



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: Criminology

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

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

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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 knowledge is necessary.



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 Knowledge of the theories on democracy.
- R2 Identifying the components of the political system and understanding the relationships between the components of a political system.
- R3 Interrelating political and administrative systems with the social and economic context.
- R4 Capacity for analysis and synthesis on political reality.
- R5 Political information management capacity.
- R6 Introduction to the theories of power, authority, political citizenship and the State. Forms of political organization.
- R7 Ability to identify processes of consensus, negotiation and political conflict.
- R8 Knowing the fundamental rights and those of equality between men and women.
- R9 Understanding and identifying the principles of equal opportunities and universal accessibility for people with disabilities.
- R10 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	



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

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	30,00%	Analysis and resolution of case studies.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	20,00%	Attendance and participation in class.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	50,00%	Exam or objective test to measure obtained competences.

Observations

In order to pass the subject of Constitutional Law, it will be necessary to obtain a minimum grade of 5 out of 10 in the objective test or exam. If this grade is not achieved, the grade corresponding to the continuous assessment cannot be added.

The EXAM or OBJECTIVE TEST will consist of a single exam on the official date, consisting of multiple choice questions (between 40 and 50 questions) and three short written questions. Passing this exam, which accounts for 50% of the final grade, requires a minimum grade of 5 out of 10.

CONTINUOUS EVALUATION will consist of the practices, assignments, and practical cases carried out by the student (30%), and attendance and participation (20%).



CLASS ATTENDANCE IN FACE-TO-FACE DEGREES

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

MENTION OF DISTINCTION:

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.

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.

IN-CLASS LEARNING

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
In-person class M1, M3	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	20,00	0,80
Practical class M1, M2, M3	R1, R2, R3, R4	25,00	1,00
Seminar M1	R5, R6	2,50	0,10
Group work presentation M1, M2, M3	R2, R8, R9, R10	5,00	0,20
Tutorial M2	R1, R2, R3, R4, R6, R7, R8, R9, R10	5,00	0,20
Evaluation M1, M2, M3, M4, M5, M7, M8	R1, R2, R3, R4, R6, R7, R8, R9, R10	2,50	0,10
TOTAL		60,00	2,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work M1	R3, R4, R5, R6, R7, R10	30,00	1,20
Individual work M1, M2	R1, R2	60,00	2,40
TOTAL		90,00	3,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block

Contents



Constitutional Law

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

Introduction: Law, Public Law, Constitutional Law

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

Lesson 2.- The Constitution and the sources of Law. The Constitution: concept and structure. The constituent power: nature and characteristics. The Constitution as a legal norm. The guarantees of the Constitution. The procedures for constitutional reform. The control of the constitutionality of the laws.

Lesson 3.- International Treaties as a source of law. The relations between international law and internal law. International law as a source of law. The Law of the Union and its scope in internal law.

Lesson 4.- The Law. Concept. Types of Laws: Organic Laws and Ordinary Laws. Other types of laws. The Laws of the Autonomous Communities.

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

Lesson 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.

Lesson 7.- The Monarchy. The Head of State in the Constitution. The King and his supremacy. The powers of the King: the countersignature. The succession to the Crown. The Regency and the guardianship of the minor King.

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

Lesson 9.- Parliamentarians. Legal status: parliamentary rights and immunities. Parliamentary groups.

Lesson 10.- Internal structure and functioning of the Chambers. The organs of the Chambers. Parliamentary regulations.

Lesson 11.- The functions of the Congress of Deputies 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 confidence: investiture, motion of censure, question of confidence and early dissolution. Control over supervision: questions, interpellations and motions.

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

Lesson 13.- The Judicial Power. 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.

Lesson 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 powers. The laws of the autonomous State. Special reference to the Valencian Community. Municipal and provincial autonomy.

Lesson 15.- The Constitutional Court. The Spanish model of constitutional justice. The Constitutional Court: composition and status of magistrates. Organization. The functions of the Constitutional Court. The control of constitutionality of norms with the rank of law: the appeal of unconstitutionality and the question of unconstitutionality. The prior control of International Treaties. The appeal for constitutional protection. Constitutional conflicts. Other functions.

PART II: FUNDAMENTAL RIGHTS AND PUBLIC LIBERTIES

Lesson 16.- The dogmatic part of the Constitution: Fundamental rights. Origin and evolution of rights and freedoms. The great declarations of Rights. Constitutionalization and internationalization of Human Rights. Legal nature of fundamental rights. The difference between fundamental rights and public freedoms.

Lesson 17.- Ownership, limits and development of fundamental rights.

Ownership of fundamental rights: special reference to foreigners. Limits to fundamental rights. Scope of



effectiveness of fundamental rights and public freedoms.
Constitutional duties.

Lesson 18.- The protection of fundamental rights. The multi-level protection of fundamental rights. The protection of fundamental rights in ordinary jurisdiction. The Ombudsman as a guarantee of fundamental rights. The European Court of Human Rights.

Lesson 19.- The general equality clause. Equality in the Constitution. Equality before the Law. Equality in the Law.

The categories suspected of discrimination in article 14. Lesson 20.- Personal rights. 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 honour, personal and family privacy and one's own image. Protection of honour and privacy from information technology. Inviolability of the home and communications. Freedom of residence and movement.

Lesson 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. Lesson 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 active suffrage: conditions of exercise. The right to passive suffrage: its limits. The right to petition. The right to freedom of association: unions. The right to strike.

Lesson 23.- The right to jurisdiction. The right to effective judicial protection. Rights in the process: the right to defense and legal assistance; the right to evidence; the right to a trial without undue delay. Constitutional guarantees of criminal proceedings: special reference to the presumption of innocence.

Lesson 24.- Rights in the educational field. The right to education and freedom of teaching. The right to the creation of educational centers. University autonomy and academic freedom. Lesson 25.- Rights and duties of citizens and Guiding Principles of economic and social policy. The right to private property: its constitutional configuration.

Freedom of enterprise. The right to work. The right to found. The right to collective bargaining and the adoption of collective conflict measures. 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

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- AGUDO, M. Y otros: Manual de Derecho Constitucional, Tecnos, 2019.
- ÁLVAREZ CONDE, E. / R, TUR AUSINA: Derecho Constitucional, Madrid, Tecnos, 2019,
- ALZAGA VILLAAMIL, Ó et al.: Derecho político español, vol. II: Derechos fundamentales, Madrid, Ceura, 2017.
- ARAGÓN REYES, M., y AGUADO RENEDO, C.: Derechos fundamentales y su protección, Civitas, 2011.
- BALAGUER CALLEJÓN, F. (coord.): Manual de Derecho Constitucional, vol II: Derechos y libertades fundamentales. Deberes constitucionales y principios rectores, Madrid, Tecnos, 2019.-
- BASTIDA FREIJEDO, F: Teoría general de los derechos fundamentales en la Constitución Española de 1978, Tecnos, 2004.
- BILBAO UBILLOS, J. M. (dir.): Lecciones de Derecho Constitucional II, 2018.-
- CASTELLÀ ANDREU, J.M, Derecho constitucional básico, Barcelona, Huygens Editorial, 2019.
- DÍEZ-PICAZO, L.M.: Sistema de derechos fundamentales, Madrid, Tirant lo Blanch, 2021.
- GIMENO SENDRA, Vicente: Los derechos fundamentales y su protección jurisdiccional, Madrid, Edisofer, 2018.
- GÓMEZ FERNÁNDEZ, Itziar (coord.): Esquemas de Derecho Constitucional, Valencia, Tirant lo Blanch, 2015.
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- LÓPEZ GARRIDO, Diego et al.: Lecciones de Derecho Constitucional de España y de la Unión Europea, vol. II, 2018.
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