

KARTA PRZEDMIOTU

I. Dane podstawowe

Nazwa przedmiotu	Teologiczny i prawny sens prawa kanonicznego
Nazwa przedmiotu w języku angielskim	Theological and legal sense of Canon Law
Kierunek studiów	prawo/prawo kanoniczne
Poziom studiów (I, II, jednolite magisterskie)	doktoranckie
Forma studiów (stacjonarne, niestacjonarne)	stacjonarne/niestacjonarne
Dyscyplina	nauki prawne/prawo kanoniczne
Język wykładowy	angielski

Koordinator przedmiotu/osoba odpowiedzialna	ks. dr hab. Sylwester Kasprzak, prof. KUL
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Forma zajęć (<i>katalog zamknięty ze słownika</i>)	Liczba godzin	semestr	Punkty ECTS
wykład	30	III rok	3
konwersatorium			
ćwiczenia			
laboratorium			
warsztaty			
seminarium			
praktyki			
inne			

Wymagania wstępne	Monograph lecture is intended for doctorants of Law and of Canon Law. Students should know the theories of law and have a general knowledge of the Code of Canon Law, together with his comments, which are available in the library of the university or establishment of canon law. General knowledge of the legal institutions of Roman Law and Canon Law. Competence of students (doctorants) can make up for their own study of the Canon Law and the comments of canon law.
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II. Cele kształcenia dla przedmiotu

Knowledge:

C1 Familiarize students (doctorants) with the basic concepts of canon law and canonical norms of the Code of Canon Law promulgated in 1983 by Pope St. John Paul II.

C2 Specific explanation of canon law and its legal system, which fulfills its role in the community for the common good of the Church and the spiritual good of the faithful. Presentation theory of canon law and theology of canon law.

C3 Familiarize students with the basic institutions that operate in the ecclesiastical law, with its sources, as well as the functioning of institutions such as the authority in the Church, canonical norm, ecclesiastical law and definition of the Church, the sacraments Eucharist, Baptism, the hierarchical structure of the Church, the administration of the Church, the binding force of canon law for the faithful; ecclesiastical courts, gap in canon law, interpretation and its kinds.

C4 Familiarize doctorants with the perspectives of the development of canon law in the future in structure of the Church.

Skills:

<p>C1 Improving skills in specialized terminology in the field of Canon Law and interpreting legal provision.</p> <p>C2 Making of independent thinking and perceiving the canonical problems in the institution of the Church, binding the Church and legal norms.</p> <p>C3 Improving of skills in the use of different sources of canon law common and Polish, as well as other papal documents, the Constitution, encyclicals and apostolic exhortation of Pope historic times, and most of all canonical interpretation of the canonical norms contained in the Code of Canon Law and other juridical documents of the Church.</p> <p>C4 Improving skills preparing official letters to the bishop's office or the court, such action plaintiff in matrimonial matters before the episcopal court, as well as the ability to translate and interpret the laws of the <i>Code of Canon Law</i>.</p> <p>C5 Construction of the language skills of legal and canonical in the canonical interpretation of the various institutions in the acquisition of knowledge and development in the professional skills. Kinds of canonical interpretation in use by canonists.</p>
<p>Social competence:</p> <p>C1 The sophistication of the appropriate skills and factual assessment of priorities, which are used to perform specific tasks in the dimension of human society approach to social problems and their proper solutions.</p> <p>C2 Improving capacity for self-management based on their knowledge to solving specific problems related to everyday life and improve their legal and canonical knowledge.</p>

III. Efekty uczenia się dla przedmiotu wraz z odniesieniem do efektów kierunkowych

Symbol	Opis efektu przedmiotowego	Odniesienie do efektu kierunkowego
WIEDZA		
W_01	Knows and understands the legal terms of some specific areas of law, including the canon law, and in theory of canon law and in theology of canon law, understands theological and juridical sense of Canon Law in the community of the Catholic Church.	K_W03
W_02	Has a basic understanding of the sources of law on specific areas of canon law and the hierarchy of legal norms. He knows the general principles of law-making and the use of (the legislative process in the Church, the binding force of canon law for the faithful, collision canonical and invalid legal act, the act, such as the invalidity of the marriage in the Church by pope and bishop).	K_W04
W_03	Understands and is able to explicate of different problems in the field canonical decisions made by bishops in the Church. For example: issued decrees for clergy.	K_W05
UMIĘTNOŚCI		
U_01	Be able to search, organize, analyze, select and integrate information from all sources issued by authority of the Church, a specially in the field of instructions from Holy See.	KU_01
U_02	Be able to observe and interpret social phenomena, economic and legal analyzes their relationship with the different areas of legal knowledge in the field of canon law, its function and role in the community of the Church, and comparative's interpretation law and canon law as two orders of law system.	KU_03
KOMPETENCJE SPOŁECZNE		

K_01	Be aware of the level of their acquired theoretical knowledge and skills, understands the need for learning throughout whole life.	KK_01
K_02	He is able to work in a team performing various roles, such as the speaker, debater, counselors, especially in the critical analyst problems with which the people (the petitioners) return, is a good commentator effects; knows how to accept and assign tasks, a rudimentary organizational skills which allow the realization of the objectives.	KK_04

IV. Opis przedmiotu/ treści programowe

1. Introduction.
2. Efficacy of God's Word and efficacy of Canon Law.
 - 2.1. In Bible.
 - 2.2. In the life of the Church.
3. The Word of God the foundation and tool for predict in the Church.
 - 4.1. When preached content becomes a law.
 - 4.2. Proclaimed the content and context of preaching.
 - 4.3. From theology to canon law - the mutual relations.
5. The subjects of establishment of legal norms in the Church.
6. Universal ecclesiastical legislator and word obligated in legal norms.
 - 6.1. The word in the decrees of the changing reality in the Church.
 - 6.2. Word of binding in conscience on the content of the statutes of Synods and Code of Canon Law.
7. Theological dimension of canon law - the basis and source of.
 - 7.1. Basics in theology - the theology of canon law.
 - 7.2. Theological sources for the ecclesiastical legislator.
 - 7.3. Explaining and interpretation of canonical norms.
8. The functions of Canon law in the Church's community.
 - 8.1. Function ordering life in the Church.
 - 8.2. Function educational of the faithful.
 - 8.3. Function of unifying members of the Church.
 - 8.4. Function of suspending the sanctions.
 - 8.4.1. Dispensation.
 - 8.4.2. Epics.
 - 8.5. The meaning of canon law.
 - 8.6. The redemptive function of canon law.
9. Christ is the primary of canonical norm.
 - 9.1. Commandment of love removing the right of retaliation.
 - 9.2. The canonical correctness and the principle of justice in the Church.
 - 9.3. From Christ to fulfill the law by maintaining norm.
10. Canonical norm, the concept and its dependencies.
 - 10.1. The concept of the canonical norm.
 - 10.2. Moral norm and the canonical norm.
 - 10.3. The provision of the Church – disposition of the canon.
 - 10.4. Binding legal force of canonical norm.
 - 10.5. Moral-ethical imperative.
 - 10.6. Normativity of canonical prescriptions.
 - 10.7. Gap in the law.
11. Canonical norm in prescription and will of the Church's legislator.
 - 11.1. The intention and the thought of the legislator.

- 11.2. Results of failure to the canonical norm.
- 11.3. Church completes the deficiencies in the acting of the faithful.
- 12. Axiology of the legal and canonical norm.
 - 12.1. Norm proclaims the values.
 - 12.2. Norm protects the value.
 - 12.3. The value and a legal norm.
 - 12.4. Valid moral norm in the conscience of the soul of the canonical norm.
- 13. The legal system.
 - 13.1. The civil order.
 - 13.2. The canonical order.
- 14. *Suprema lex salus animarum est* – the principle in order of canon law.
 - 14.1. Standards of common law-Code of Canon Law.
 - 14.2. Norms of particular law.
- 15. The application and enforcement of law.
- 16. Selected views of theology canon law.
- 17. Conclusion.

V. Metody realizacji i weryfikacji efektów uczenia się

Symbol efektu	Metody dydaktyczne (lista wyboru)	Metody weryfikacji (lista wyboru)	Sposoby dokumentacji (lista wyboru)
WIEDZA			
W_01	Lecture with computer	Questions	Egzamination - Test
W_02	Lecture with computer	Questions	Egzamination - Test
W_03	Lecture with computer	Questions	Egzamination - Test
UMIEJĘTNOŚCI			
U_01	Lecture with computer	Discusion	Egzamination - Test
U_02	Lecture with computer	Discusion	Egzamination - Test
KOMPETENCJE SPOŁECZNE			
K_01	Presentation by computer	Discusion	Answers to choose in test
K_02	Presentation by computer	Discusion	Answers to choose in test

VI. Kryteria oceny, wagi

To received positive mark student should be present during school activities and write positive test after end of lectures.

VII. Obciążenie pracą studenta

Forma aktywności studenta	Liczba godzin
Liczba godzin kontaktowych z nauczycielem	30
Liczba godzin indywidualnej pracy studenta	50

VIII. Literatura

Literatura podstawowa
1. Opracowanie elektroniczne: The Theological and legal dimension of Canon Law (opr. S. Kasprzak).

Literatura uzupełniająca

1. Opracowania z Prawa kanonicznego w języku angielskim; P. KroczeK, The Art. of Legislation: the Principles of Lawgiving in the Church, Wydawnictwo UNUM, Kraków 2011.