



# UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2018/2019		
MASTER'S DEGREE (MSC)	LAW		
SUBJECT	CANON MATRIMONIAL LAW		
TYPE OF EDUCATIONAL ACTIVITY	D		
AMBIT	20016-A scelta dello studente (dm270)		
CODE	10064		
SCIENTIFIC SECTOR(S)	IUS/11		
HEAD PROFESSOR(S)	FERRANTE MARIO	Professore Ordinario	Univ. di PALERMO
OTHER PROFESSOR(S)			
CREDITS	6		
INDIVIDUAL STUDY (Hrs)	102		
COURSE ACTIVITY (Hrs)	48		
PROPAEDEUTICAL SUBJECTS	04035 - ELEMENTS OF PRIVATE LAW		
MUTUALIZATION			
YEAR	5		
TERM (SEMESTER)	1° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<b>FERRANTE MARIO</b> Monday 16:00 17:00 Dipartimento di Giurisprudenza, via Maqueda 172, sezione Privatistica, primo piano, stanza Prof. Ferrante		

<b>PREREQUISITES</b>	Knowledge of a sufficient number of general basics about the history of ideas, about the main periodization of modern and contemporary history, as well as about the main legal concepts.
<b>LEARNING OUTCOMES</b>	<p>Knowledge and ability to understand To know Italian history during the last two centuries in order to understand the evolution of Church-State relationship from the Unification until nowadays, with a deep knowledge of the meaning of the concepts of laicity, established Church, separation, union, coordination and pluralism.</p> <p>Ability to apply knowledge and comprehension To be able to provide a systematic legal interpretation of the following articles of the Italian Constitution: 2-3-7-8-19-20, which should be interpreted and understood within others State laws (unilateral and pactational laws), aimed at regulating the religious phenomenon. To be able to provide a similar interpretation, and a subsequent combined analysis of the main apical sources of international and supranational law about religion.</p> <p>Personal judgment To understand the main issues underlying religious freedom and see in practice how it is guaranteed in Italy.</p> <p>Ability to communicate To communicate the acquired knowledge in a comprehensive and convincing manner, proving also to have developed the necessary skills to autonomously examine in depth the subject.</p> <p>Learning skills To understand and show acquaintance of the Italian Ecclesiastical Law's fundamental institutions. To demonstrate to be able to continue one's education in prospective specialization courses, masters, PhDs, after graduation.</p>
<b>ASSESSMENT METHODS</b>	<p>Oral final exam - grades on a scale between 18 and 30 cum laude. The student's assessment involves an oral test, consisting of an interview where questions are asked about topics included in the course program. The applications will tend to assess whether the student has knowledge and understanding of the subject matter, has acquired interpretative competence and autonomy in the assessment of concrete cases, and has acquired possession of an adequate exhibition capacity. The exam consists of an interview aimed at ascertaining the level of knowledge of the topics in the syllabus, the level of command in the specialized language and the ability of the candidate to develop a reasoning aimed at the application of theoretical knowledge to specific cases to be analyzed in order to give possible solutions. The interview consists of a minimum of three questions. The evaluation will take place in compliance to the following evaluation grid:</p> <p>-excellent 30 -30 cum laude: very good knowledge of the topics, excellent use of language, excellent capacity of analysis; the student has all the competences to apply theoretical knowledge to real cases for which possible solutions are provided, also suggesting multiple alternatives;</p> <p>- very good 26-29: good knowledge of the topics, good use of language, good capacity of analysis; the student is sufficiently able to apply theoretical knowledge to real cases for which solutions are provided.</p> <p>- good 24-25: Basic knowledge of the main topics, fairly good use of language, the student shows limited ability to apply theoretical knowledge to real cases for which solutions are provided.</p> <p>-satisfactory 21-23: the student does not have complete command of the main teaching topics, although demonstrating he/she possesses the basic knowledge; he/she shows acceptable use of language albeit with a poor ability to adequately apply acquired theoretical knowledge;</p> <p>- Sufficient 18-20: The Sufficient suitability Level will be reached when students show the knowledge and understanding of the topics at least in the general guidelines and has minimum application competencies to deal with concrete cases; They must also have exhibits and arguments that will allow the transmission of their knowledge to the examiner. Below this threshold, the examination will be insufficient;</p> <p>- insufficient outcome: the student does not have an acceptable knowledge of the contents of the various topics of the program.</p>
<b>EDUCATIONAL OBJECTIVES</b>	The course objectives are part of the education process of a jurist, with the acquisition of skills and competences in the field of the public regulation of

	religious factor, and of the comparison with other religious legal systems.
<b>TEACHING METHODS</b>	Lectures- exercises
<b>SUGGESTED BIBLIOGRAPHY</b>	Parte generale: F. FINOCCHIARO, Diritto ecclesiastico, ult. ed., (Zanichelli, Bologna), aggiornata da A. BETTETINI e G. LO CASTRO e M.FERRANTE, Enti religiosi/ecclesiastici e riforma del Terzo settore, Giappichelli, Torino, 2018.

## SYLLABUS

<b>Hrs</b>	<b>Frontal teaching</b>
48	<ol style="list-style-type: none"> <li>1. Ecclesiastical law in Juridical Science. Method of studying Ecclesiastical law</li> <li>2. Public law and Religion.</li> <li>3. Constitution and Religious Phenomenon</li> <li>4. Safeguard of Religious freedom in International law and Domestic law.</li> <li>5. The Holy See and Vatican City.</li> <li>6. Religious Juridical Persons.</li> <li>7. Sustenance of Clergy.</li> <li>8. Things for Cult.</li> <li>9. Asset Management of Religious Bodies</li> <li>10. Religious Education.</li> <li>12. Penal Protection of Cults.</li> <li>13. Preservation of Ecclesiastical Artistic and cultural Heritage.</li> <li>11. Religious Marriage and Transcription.</li> <li>12.. Ecclesiastical Jurisdiction on Marriage.</li> </ol>