

**COURSE DATA****Data Subject**

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| Code | 42820 |
| Name | Gender-based violence as a social, legal and global phenomenon |
| Cycle | Master's degree |
| ECTS Credits | 5.0 |
| Academic year | 2024 - 2025 |

Study (s)

| Degree | Center | Acad. Period |
|---|----------------|---------------------|
| 2130 - Master's Degree in Law and Gender Violence | Faculty of Law | 1 First term |

Subject-matter

| Degree | Subject-matter | Character |
|---|-----------------------------|------------------|
| 2130 - Master's Degree in Law and Gender Violence | 1 - Women, law and equality | Obligatory |

Coordination

| Name | Department |
|-----------------------|---|
| AÑON ROIG, MARIA JOSE | 170 - Moral, Political and Legal Philosophy |

SUMMARY

This subject aims to offer a global vision of the phenomenon of gender violence in Spain, through different perspectives. The philosophical conceptions and feminist thought that gave birth to the concept of gender violence, the social sciences that account for this phenomenon through an approach to the different explanatory models and the legal perspective in order to analyse how the Law responds to this phenomenon.

This is an approach to the concept of gender-based violence as a legal category, its theoretical assumptions and its implementation in the legal system. It also looks at the development of this notion from the standard of human rights and the norms of international law. All of this with the aim of understanding that, in this area, criminal, procedural, family or social rights regulations are closely linked to the concept of gender violence itself, insofar as the subjective scope of application of the former will vary depending on how it is defined.



Next, the course deals with the constitutional configuration of the equality clause, configured as a superior value, which transcends the entire legal system; material equality, which mandates the public authorities to ensure that equality is real and affective, and as a subjective right to equal treatment with a prohibition of discrimination. This triple articulation of equality in our constitutional text is projected in an anti-discrimination mandate on the grounds of gender, as well as in the obligation of the public authorities to adopt the necessary measures to correct imbalances between the sexes. Thus, anti-discrimination law measures become necessary instruments to achieve gender equality. This module presents an introduction to the role that the law has played in the past and is currently playing in the face of gender violence, understood as a violation of human rights and identified as the most serious situation of discrimination. We will study the general and basic lines of gender-based violence, including how various international, European and national legal instruments have dealt with violence against women from a human rights perspective. We will include a detailed study of the concept of violence against women and its effects.

The objectives are as follows: 1) To know the main definitions and the most important basic concepts in relation to violence against women. 2) To know and understand gender violence from an interdisciplinary perspective, systematically and critically. To approach its origins, theoretical assumptions, explanatory models and its consequences. 3) To learn about the explanatory models proposed for approaching and tackling violence, as well as current interdisciplinary models. 4) To study in depth the common nature of these problems in both national and international legal systems. Paying special attention to international human rights standards. 5) To analyse gender-based violence on the basis of respect for the fundamental rights and principles of a democratic state governed by the rule of law, with special attention to the anti-discrimination clause. 6) To understand the constitutional configuration of equality, starting from the fact that gender violence is based on and explained by reasons of discrimination, as it is an expression of the inequality that has led to the conception of male domination and the subordination of women. This position is radically contrary to the constitutional text, which establishes equality as one of its axiological axes, establishing it as a superior value of the legal system.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

ADMISSION REQUIREMENTS FOR

COMPETENCES (RD 1393/2007) // LEARNING OUTCOMES (RD 822/2021)

2130 - Master's Degree in Law and Gender Violence

- Students should apply acquired knowledge to solve problems in unfamiliar contexts within their field of study, including multidisciplinary scenarios.



- Students should be able to integrate knowledge and address the complexity of making informed judgments based on incomplete or limited information, including reflections on the social and ethical responsibilities associated with the application of their knowledge and judgments.
- Students should communicate conclusions and underlying knowledge clearly and unambiguously to both specialized and non-specialized audiences.
- Students should demonstrate self-directed learning skills for continued academic growth.
- Conocer y comprender los problemas jurídicos novedosos de nuestra sociedad de forma sistemática, con actitud crítica, transdisciplinar, con la perspectiva nacional e internacional, con el debido análisis de sus orígenes y sus consecuencias.
- Localizar y analizar los problemas jurídicos sobre la base del respeto a los derechos y principios fundamentales propios de un Estado Democrático y de Derecho, donde no cabe discriminación por razón del origen, procedencia social ni por razón del sexo.
- Aplicar e integrar los conocimientos transdisciplinares adquiridos con actitud crítica y desde la perspectiva de género, como herramientas para generar Justicia, Igualdad y Seguridad en cualquier Estado.
- Manejar las técnicas y herramientas especializadas para obtención información y saber utilizar los instrumentos jurídicos avanzados, habilidades y métodos de investigación, desde su perspectiva teórica y práctica, con aplicación al ámbito de estudio de que se trate.
- Obtener los conocimientos y habilidades básicas para la argumentación jurídica, para su comunicación en foros especializados y generalistas, de forma oral y/o escrita, y hacerlo de forma clara, precisa y convincente.
- Tener la capacidad de diseñar procesos de investigación en un determinado ámbito temático dentro de los estándares de calidad e integridad académica.
- Conocer y aplicar el método de investigación científica adecuado, a través del uso de las TIC aplicables al propio ámbito de estudio e investigación jurídica determinado.
- Desarrollar la capacidad para identificar y saber usar las fuentes de información más importantes y de naturaleza especializada, tanto legales, doctrinales, estadísticas y documentales, de forma presencial u on line, dentro del ámbito que corresponda.
- Saber trabajar en equipos multidisciplinares reproduciendo casos y contextos reales.
- Participar en debates y discusiones, liderarlo, coordinarlos y resumirlos y saber extraer las conclusiones más relevantes.
- Identificar, valorar e integrar en la toma de decisiones aquellos problemas jurídicos que se plantean desde las perspectiva multidisciplinar y con el enfoque de la Igualdad y Género y requieren un mayor nivel de investigación jurídica y afrontarlos de manera flexible y plural.
- Utilizar de forma rigurosa y segura, tanto individualmente como en grupo, desde una perspectiva multidisciplinar, los conocimientos avanzados adquiridos y aplicables a problemas jurídicos de contenido plural en nuestra compleja sociedad actual.



