



Information about the subject

Degree: Bachelor of Arts Degree in Law

Faculty: Faculty of Legal, Economic and Social Sciences

Code: 312026 **Name:** -Canon Law Institutions

Credits: 6,00 **ECTS Year:** 4 **Semester:** 2

Module: Optional Courses

Subject Matter: Itineraries of Basic Legal Sciences **Type:** Elective

Field of knowledge: Social and Legal Sciences

Department: Private Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

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Module organization

Optional Courses

Subject Matter	ECTS	Subject	ECTS	Year/semester
Itineraries of Basic Legal Sciences	36,00	-Canon Law Institutions	6,00	4/2
		-History of European Construction	6,00	4/2
		-Human Rights	6,00	4/2
		-Roman Law	6,00	This elective is not offered in the academic year 25/26
		-Social Doctrine of the Catholic Church	6,00	This elective is not offered in the academic year 25/26
		-State Ecclesiastical Law	6,00	4/2
Itinerary of Economic Law	60,00	Banking Law	6,00	This elective is not offered in the academic year 25/26
		Consumer Law	6,00	This elective is not offered in the academic year 25/26
		Corporate Finance	6,00	4/0
		-Insurance Law	6,00	3, 4/2



Itinerary of Economic Law		Intellectual Property Law	6,00	This elective is not offered in the academic year 25/26
		-International and Comparative Law of Brands, Designs and Unfair Competition	6,00	4/2
		International Commercial Law	6,00	This elective is not offered in the academic year 25/26
		-International Commercial Transactions	6,00	4/1
		-International Taxation Law	6,00	4/0
		Law and Notary Practice	6,00	4/2
Itinerary of Sectorial Administrative and Specialized Labour Law	72,00	Air and Maritime Law	6,00	4/2
		-Employment Procedural Law	6,00	This elective is not offered in the academic year 25/26
		Energy Law	6,00	This elective is not offered in the academic year 25/26
		Environmental Law	6,00	4/1
		European Union Competition Law	6,00	4/1
		Information and Communication Technology Law	6,00	4/0



Itinerary of Sectorial Administrative and Specialized Labour Law	National Health System Law	6,00	This elective is not offered in the academic year 25/26
	Public Contract Award Law	6,00	This elective is not offered in the academic year 25/26
	-Real Estate Law	6,00	This elective is not offered in the academic year 25/26
	-Trade Union Law	6,00	This elective is not offered in the academic year 25/26
	Transport Law	6,00	This elective is not offered in the academic year 25/26
	Water Law	6,00	This elective is not offered in the academic year 25/26

Recommended knowledge

Students must have passed at least 48 ECTS of BF in the first two semesters. Students are free to choose the electives they wish, breaking with the proposed grouping.

As explained above, the Study Plan has three electives that are grouped in this way:

- One elective course in the seventh semester.
- Two electives in the eighth semester.

Prerequisites



Students must have passed at least the 48 ECTS of Basic Training of the first two semesters. Students are free to choose the electives they wish, breaking with the grouping proposed. As explained above, the Study Plan has three optional subjects that are grouped in this way:

- 1 optional subject in the seventh semester.
- 2 optional subjects in the eighth semester.

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 The student is able to manage documental and legal sources.
- R2 To deepen, know and know how to explain the reason why the Church is subject to its own regulations.
- R3 To know how to distinguish the sources of law in the Church.
- R4 To be able to recognize the canonical norm and its value in the organization of ecclesial society.
- R5 To interpret the set of canonical norms used within the organization of the ecclesial body ; of evangelization and the sacraments, especially marriage.
- R6 To recognize and apply the elements of the judicial-canonical process.
- R7 To be able to transmit the knowledge acquired.
- R8 To identify the behaviors that constitute a crime in the canonical legal order.
- R9 To know the foundation that supports the canonical norm and that allows for its interpretation (the ratio legis).
- R10 The student must discover the similarities and differences with the civil legal system , and their multiple interrelations.



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):

GENERAL		Weighting			
		1	2	3	4
CG1	Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.				X
CG2	Analysis and synthesis capacity			X	
CG4	Problem-solving capacity.				X
CG12	To be able to develop audiovisual presentations.		X		
CG13	Information management capacity.				X

SPECIFIC		Weighting			
		1	2	3	4
CE2	Understanding of the different ways of creation of Law in its historical evolution and in its current reality, assimilating the existence of subordinate and supranational legal systems and the forms in which they are articulated.			X	
CE3	Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.				X
CE20	Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).			X	



Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	40,00%	Practical tests
	40,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
	20,00%	Written theoretical tests

Observations

In accordance with Article 9 of the General Regulations for the Assessment and Grading of Official Courses and UCV Degrees, single assessment is linked to the inability of students enrolled in a face-to-face degree program to attend classes. It is, therefore, an extraordinary and exceptional assessment system that may be chosen by those students who, for justified and accredited reasons, are unable to undergo the continuous assessment system, and who request it from the professor responsible for the subject, who will expressly decide on the admission of the student's single assessment request and will notify them of its acceptance or rejection.

As far as the subject of Institutions of Canon Law is concerned, the minimum attendance requirement is 70%, which is therefore the limit to be taken into consideration for a potential request for a single assessment. If granted, this will be based on the following criteria:

-In the first exam session, the 20% corresponding to attendance, active participation, and favorable attitude in the course will increase the percentage of the final theoretical (by 10%) and practical (by 10%) exams taken during the official exam period.

-In the second exam session, the same assessment criteria will be applied as for students who are not eligible for the single assessment (as attendance, active participation, and a positive attitude in the course are not taken into account for them).

The use of AI is not permitted for the resolution of any task.



