State, the federal State and the autonomous State.

Unit 2: The constitution and the sources of law. The Constitution: concept and structure. Constituent power: nature and characters. The Constitution as a legal norm. The guarantees of the Constitution. The procedures for constitutional reform. Control of the constitutionality of laws.

Unit 3: International Treaties as a source of law.

Relations between international law and national law. International law as a source of law. Union law and its scope in national law.

Unit 4: The Law. Concept. Law classes: Organic Laws and Ordinary Laws. Other types of laws. Laws of the Autonomous Communities.

Unit 5: Other sources of law. The norms with the rank of law: the Decree-Law and the delegated legislation. The Regulations. Customs and general principles of law. Jurisprudence as a source of law. Special reference to the jurisprudence of the Constitutional Court.

Unit 6: The Organic Part of the Constitution. The theory of the division of powers. The forms of government: presidential, directorial and parliamentary. The forms of Head of State: the Republic and the Monarchy.

Unit 7: The Monarchy. The Head of State in the Constitution. The King and his supremacy. The powers of the King: the endorsement. Succession to the Crown. The Regency and the guardianship of the minor King.

Unit 8: The Legislative Power. The Cortes Generales: its constitutional configuration. The Congress and the Senate. The electoral system.

Unit 9: The parliamentarians. Legal status: parliamentary rights and immunities. Parliamentary groups.

Unit 10: Internal structure and functioning of the Chambers. The organs of the Chambers. Parliamentary regulations.

Unit 11: The functions of the Congress of



Representatives and the Senate. The legislative function: the legislative procedure. The budgetary and financial function. The budget law: its constitutional limits. The control function. Control over trust: investiture, motion of censure, question of trust and early dissolution. Control over supervision: questions, interpellations and motions.

Unit 12: The Executive Power: the Government. The Government: composition and structure. The President of the Government: election and functions. The Council of Ministers. The connection between the Government and the Public Administration. The Council of State.

Unit 13: The Judiciary. Justice in the Constitution. The jurisdictional function. The legal status of judges and magistrates. The General Council of the Judiciary: composition and functions. The Public Prosecutor's Office.

Unit 14: The Autonomous Communities.

General principles of the territorial organization of the State: unity, autonomy, solidarity. The principle of homogeneity. The institutional organization of the Autonomous Communities. The distribution of competences. The laws of the autonomous State. Special reference to the Valencian Community. Municipal and provincial autonomy.

Unit 15: The Constitutional Court. The Spanish model of constitutional justice. The Constitutional Court: composition and status of judges. Organization. The functions of the Constitutional Court. The control of the constitutionality of rules with the status of law: the appeal of unconstitutionality and the question of unconstitutionality. Prior control of international treaties. The appeal for constitutional protection. Constitutional conflicts. Other functions.

PART II: FUNDAMENTAL RIGHTS AND PUBLIC FREEDOMS

Unit 16: The dogmatic part of the Constitution: The fundamental rights. Origin and evolution of rights and freedoms. The great declarations of rights. Constitutionalization and internationalization of human rights. The legal nature of fundamental rights. The difference between fundamental rights and public freedoms.

Unit 17: Ownership, limits and development of fundamental rights

Ownership of fundamental rights: special reference to



foreigners. The limits to fundamental rights. Scope of effectiveness of fundamental rights and public freedoms. Constitutional duties.

Unit 18: The protection of fundamental rights. Multilevel protection of fundamental rights. The protection of fundamental rights in the ordinary jurisdiction. The Ombudsman as a guarantee of fundamental rights. The European Court of Human Rights.

Unit 19: The general equality clause. Equality in the Constitution. Equality before the Law. Equality in the Law. The suspected categories of discrimination in Article 14.

Unit 20: Personal rights. The freedom of existence. The right to life. The fundamental right to physical and moral integrity Ideological freedom. Religious freedom. Personal freedom and security. Rights of the detainee. Habeas Corpus. Right to honor, personal and family privacy and self-image. The protection of honour and privacy in the face of information technology. Inviolability of the home and communications. Freedom of residence and movement.

