

27739 - Ecclesiastical Right of the State

Syllabus Information

Academic year: 2023/24

Subject: 27739 - Ecclesiastical Right of the State

Faculty / School: 102 - Facultad de Derecho

Degree: 421 - Degree in Law

ECTS: 6.0

Year: 1

Semester: Second semester

Subject type: Optional

Module:

1. General information

The student must demonstrate that they have achieved the expected learning results by means of the following assessment activities.

The Final Project Report

The report should have a minimum length of 8,000 words and a suggested maximum length of 13,000 words. The structure and style rules will be those established in the document published on the Faculty's website and detailed in the previous version of the subject guide.

The public defence of the final project

It is a necessary condition for passing the subject to present the public defence of the work. The defence will take place at the place, date and time indicated in the announcement issued by the director of the work. The defence of the Final Project will be public. The defence will consist of an oral presentation by the student of the most relevant aspects of the report and should not exceed ten minutes in length. Once the presentation is finished, the director may ask questions to the student to evaluate the learning results-

The **overall computation of the grade** will be the final result of these two factors:

a) Qualification of the written report of the work by the director. The evaluation, which represents 80% of the final grade, will address the competencies outlined in this guide, with the following indicators:

- Management of sources and bibliography: 20%
- Analysis of legal institutions and regulatory structures: 20%
- Application of legal principles: 20%
- Clarity and coherence of written exposition: 20%

b) Grading of the public defence by the director: it represents 20% of the final grade. The following indicators will be evaluated: persuasiveness, order and clarity, command of legal language, precision in the terms used, persuasiveness in the argumentation used, the tone of the presentation and the relevance of the answers given to the questions posed.

The director may assess the work with a quantitative grade from 0 to 10 and with the corresponding qualitative grade, except for the honours mention.

The student who obtains a quantitative grade of at least 9.0 and has the approval of the director may exercise the option to achieve the qualitative grade of honours by performing a new act of defence before the board designated for this purpose. The board of examiners will always respect the numerical grade given by the director and will limit itself to awarding or not the honourable mention. For these purposes, both the written work submitted and the act of defence before the examining board will be evaluated.

2. Learning results

The student, in order to pass this subject, must demonstrate the following results...

1. Is able to indicate, define and describe the content, manifestations and limits of religious freedom and, by extension, of ideological freedom and freedom of conscience.
2. Is able to understand, synthesize and explain the content of the relations and matters of common interest between the State and religious denominations.
3. Is capable of solving hypothetical or real cases of legal situations related to the subjects mentioned.
4. Is capable of analysing legal problems and developing possible solutions and has the creativity to face new conflictive situations.

Knows and performs a critical evaluation of the norms and jurisprudence that frame the exercise of religious, ideological and conscientious freedoms. These are factors of growing importance in the context of a pluralistic society from the ideological and religious point of view. Particularly interesting is the study of the presence and action of religious confessions and groups in society.

This subject constitutes an excellent observatory to measure the effective incidence of constitutional values and principles in the

regulation of a wide field of matters related to religious freedom, as well as to ideological freedom and freedom of conscience, not only through the study of the norms, but especially of the administrative and judicial decisions that apply and interpret them.

3. Syllabus

1. Law, Politics and Religion
2. Precedents, constitutional principles and sources
3. The right to religious freedom and its legal protection
4. Conscientious objections
5. Education, culture and religious factor
6. The civil effectiveness of religious marriages
7. Legal and economic regime of religious denominations and entities
8. Ministers of worship and religious assistance

4. Academic activities

The learning process designed for this subject is based on the following:

1. Theoretical classes. (36 hours per group), where the teacher will explain the program of the subject and will encourage the participation of the students.
2. Practical classes (24 hours per subgroup), which will consist of the exposition of a text commentary or of a factual assumption to be solved by the students applying the rules and taking into account the interpretative criteria established by the jurisprudence and by the doctrine.
3. Voluntary complementary activities: attendance to conferences and seminars and the completion of works.

5. Assessment system

The student must demonstrate that they have achieved the intended learning results through the following assessment activities:

1. An overall written test that will cover the entire program and will consist of two parts: 1) a theoretical exercise , which will account for 70% of the final grade; and 2) a practical exercise, which will account for 30% of the final grade.
2. Students who opt for a system of early assessment of the practices are not required to perform the exercise mentioned in the previous number in any of the calls of the term. The grade obtained in the practical exercises will be applied in that case. It will represent 30% of the final grade, provided they have passed the theoretical exercise.
3. The complementary activities of the subject include voluntary attendance to conferences and seminars, and the completion of assignments; but these activities will only serve to improve the grade of those students who have passed the subject.