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 | Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment. |
| M8 | Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom. |
| M9 | Supervised monographic sessions with shared participation. |
| M11 | Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc. |
| M12 | Set of written and/or oral tests used in the initial, formative or summative evaluation of the student. |
| M13 | Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials. |



- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1	R1, R5, R9	20,00	0,80
Theoretical classes. M8, M9	R2, R3, R4, R5, R6, R8, R9, R10	35,00	1,40
Seminar. M9	R1, R9	10,00	0,40
Tutorial. M11	R1, R9, R10	15,00	0,60
Assessment M12	R2, R3, R4, R5, R6, R7, R8, R9	5,00	0,20
TOTAL		85,00	3,40

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M1, M11, M13	R2, R3, R4, R5, R6, R7, R8, R9	15,00	0,60
Individual work. M14	R2, R3, R4, R5, R6, R7, R8, R9	50,00	2,00
TOTAL		65,00	2,60



Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block	Contents
Introduction to Canon Law	What is Canon Law? Differences between Latin and Oriental Code books of the Code of Canon Law
Topic 1: Formal Sources of Norms in the Church The Law	The Customary Law General Decrees Other sources of Canon Law
Topic 2: Canon Administrative Law	Topic 2: Canon Administrative Lawstudy of administrative acts in the church
Topic 3: Juridical persons	Topic 3: Juridical personsinitiation into legal personality in the Church
Theme 4: The organization of government in the Church supreme authority and supradiocesan ecclesial organization	Theme 4: The organization of government in the Church supreme authority and supradiocesan ecclesial organization Bishop and diocesan organization
Topic 5: Introduction to the criminal law of the Church. Peculiarity of the delicta graviora.	Topic 5: Introduction to the criminal law of the Church. Peculiarity of the delicta graviora.Reasons for a criminal law in the Church Difference with the civil criminal law the delicta graviora
Topic 6: Canonical marriage. Description and causes of nullity	Topic 6: Canonical marriage. Description and causes of nullityThe impediments the form defects of consent in general
Topic 7: Canon 1095	Item 7: Canon 1095lack of use of reason lack of discretion of judgment incapacity to assume the essential obligations of marriage



Topic 8: Minimal Science (c. 1096)

Topic 8: Minimal Science (c. 1096) the minimum to be able to contract marriage and that cannot be ignored

Topic 9: Mistake and marriage (cc. 1097-1099)

Topic 9: Mistake and marriage (cc. 1097-1099) error of fact: of person, of quality, of direct and principally intended quality; fraudulent error error of law.

Topic 10: Simulation (c. 1101)

Topic 10: Simulation (c. 1101) the simulation phenomenon partial simulation total simulation

Topic 11: Condition and Marriage (1102)

Topic 11: Condition and Marriage (1102) condition of present and past future condition

Topic 12: Fear and marriage c. 1103 and c. 125

Topic 12: Fear and marriage c. 1103 and c. 125



Temporary organization of learning:

Block of content	Number of sessions	Hours
Introduction to Canon Law	2,00	4,00
Topic 1: Formal Sources of Norms in the Church The Law	4,00	8,00
Topic 2: Canon Administrative Law	4,00	8,00
Topic 3: Juridical persons	3,00	6,00
Theme 4: The organization of government in the Church supreme authority and supradiocesan ecclesial organization	4,00	8,00
Topic 5: Introduction to the criminal law of the Church. Peculiarity of the delicta graviora.	4,00	8,00
Topic 6: Canonical marriage. Description and causes of nullity	2,00	4,00
Topic 7: Canon 1095	4,00	8,00
Topic 8: Minimal Science (c. 1096)	1,00	2,00
Topic 9: Mistake and marriage (cc. 1097-1099)	5,00	10,00
Topic 10: Simulation (c. 1101)	4,00	8,00
Topic 11: Condition and Marriage (1102)	3,50	7,00
Topic 12: Fear and marriage c. 1103 and c. 125	2,00	4,00



References

Basic Bibliography

Manual de Derecho Canónico, ed. ARROBA CONDE, M. J., Laborum 2021.

Diritto Canonico. Nozioni essenziali, Napoli, 2007 GANDÍA BARBER, J. D., *El consentimiento matrimonial: apuntes "ad usum scholarium"*, Murcia 2021.

Derecho Penal Canónico (d cada uno de los delitos y de las penas establecidas para estos) , ed. RELLÁ RÍOS, A. -GANDÍA BARBER, J. D.- LÓPEZ SEGOVIA, C., Murcia 2024.

SERRES LÓPEZ DE GUEREÑU, R., *La nulidad del matrimonio canónico. Un análisis desde la jurisprudencia*, Madrid 2006.

SABBARESE, L., *Diritto canonico*, Bologna 2015.

Bibliografía complementaria

Derecho y Religión, ed. GARCÍA GARCÍA, R.- ROSSELL GRANADOS, J., edisofer, Madrid 2020.

GANDIA BARBER, J.D., *Delitos y penas en general. Exposición sistemática de los cc. 1311-1363*, Murcia 2022

Diccionario General de Derecho Canónico 1-7, ed. OTADUY, J.- VIANA, A.- SEDANO, J., thomson-Reuters-Aranzadi, Cizur-Menor 2002. *Derecho Canónico* 1- 2, ed. PROFESORES DE LA UNIVERSIDAD DE SALAMANCA, Madrid, 2006 GEROSA, L., *El derecho de la Iglesia*, Valencia, 1998 CENALMOR, D. – Miras, J., *El derecho de la Iglesia. Curso básico de derecho canónico*

FELICIANI, G. *Le basi del diritto canonico. Dopo il codice di 1983*, Bologna 2002