# .- Law and management of religious and Third sector bodies

## Prof. Anna Gianfreda

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

 The course aims to provide students with the knowledge of legal-economic management of religious institutions under the Italian law.

 The course content will initially focus on the system of ecclesiastical sources of law, which includes the legislation of the religious bodies, and it will particularly address the constitutional principles that define the category of religious bodies in our legal system.

 The legal framework regulating catholic bodies will be examined from two different perspectives: the canonical and the civil one.

 Thus, the course will focus on the main state legal arrangements governing the civilly recognised ecclesiastical bodies, and on the main canon law institutions regulating the Catholic church bodies in the Italian legal system.

 Furthermore, the program of lessons will deepen in particular the legal discipline pertaining to Third sector entities, with particular regard to its application in the context of religious bodies in particular sectors, such as religious tourism, the protection and enhancement of cultural heritage and the education.

 At the end of the course, students will get an understanding of the main legal institutions, both of canonical and civil law, that characterize the Italian regulations on civilly recognised ecclesiastical and religious bodies and that which concerns the constitution and functioning of the so-called “Third sector branches” of the same religious entities.

 At the end of the course, students will be able to provide a thorough description of the subjective structure of the Church asset management system, both at universal and local level, and they will be able to recognize and critically evaluate the purposes for which the Church and other different religious denominations assets are used.

 Students will also be able to identify the most significant legal cases in point and resolve moderately complex legal issues concerning the negotiation activities of ecclesiastical bodies in the goods and services and in the Third sector market.

***COURSE CONTENT (for students of Law)***

The sources of the Italian ecclesiastical law

The constitutional principles relating to the ecclesiastical bodies: autonomy, independence, differentiation of the religious orders, principle of non-discrimination

The ecclesiastical bodies in the Italian legal system

- establishment

- management

- activities

- funding

Third sector activities of religious bodies

- The third sector "branch" of religious bodies

- Third sector activities

- Management rules

- Application cases: The protection and enhancement of cultural heritage of religious interest, religious tourism, education and teaching.

The sources of the Canon law

The ecclesiastical bodies in the Canon Law

- the territorial structures of the catholic Church

- legal persons governed by public and private law

- dioceses and parishes

Elements of the Canon law of property

- the management of the Church assets

- the diocesan and parish treasurer

- the diocesan and parish economic affair committees

***COURSE CONTENT (for students of Economics)***

The sources of the Italian ecclesiastical law

The constitutional principles relating to the ecclesiastical bodies: autonomy, independence, differentiation of the religious orders, principle of non-discrimination

The ecclesiastical bodies in the Italian legal system

- establishment

- management

- activities

- funding

Third sector activities of religious bodies

- The third sector "branch" of religious bodies

- Third sector activities

- Management rules

- Application cases: The protection and enhancement of cultural heritage of religious interest, religious tourism, education and teaching

***-*** ***READING LIST (for students of Law)***:

Miñambres J., Schouppe J. P., *Diritto patrimoniale canonico,* Edusc, 2022.

Vitali E., Chizzoniti A. G., *Manuale breve di Diritto ecclesiastico,* Giuffrè, Milan, 2022, all parts of Chapters I and III.

Gianfreda A., Abu Salem M., (eds by), *Enti religiosi e riforma del Terzo settore*, Libellula edizioni, Tricase, 2018

***READING LIST (for students of Economics)***:

Vitali E., Chizzoniti A. G., *Manuale breve di Diritto ecclesiastico,* Giuffrè, Milan, 2021, all parts of Chapters I and III.

Gianfreda A., Abu Salem M., (eds by), *Enti religiosi e riforma del Terzo settore*, Libellula edizioni, Tricase, 2018

***TEACHING METHOD***

The course includes theoretical in-depth classroom lessons, with the support of slides, discussions on specific topics, guided practical work, interventions by experts on specific topics.

***ASSESSMENT METHOD AND CRITERIA (for students of Law)***

The final exam will consist of a written test, evaluated in 30/30. It will focus on four questions worth 7,5 points each. In the case of the written test, 30 minutes will be made available for each question. In the written tests in addition to the completeness of the answers from the point of view of the contents, also the presentation and synthesis skills will be evaluated.

Students who actively participate in the lessons will be periodically administered written tests aimed at verifying the degree of learning achieved in itinere. The written tests and the active participation will help to determine the final evaluation which will focus on the part of the program whose knowledge has not been verified through the periodic learning tests.

***ASSESSMENT METHOD AND CRITERIA (for students of Economics)***

The final exam will consist of a written test, evaluated in 30/30. It will focus on two questions worth 15 points each. In the case of the written test, 30 minutes will be made available for each question. In the written tests in addition to the completeness of the answers from the point of view of the contents, also the presentation and synthesis skills will be evaluated.

Students who actively participate in the lessons will be periodically administered written tests aimed at verifying the degree of learning achieved in itinere. The written tests and the active participation will help to determine the final evaluation which will focus on the part of the program whose knowledge has not been verified through the periodic learning tests.

***NOTES AND PREREQUISITES*** *(for students of Law)*

Students’ prior knowledge of the fundamentals of the Italian constitutional and private law is preferable.

***NOTES AND PREREQUISITES*** *(for students of Economics)*

Students’ prior knowledge of the fundamentals of the Italian public and private law is preferable.

***STUDENT RECEPTION TIME AND PLACE***

Information on office hours available on the teacher's personal page at <http://docenti.unicatt.it/>