Information about the subject

Degree: Licenciatus in Iure Canonico

Faculty: Faculty of Canon Law

Code: 1280511 **Name:** Matrimonial Law I

Credits: 6,00 **ECTS Year:** 5 **Semester:** 1

Module: Derecho Matrimonial

Subject Matter: Derecho Matrimonial I **Type:** Compulsory

Department: Canon Law

Type of learning: Classroom-based learning

Languages in which it is taught: Spanish

Lecturer/-s:

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Module organization

Derecho Matrimonial

Subject Matter	ECTS	Subject	ECTS	Year/semester
Derecho Matrimonial I	6,00	Matrimonial Law I	6,00	5/1
Derecho Matrimonial II	6,00	Marriage Law II	6,00	5/2

Recommended knowledge

Latin level for reading legislative texts in the original language

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	R-1. Conocer y expresa qué es el matrimonio, sus fines y propiedades esenciales
R2	R-2. Dominar todo lo referente al acto constitutivo del mismo
R3	R-3. Comprender la dimensión sacramental del matrimonio
R4	R-4. Asimilar aquello que precede al matrimonio
R5	R-5. Dominar la noción de impedimento matrimonial y el cese del mismo.
R6	R.6. Conocer los contenidos esenciales de cada uno de los impedimentos
R7	R.7. Conocer los tres ámbitos de capacidad necesaria para emitir el consentimiento matrimonial
R8	R.8. Comprender la incidencia del error en el consentimiento matrimonial

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
CB5	Que los estudiantes hayan desarrollado aquellas habilidades de aprendizaje necesarias para emprender estudios posteriores con un alto grado de autonomía.			x	

GENERAL		Weighting			
		1	2	3	4
CG7	Cultivar y hacer propio el razonamiento crítico en el análisis de la información.				x
CG12	Capacidad de gestión de la información.				x

SPECIFIC		Weighting			
		1	2	3	4
CE8	Analizar la dimensión jurídica de los Sacramentos.				x
CE16	Capacidad de leer, redactar e interpretar textos jurídicos y de argumentar jurídicamente			x	

TRANSVERSAL		Weighting			
		1	2	3	4
CT1	1.Conocer la Ciencia que se estudia, en este caso de la ciencia del Derecho Canónico, fundamentalmente de las ramas histórica, contemporánea y aquellas dimensiones de carácter más práctico, con sus implicaciones en la vida y en la misión eclesial con un lenguaje especializado				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	70,00%	Pruebas escritas teóricas en las que se expondrán los conocimientos teóricos adquiridos.
R1, R2, R3, R4, R5, R6, R7, R8	20,00%	Pruebas prácticas mediante pruebas escrita y con la asistencia y presentación de las diferentes prácticas que se le propondrán al alumno a lo largo del curso (Contarán también las recensiones de jornadas o conferencias a las que se hayan asistido conectadas con esta rama del conocimiento e indicadas por el profesor en cada caso (sin la asistencia a las jornadas, seminarios, o conferencias no se evaluarán las recensiones o memoria de las mismas).
R1, R2, R3, R4, R5, R6, R7, R8	10,00%	Asistencia y participación activa a las sesiones de clase y seminarios. Su evaluación se realizará mediante registros de seguimiento de la asistencia por parte del profesor.

Observations

Normas Generales

Learning activities

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

M1 Exposición de contenidos por parte del profesor, análisis de competencias, explicación y demostración de capacidades, habilidades y conocimientos en el aula.

M2 Sesiones de trabajo grupal en grupos supervisadas por el profesor. Estudio de casos, análisis diagnósticos, problemas, estudio de campo, aula de informática, visitas, búsqueda de datos, bibliotecas, en red, Internet, etc. Construcción significativa del conocimiento a través de la interacción y actividad del alumno.

M3 Atención personalizada y en pequeño grupo. Periodo de instrucción y/o orientación realizado por un tutor con el objetivo de revisar y discutir los materiales y temas presentados en las clases, seminarios, lecturas, realización de trabajos, etc.

M4 Conjunto de pruebas orales y/o escritas empleadas en la evaluación inicial, formativa o aditiva del alumno.

