



COURSE DATA

Data Subject

Code	35204
Name	Ecclesiastical Law of the State
Cycle	Grade
ECTS Credits	6.0
Academic year	2024 - 2025

Study (s)

Degree	Center	Acad. year	Period
1303 - Degree in Law	Faculty of Law	1	First term
1921 - Double Degree Program BMA and Law	Faculty of Law	1	First term
1922 - Double Degree Prog. Law-Political Science	Faculty of Law	1	First term
1923 - Double Degree Programme Law-Criminology	Faculty of Law	1	First term
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	Faculty of Law	1	First term

Subject-matter

Degree	Subject-matter	Character
1303 - Degree in Law	7 - Ecclesiastical state law	Basic Training
1921 - Double Degree Program BMA and Law	2 - Year 1 optional subjects	Optional
1922 - Double Degree Prog. Law-Political Science	2 - Core subjects	Optional
1923 - Double Degree Programme Law-Criminology	2 - Core subjects	Optional
1930 - Double Degree Programme in Law and Political and Public Admin. Sciences	2 - Asignaturas de formación básica	Optional



Coordination

Name

BONET NAVARRO, JAIME
LANDETE CASAS, JOSE

Department

75 - Roman Law and State Canon Law
75 - Roman Law and State Canon Law

SUMMARY

The Ecclesiastical Law of the State is the regulation of the State about public dimension of the religions. The principal focus is the Spanish law concerning religious freedom and the comparative study of legal regulations of the most important religions in our country. It is included among the sciences of public law because it:

- studies the relations between the religions and the State, which gives necessarily a public nature;
- Includes the right of religious freedom of the individual persons and the groups;
- and all state regulations regarding the religious factor and its public and institutional dimension.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

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

Other requirements

The fact that this subject is taught in the first year of the degree in Law could suppose an academic challenge for the student, who should be autonomous in the study of those previous necessary concepts to assimilate the own contents of the discipline. For this, the students will use the guide and the assistance of the professor.

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

1303 - Degree in Law

- Capacidad de conocer y comprender las relaciones existentes entre el Derecho y el factor religioso.
- Capacidad de comprender el concepto y contenido del derecho a la libertad religiosa en el ámbito nacional e internacional.
- Ser capaz de comprender y analizar el régimen jurídico de las relaciones entre los poderes públicos y las confesiones religiosas.



- Ser capaz de conocer y aplicar el derecho comparado de las religiones.

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

The capacity to know and to understand the relationships between law and the religious factor.

(Relationship with specific competences in degree 1, 2 and 3).

The ability to understand the concept and content of the right of religious freedom in the national and international regulation.

(Relationship with specific competences in degree 1, 2, 4, 5 and 6).

To understand and analyze the legal framework for relations between States and religious groups.

(Relationship with specific competences in degree 7, 8, 10 and 11).

To be able to understand and to apply the Law from the religions.

(Relationship with specific competences in degree 6, 9, 10 and 12).

DESCRIPTION OF CONTENTS

1. Law and religion

The first teaching unit is directed to provide the competences and knowledge necessary to recognize and understand the relationships between Law and religion. In other words, the main objective of this teaching unit will be completed if the student acquires the ability to see the religious phenomenon with legal perspective.

The unit includes four lessons, which deal with the relationship between Law and Religion from four different perspectives: scientific, historical, and comparative politics.

2. Sources of Law and religious freedom

The second part of the program analyzes the national and international legal regulation about religion and the fundamental right of religious freedom.

**3. Legal status of relations between government and religions**

The third teaching unit analyzes the activities of the religions in the Spanish legal system and in the economic and financial system; their legal status and tax and the cooperation with the State in these areas.

4. Legal implication of religious pluralism

The fourth teaching unit analyzes some aspects related of religious practice, the use of symbols, particularities of food habits in the different religions, acts of worship, education, the marriage system and the conscientious objections. In these units, is part of the study, the specific cooperation maintained by the State with religions. This cooperations is regulated in different state acts. In addition, the last unit analyzes the relevance of certain religious laws in Spain.

WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	60,00	100
Attendance at events and external activities	3,00	0
Development of group work	5,00	0
Development of individual work	5,00	0
Study and independent work	60,00	0
Readings supplementary material	2,00	0
Preparation of evaluation activities	2,50	0
Preparing lectures	5,00	0
Preparation of practical classes and problem	5,00	0
Resolution of case studies	2,50	0
TOTAL	150,00	

TEACHING METHODOLOGY

The teaching methodology focuses, primarily, on the following resources:

Theoretical teaching or lecture, in which the professor explains the contents of the unit, and where the students participate actively, either with open speaking turn or exposing some assignment of their personal research staff.



Monitored activities: the student's work before or after the class. The objective of monitored activities consists of facilitating the understanding of lectures and the active participation of students in them, as well as to reinforce the acquired knowledge, when the activity is after the lecture.

Applied activities, legal casuistic or practical class, during which the student, with a cooperative method of research about the legal solution most suitable for the alleged fact presented by the professor, the student elaborates a report with his/her conclusions, and determines the legal consequences and presents publically the results of his/her work, individually or in groups.

EVALUATION

The percentage of assessment for the final mark is the following:

GLOBAL TEST/EXAM: 70% of the final grade.

It's necessary to pass this exam for passing the subject.

CONTINUOUS ASSESSMENT: That will include the monitored activities and the complementary ones, 30% of the final mark.

SYSTEMS: Continuous assessment of each student, based on regular attendance and active participation in classroom activities proposed, such as the practical realization or participation in workshops, processing and / or delivery of papers, reports / reports and / or oral presentations on such activities, individually or collectively, all taking into consideration the degree of involvement and effort / pupil / a in the teaching-learning process and the skills and attitudes expressed during the development of these activities.

* Continuous assessment of each student based on the student's attendance at seminars and visits to institutions; and, where appropriate, delivery of papers, reports / reports and / or oral presentations on the activity, individually or collectively, all taking into consideration the degree of involvement and effort / pupil / a in the process of teaching and learning and the skills and attitudes expressed during the development of this activity.

REFERENCES

Basic

- SUÁREZ PERTIERRA, G., SOUTO GALVÁN, E., CIAURRIZ LABIANO, M.J., REGUEIRO GARCÍA, M.T., RODRÍGUEZ MOYA, A., ARIZA ROBLES, A., PÉREZ ÁLVAREZ, S., PELAYO OLMEDO, J.D.: *Derecho Eclesiástico del Estado*, Ed. Tirant Lo Blanch, Valencia 2023.

-MANTECÓN SANCHO, J.: *Factor religioso y derecho. Curso básico de Derecho eclesiástico*, Ed. Comares, Granada 2023.

-RODRÍGUEZ BLANCO, M.: *Derecho y religión: nociones de Derecho eclesiástico del Estado*, Thomson Reuters-Civitas, Madrid 2018.



Additional

- Bibliografía complementaria. Revistas científicas de la especialidad
 - Anuario de Derecho Eclesiástico del Estado
https://www.boe.es/biblioteca_juridica/anuarios_derecho/anuario.php?id=E_2022
 - Revista General de Derecho Canónico y Derecho Eclesiástico del Estado
https://www.iustel.com/v2/revistas/detalle_revista.asp?id=2&popup=
 - Laicidad y libertades. Escritos jurídicos
https://www.boe.es/biblioteca_juridica/anuarios_derecho/anuario.php?id=J_2022&fasc=1
 - Derecho y Religión
<https://derechoyreligion.com/>
 - Estudios eclesiásticos
<https://revistas.comillas.edu/index.php/estudioseclesiasticos>