- Integrar los conocimientos jurídicos, sociológicos, educativos adquiridos, sabiendo entender y explicar la unitaria naturaleza de estos problemas y de sus soluciones en el ámbito del género.
- Profundizar en la naturaleza común de estos problemas tanto en el ordenamiento jurídico nacional como el internacional, profundizando en soluciones comunes interconectadas como herramienta para generar Igualdad, Justicia y Seguridad jurídica.
- Desarrollar la capacidad para trabajar en equipo, con las funciones de liderazgo propias y con las habilidades de argumentación y estructuración del debate en grupo en aras a conseguir el correcto y fluido funcionamiento del grupo humano asignado.
- Analizar de forma autónoma, creativa y crítica, con argumentos jurídicos sólidos y elaborados, la materia seleccionada para la investigación y sus matices transversales.

LEARNING OUTCOMES (RD 1393/2007) // NO CONTENT (RD 822/2021)

This module will be set certain essential key to understanding the current reality of the woman and her legal position in the current , national or global international society. Seeks to address a set of materials of different nature , however , coincide with each other in the fact of being subjected to an undeniable process of adaptation to the new reality created by the global world we live in we also reaches Equality and Gender . These provide some clues that may explain the response of the law to the problems posed by today's society from a gender perspective and , specifically, the violent consequences of the imbalance between men and women. To do an analysis of patterns of protection in the field of United Nations , Latin America and Europe as well as the tools necessary to achieve social awareness will be presented and , therefore, the transformation of their values, stereotypes in the private and public sectors .

DESCRIPTION OF CONTENTS

1. Theme 1. Gender and Violence in Law

- 1.1. The explanatory value of gender in violence against women.
- 1.2. Social system in the phenomenon of violence against women
2. Law in the face of gender-based violence
 - 2.1. Violence against women as subordination and its legal translation into discrimination
 - 2.2. Human rights and violence against women. Special attention to positive state obligations

2. Theme 2: Explanatory models and types of violence

1. Explanatory models of gender-based violence
2. From the notion of domestic violence to gender-based violence
3. The ecological model
4. The feminist model
5. Interdisciplinary models



3. Theme 3: Constitutional configuration of gender equality

- 1. Constitutional configuration of equality between men and women.
 Equality and Law.
 - 1.2. Equality in the Spanish Constitution.
- 2. The development of the constitutional mandate of equality
 - 2.1. The mandate of material equality.
 - 2.2. Equality legislation.
 - 2.3. Legislation in the field of gender violence.
- 3. Positive action
 - 3.1. Discrimination as a presupposition of gender-based violence.
 - 3.2. Positive actions.

WORKLOAD

| ACTIVITY | Hours | % To be attended |
|---------------------|--------------|------------------|
| Theory classes | 8,00 | 100 |
| Classroom practices | 4,00 | 100 |
| Tutorials | 0,24 | 100 |
| TOTAL | 12,24 | |

TEACHING METHODOLOGY

MD1 - training teaching and learning tasks aimed at leveling the knowledge in the classroom and provide the framework for discussion of the subject.

MD2 - training teaching and learning tasks designed to reflect on the problems and materials presented directly by the teacher Virtual Classroom through adopting Professor a the role of moderator .

MD6 - Conducting collective and online tutorials designed to answer questions measure knowledge, discuss, expand skills tutor University.

MD7 - Using methodology adapted to the individual student. The director, through discussion of issues, recommended reading, participation in support forums for discussion and presentation of contributions, specific methodology courses, coordinates and directs the training of students to acquire their own tools research activity.

EVALUATION



This subject is taught as part of an online module. This means that the relationship with the students is virtual. The teaching platform we are going to use is the Virtual Classroom, where all the documents necessary for the development of the course will appear. It is also through this platform that the teacher will receive the appropriate work that may be requested from each of the students.

The daily relationship with the teacher, only and exclusively during the module teaching period, will be articulated through the respective teacher's e-mail. Consultations will be answered within a maximum period of 24 hours, excluding weekends.

The subject will be assessed through the completion of a written assignment that consists of analysing a judicial pronouncement, based on a series of rules, documents and doctrine in order to provide a reasoned response to a series of questions that serve as a script. All the materials for carrying out the activity are available to students in the Virtual Classroom. The revision and monitoring of this work will be carried out by the teaching staff of the module.

The final rating will be numeric, from 0 to 10 points, articulating the notes obtained as follows:

0-4.9 points: FAIL (SS)

5.0-6.9 points: APPROVED (AP)

7.0-8.9 points: NOTABLE (NT)

9.0-10 points: OUTSTANDING (SB)

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