M5 Preparación en grupo de lecturas, ensayos, resolución de problemas, seminarios, trabajos, memorias, etc. para exponer o entregar en las clases teóricas, clases prácticas y/o tutorías de pequeño grupo.
Trabajo realizado en la plataforma de la universidad (https://campusvirtual.ucv.es/)

M6 Estudio del alumno: Preparación individual de lecturas, ensayos, resolución de problemas, seminarios, trabajos, memorias, etc. para exponer o entregar en las clases teóricas, clases prácticas y/o tutorías de pequeño grupo.
Trabajo realizado en la plataforma de la universidad (https://campusvirtual.ucv.es/)

IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Clases Teóricas M1	R1, R2, R3, R4, R5, R6, R7, R8	48,00	1,92
Tutoría M3	R1, R2, R3, R4, R5, R6, R7, R8	8,00	0,32
Evaluación M4	R1, R2, R3, R4, R5, R6, R7, R8	4,00	0,16
TOTAL		**60,00**	**2,40**

LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Trabajo en Grupo M5	R1, R2, R3, R4, R5, R6, R7, R8	30,00	1,20
Trabajo Individual del alumno M6	R1, R2, R3, R4, R5, R6, R7, R8	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
TOPIC 1	1. Introduction. Denominations. Marriage as a natural and social institution. Concept of marriage: the intimate communion of life, personal and perpetual alliance. Marriage in fieri et in facto esse. 2.- The sacramental marriage. Sacred character of marriage. Historical notes and doctrine of the magisterium. Questions about the sacramental nature: marriage of the baptized, mixed marriages, the marriage of the unbaptized who are baptized. The inseparability between contract and sacrament: historical notes and consequences. 3.- Purposes, properties and assets. Historical evolution of the ends. Essential properties. Unity: concept, Doctrine of the Church. What is opposed to unity. Rationale and reasons. Legal guardianship. Indissolubility: concepts. Church doctrine. What is opposed to indissolubility. Rationale and reasons. 4.- Consent. Historical notes. Canon 1057. 5.- The right to marriage. Jurisdiction over marriage. The favor of the right of the marriage. 6.- Nomenclature. Presumption of consummation.
TOPIC 2	Pastoral of marriage and its ordering. The betrothal. Legal preparation: general principle. Phases of the preparation: the matrimonial file. In danger of death. License in special cases.
TOPIC 3	1.- Impediments in general. Concept. Legal nature of legal prohibitions. Classification of impediments. Establishment and termination. The dispensation of impediments. Other prohibitions. 2.- Impediments in particular. Age. Impotence. The ligamen. The disparity of cults. The order and public vote. Kidnapping and crime. Kinship impediments.

TOPIC 4	1.- The matrimonial consent. The capacity for the constitutive act (Use of reason; discretion of judgment; assumption of matrimonial obligations). Minimal science. 2.- Error and consent. Error about the person and the qualities. Malicious mistake on qualified quality. Error about essential properties. The persuasion on the nullity of the marriage.

Temporary organization of learning:

Block of content	Number of sessions	Hours
TOPIC 1	13,00	26,00
TOPIC 2	3,00	6,00
TOPIC 3	8,00	16,00
TOPIC 4	6,00	12,00

References

Pérez de Heredia, I., «sub cc. 1055-1082 y 1095-1165», en *Código de Derecho Canónico. Edición bilingüe, fuentes y comentarios de todos los cánones*, ed. A. Benlloch Poveda, Edicep, Valencia 92001.
Pérez de Heredia, I., *Derecho matrimonial canónico* (apuntes para uso de los estudiantes), Valencia 2011.
Sabbarese, L., *Il matrimonio canonico nell'ordine della natura e della grazia. Commento al Codice di Diritto Canonico Libro IV, Parte I, Titolo VII* (Manuali 12), Urbaniana University Press, Roma 2002.
Comentario exegético al Código de Derecho Canónico 1-5, ed. A. Marzoa, J. Miras y R. Rodríguez-Ocaña, Eunsa, Pamplona 32002.
Pérez de Heredia, I., *Fe y consentimiento matrimonial. Lección inaugural del Curso Académico 2001-2002* (Cuadernos Canónicos Valentinos 1), Instituto Diocesano de Derecho Canónico, Valencia 2001.
Pérez de Heredia, I., *Matrimonio y familia en el CIC. Conferencia en la Asociación Valenciana de Juristas Católicos el 27 de febrero de 2004* (Cuadernos Jurídicos 5), Siquem, Valencia 2007.
Navarrete, U., Derecho matrimonial canónico. Evolución a la luz del Concilio Vaticano II, (BAC 666), BAC, Madrid 2007.

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:

[X] Microsoft Teams

[X] 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:

X	Microsoft Teams
X	Kaltura

Explanation about the practical sessions:

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

ONSITE WORK

Regarding the Assessment Tools:

[X] 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: