

Academic Year: (2023 / 2024)

Review date: 22-06-2023

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: LLAMAS CASCON, ANGEL

Type: Courses of humanities ECTS Credits : 6.0

Year : 3 Semester : 2

OBJECTIVES

- Acquire a humanistic education in the framework of the professional functions that will develop the future officer of the Civil Guard
- Learn the scope of the constitutional mandate: ensuring protection of freedoms and fundamental rights.
- Know the principles and values on which public safety is based.
- Know the reasons on which the creation of the Spanish police forces is based.
- Know the rules and the spirit that inspires the service of citizens in democratic societies.
- Know how to interpret the contents of the history of the main Spanish police institutions with political and social history.

DESCRIPTION OF CONTENTS: PROGRAMME

Part I. History

The origins of the Civil Guard. Historical background of public security in Spain. Law enforcement bodies prior and contemporaneous to the Civil Guard. The foundation of the Civil Guard. Causes. The Duke of Ahumada. The founding decrees. Own model of security corps. The House of Barracks. The Civil Guard: Weapon, Corps and Institute.

The Civil Guard in the 19th century. The reign of Isabel II and the Revolutionary Sexenio. The banditry. The Carlist Wars. The performance of the Civil Guard as military police. The Civil Guard of the Restoration. Consolidation of the model and monopoly of security. The affirmation of the Civil Guard within the Army. The Law of January 5, 1882. Constitutive Law of the Army of 1878 and Additional Law of 1889. The Civil Guard in Cuba and the Philippines. Decrees of amalgamation. Military interventions.

The Civil Guard at the beginning of the 20th century. The reign of Alfonso XIII and the Dictatorship of Primo de Rivera. The social movements. The spirit of the Corps. Appearance and tutelage of the Government Police. The Civil Guard abroad. Model in South America. International missions. The Civil Guard in the development of military aeronautics and radiotelegraphy. Others The presence of the Guardia Civil in the military campaigns in Africa. The generalate in the Guardia Civil and the departure of the Corps from the top of the Army. The Military Boards.

The Civil Guard in the thirties. Second Republic. The instability of public order. Reforms and reorganization. The revolution of 1934. Recognition of the Corps by the State. The Civil War. The role of the Corps: uprising and loyalty to the Government. Military functions performed. The sieges. The disappearance of the Guardia Civil on the Republican side.

The Civil Guard from the second half of the 20th century to the present. General Franco's regime. Post-war reforms. The Law of May 15, 1940. The fight against the maquis. General Alonso Vega. The reforms of the sixties and seventies. The Reign of Juan Carlos I. The transition. The doctrinal separation of the concepts of security and defense. Constitutional police model. The transformation of the Corps. Separatist terrorism.

Part II. Professional ethics and prevention of inequality.

Topic 6: Ethics, law and professional deontology. Ethics and professional deontology: introduction. Ethics and morality: Morality as structure, morality as content and critical morality. Morality and law.

Public ethics and private ethics. The justification of morality.

Topic 7: Professional deontology. Professional deontology: concept and functions. Self-regulation and heteroregulation: the mechanisms of self-regulation. The codes of conduct of the profession.

The sources of professional deontology. Classification of the types of sources. The UN's Code of Conduct for Law Enforcement Officials. The European Code of Police Ethics. The Basic principles of action of article 5 of the LO 2/1986. The Organic Law 11/2007. Other documents and standards.

Topic 9: Ethical dimensions of the performance of law enforcement agencies. The framework of the rule of law. The hierarchical framework: the question of obedience. The social function.

Topic 10. The superior values of the legal system. The superior values of the legal system. Human dignity and free development of the personality. Binding of the constitutional principles and values to the powers.

Topic 11: Fundamental rights. Fundamental rights. Classification and means of guarantee. Fundamental rights and the bodies and security forces.

Topic 12. Particular issues of deontology. The idea of loyalty and the fight against corruption. The proportional use of force. The treatment of detainees. The prohibition of torture and inhuman and degrading treatment. Professional secrecy.

Item 13 Equality and non-discrimination. Vulnerable groups. The rights of victims.

LEARNING ACTIVITIES AND METHODOLOGY

The training activities will consist of theory classes, practical classes, tutorials, group work and individual student work.

The collective tutorials will be both online and face-to-face, depending on the part of the program to which we are referring.

The face-to-face tutorials and online tutorials, both in the part of History of the Civil Guard itself and the part of Deontology and prevention against Inequality, share the following methodology:

In the calendar that in this subject is published specifically in the Virtual Classroom of the Academy of Aranjuez at the beginning of each academic year, contains the part dedicated to online tutorials in each part of the subject.

- Lectures by the professor with the support of computer and audiovisual media, in which the main concepts of the subject are developed and the bibliography is provided to complement the students' learning.

ASSESSMENT SYSTEM

EVALUATION SYSTEM: The course consists of two evaluable parts.

Part I. History of the Civil Guard: Two multiple-choice exams.

The first one, taken in the middle of the course, understood as a continuous evaluation, will be free and will be worth 40% of the final grade of this part.

The second one, taken at the end of the course, will be worth 60% of the final grade of this part.

Part II . Professional ethics and prevention of inequality. Two multiple-choice exams.

The first one, carried out at the middle of the course, understood as continuous evaluation, will be free and will be worth 50 % of the final grade of this part.

The second one, taken at the end of the course, will be worth 50% of the final grade of this part.

Extraordinary exams. The exam is worth 100% of the mark, unless the student has taken the continuous assessment and it is more favourable to apply the criteria of the ordinary exam (50% continuous assessment + 50% exam).

In order to pass the ordinary call, the grades of each of the parts will only be averaged when each of them has a grade equal to or higher than 4 points. Otherwise, the subject will be failed.

In case of failure in the ordinary exam, the student will only have to take the exam in the extraordinary exam of those parts he/she has failed (grade lower than 5 points), although he/she will need, in order to pass the subject, a grade equal or higher than 5 points in each of the parts.

Extraordinary exams. The exam is worth 100% of the mark, unless the student has taken the

continuous assessment and it is more favourable to apply the criteria of the ordinary exam (50% continuous assessment + 50% exam).

% end-of-term-examination:	50
% of continuous assessment (assignments, laboratory, practicals...):	50