# Canon Law

## Prof. Andrea Bettetini

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

*Knowledge and understanding*

Contribute to the formation of law experts with an examination of the legal order of the Catholic Church. Students who successfully attend the canon law course will therefore learn the historical and positive law principles that govern intra and extra-ecclesial relations. The course is also designed to broaden students' legal and cultural horizons and analyses the legal system of the Catholic Church as a model of universal government that can live up to and overcome the challenges posed by globalisation.

*Ability to apply knowledge and understanding*

The knowledge and understanding of the discipline will allow students to acquire the interpretative tools for an aware approach to the institutions of the ecclesial order, and thus to autonomously give and communicate solutions and judgments on the basis of a historically and universally rooted legal experience.

As it is impossible to study the entire body of canon law in just one year, the course will focus on some specific areas which will develop students’ legal thinking and be of use in preparing them for a wide range of careers such as the legal profession, the diplomatic service, journalism and academia. Of undoubted interest will be the analogies and differences between canon law and state law (especially Italy) and between canon law and international law where the Catholic Church has by tradition been a player.

***COURSE CONTENT***

The Catholic Church and the law: the law in the mystery and the history of the Church. General theory of the canonical legislation. The law; the custom; the general provisions of the Church administration; the singular administrative acts; the acts that may derogate from the general rules. The constitutional law of the Church. The Church organization. Technical provisions for the application of constitutional principles. The subjects and the legal relations. The Church and the States. The Church and multilateral relations. The protection of rights in the Church. Church marriages, the patrimonial right of the Church. The Criminal Law of the Church. Principles of Canon Law.

***READING LIST***

8-Credit Program

P. Lombardía, *Lezioni di diritto canonico*, Giuffrè, Milano, reprint 2019.

A. Bettetini - A. Perego (edited by), *Lezioni di diritto patrimoniale canonico*, Giappichelli, Torino, 2023.

A. Bettetini, *Iustitia et fides. Studi di diritto canonico processuale e matrimoniale*, Giappichelli, Torino, 2019 (seven studies of your choice).

6-Credit Program

P. Lombardía, *Lezioni di diritto canonico,* Giuffrè, Milano, reprint 2019.

A. Bettetini - A. Perego (edited by), Lezioni di diritto patrimoniale canonico, Giappichelli, Torino, 2023 (only part I and II)

A. Bettetini, *Iustitia et fides. Studi di diritto canonico processuale e matrimoniale*, Giappichelli, Torino, 2019 (seven studies of your choice).

***TEACHING METHOD***

Frontal lectures.

The lectures will be supplemented by practical classes led by Dr. Leonardo Caprara concerning the law of ecclesiastical organization.

***ASSESSMENT METHOD AND CRITERIA***

The exam aims to assess the student’s attainment of the learning objectives.

Students will be assessed by oral exam. The lecturer will ask questions related to key aspects of the various parts of the syllabus, to assess students’ overall knowledge, their critical thinking skills applied to course content and their ability to interrelate the various parts of the syllabus.

*Assessment criteria for the final mark:*

Students will achieve a final mark based on, in equal measure, the discussion in the exam, critical thinking skills applied to course content and the ability to interrelate the various parts of the syllabus.

More specifically, the oral exam consists of a series of questions on the course textbooks and the final mark is the average of the scores obtained in these questions. Student who prove to have a comprehensive view of the topics addressed during lectures combined with their ability to use them with a critical approach, and to have a good command of the subject-specific language will be awarded top marks. Students with inappropriate ability to synthesise and analyse information and/or a correct but not always appropriate language use will be awarded a pass mark; students with knowledge gaps and/or inappropriate use of the language– although with limited knowledge of the exam material – will be awarded a fail mark. Also knowledge gaps (e.g. neglecting a part of the study material included in the syllabus), inappropriate use of the language, and difficulties getting familiar with the reading list material suggested during the course will be assessed with a fail mark.

***NOTES AND PREREQUISITES***

Given its basic educational nature, there are no prerequisites for attending the course. However, a good knowledge of the fundamental institutions of private law and public law is recommended.

For students attending lectures the programme will be set during the course.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG, or on the Faculty notice board.