Unit 21: Public communication rights. Freedom of expression. Freedom of information: the right to communicate and receive truthful information. Freedom of literary, artistic, scientific and technical production and creation.

Unit 22: Political and participation rights. The right of assembly. The right of association: special reference to political parties. The right of political participation. The right to vote: conditions of exercise. The right of passive suffrage: its limits. The right to petition. The right to freedom of association: trade unions. The right to strike.

Unit 23: The right to jurisdiction. The right to effective judicial protection. The rights in the trial: the right to defence and legal assistance; the right to evidence; the right to a trial without undue delay. The constitutional guarantees of criminal proceedings: special reference to the presumption of innocence.

Unit 24: Educational rights. The right to education and freedom of education. The right to establish educational institutions. University autonomy and academic freedom.

Unit 25: Rights and duties of citizens and guiding principles of economic and social policy. The right to private property: its constitutional configuration. The freedom



of enterprise. The right to work. The right of foundation. The right to collective bargaining and to the adoption of measures of collective conflict. The guiding principles of economic and social policy.

Temporary organization of learning:

Block of content	Number of sessions	Hours
Constitutional Law	30,00	60,00

References

1. Teoría y práctica del Derecho Constitucional. Jorge Rodríguez-Zapata. Tecnos. Madrid, 3ª ed. 2016.
2. Manual de Derecho Constitucional. Miguel Agudo Zamora y otros. Tecnos. Madrid. 7ª ed., 2016.
3. Manual de Derecho Constitucional. Miguel A. Aparicio Pérez y Mercè Barceló Serramalera. Atelier, Barcelona, 3ª ed., 2016.
4. Sistema de Derechos Fundamentales. Luis María Díez-Picazo Giménez. Aranzadi, Cizur Menor, 4.ª ed. 2013.



Addendum to the Course Guide of the Subject

Due to the exceptional situation caused by the health crisis of the COVID-19 and taking into account the security measures related to the development of the educational activity in the Higher Education Institution teaching area, the following changes have been made in the guide of the subject to ensure that Students achieve their learning outcomes of the Subject.

Situation 1: Teaching without limited capacity (when the number of enrolled students is lower than the allowed capacity in classroom, according to the security measures taken).

In this case, no changes are made in the guide of the subject.

Situation 2: Teaching with limited capacity (when the number of enrolled students is higher than the allowed capacity in classroom, according to the security measures taken).

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject will be made through a simultaneous teaching method combining onsite teaching in the classroom and synchronous online teaching. Students will be able to attend classes onsite or to attend them online through the telematic tools provided by the university (videoconferences). In any case, students who attend classes onsite and who attend them by videoconference will rotate periodically.

In the particular case of this subject, these videoconferences will be made through:

☒ Microsoft Teams

☐ Kaltura



Situation 3: Confinement due to a new State of Alarm.

In this case, the following changes are made:

1. Educational Activities of Onsite Work:

All the foreseen activities to be developed in the classroom as indicated in this field of the guide of the subject, as well as the group and personalized tutoring, will be done with the telematic tools provided by the University, through:

☒ Microsoft Teams

☐ Kaltura

Explanation about the practical sessions:



2. System for Assessing the Acquisition of the competences and Assessment System

ONSITE WORK

Regarding the Assessment Tools:

☒ The Assessment Tools will not be modified. If onsite assessment is not possible, it will be done online through the UCVnet Campus.

☐ The following changes will be made to adapt the subject's assessment to the online teaching.

Course guide		Adaptation	
Assessment tool	Allocated percentage	Description of the suggested changes	Platform to be used

The other Assessment Tools will not be modified with regards to what is indicated in the Course Guide.

Comments to the Assessment System:



And how will online participation be valued? In many different ways, such as the following:

- 1) Taking into account the interventions of the students in the online classes themselves, with the corresponding records or notes.
- 2) Considering virtual tutorials through the UCVnet virtual Campus or online sessions through Teams developed as a group or individual tutorial.
- 3) Taking into account the interventions in the forum created on the UCVnet platform to raise and answer questions on the agenda.
- 4) Considering the emails or messages received raising questions about the subject's agenda.