



COURSE OF STUDY: HISTORY OF ART, LM-89

ACADEMIC YEAR : 2023-2024

ACADEMIC SUBJECT : Cultural heritage law

General information	
Year of the course	2°
Academic calendar (starting and ending date)	Second Semester (29.02.2024 – 17.05.2024)
Credits (CFU/ETCS):	6
SSD	IUS/09
Language	Italian
Mode of attendance	Attendance is regulated by the Course Didactic Regulations (art. 4)

Professor/ Lecturer	
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Virtual room	Teams: r1h6467
Office Hours (and modalities: e.g., by appointment, on line, etc.)	Friday – h. 10.00

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
150	42		108
CFU/ETCS			
6	6		

Learning Objectives	The course aims to provide the most important notions in the field of cultural heritage law in order to acquire the knowledge, skills and competences necessary to orientate the student between the sources of law and the institutions operating in the cultural sector.
Course prerequisites	Knowledge of the Italian language

Teaching strategie	Frontal lessons which are accompanied by exercises, resolution of jurisprudential cases, analysis of administrative acts, i.e. activities useful for having concrete feedback on the theoretical notions learned during the frontal lessons and acquiring useful skills to operate consciously in contexts in which legal preparation is required
Expected learning outcomes in terms of	
Knowledge and understanding on:	Knowledge and understand the legislation on cultural heritage and the system of sources



	Knowledge and understand the central and peripheral institutions and their respective functions in the governance of cultural heritage
Applying knowledge and understanding on:	Identify and understand the regulatory sources governing the subject of cultural heritage. Apply knowledge of cultural heritage in specific areas: protection, conservation, circulation of assets, financing, procurement, landscape planning, protected natural areas. Recognize and apply law in concrete cases
Soft skills	<ul style="list-style-type: none"> • Making informed judgments and choices <ul style="list-style-type: none"> ○ Making judgments about case law in the context of the discipline of cultural heritage. • Communicating knowledge and understanding <ul style="list-style-type: none"> ○ Report with appropriate language what has been learned • Capacities to continue learning <p>Being able to independently acquire further and new legal sources to be used in specific cases.</p>
Syllabus	
Content knowledge	<p>Public law The system of sources. Constitutional organization.</p> <p>The government of cultural heritage. The Ministry of Culture: the central structures, the peripheral structures. The role of the regions and local authorities. The role of private subjects.</p> <p>The management of cultural heritage The regulation on the protection of cultural heritage. The discipline on enhancement. Methods of direct and indirect management of protection and enhancement activities. Private intervention. Agreements and partnership. Landscape protection. The landscape constraints. Landscape planning. Protection of the environment. Protected natural areas</p>
Texts and readings	<p>Just to review the fundamentals of public law: F. Bilancia, S. Civitarese, <i>Il diritto pubblico nella società contemporanea</i>, Giappichelli, 2023, in part: Parte II - L'organizzazione e il funzionamento delle istituzioni pubbliche, paragrafi 11, 12, 13 e 14; Parte III - Le fonti del diritto e la loro interpretazione; Parte IV – Le politiche, paragrafo 19. or R. Bin, G. Pitruzzella, <i>Diritto pubblico</i>, Giappichelli, 2022, in part.: Percorso I, Capitolo IV, Percorso II, capitoli II, III, IV, V, VII, IX (par. 1 e 2)</p> <p>C. Barbati, M. Cammelli, L. Casini, G. Piperata, G. Sciuolo, <i>Diritto del patrimonio culturale</i>, Il Mulino, latest edition.</p> <p><i>Codice ragionato dei beni culturali e del paesaggio</i>, Casa editrice "Nel Diritto", latest edition (for consultation only).</p>
Notes, additional materials	No additional materials
Repository	
Assessment	
Assessment methods	The level of learning will be verified through an oral interview. The teacher will ask questions and invite the examinee to reason correctly on the concepts learned in order to verify not only the notional knowledge of the program but also the ability to connect the various topics, to critically re-elaborate the guidelines of jurisprudence or doctrine, to



	expressing their point of view on the most problematic issues.
Assessment criteria	<ul style="list-style-type: none">• Knowledge and understanding To know the system of sources of cultural heritage law, the public and private subjects involved in cultural promotion activities and understand their tasks and role in the light of doctrine and jurisprudence.• Applying knowledge and understanding To identify legal sources and know how to apply them in concrete contexts• Autonomy of judgment To recognize the main regulatory provisions of the public and cultural sector and to demonstrate that they are able to interpret them critically and independently• Communicating knowledge and understanding To describe, through the use of specific legal terminology, the discipline of cultural sector• Communication skills To describe, through the use of specific legal terminology, the discipline of cultural sector• Capacities to continue learning To be able to autonomously identify, through an autonomous research activity, new legal sources and to be able to trace them back to concrete cases
Final exam and grading criteria	<p>During the oral exam, the student's knowledge of the topics of the course and the ability to apply the contents of the course will be assessed, also through the discussion of case studies. To pass the exam, the student must demonstrate that he has acquired sufficient knowledge in all the topics of the course. In the attribution of the grade, the ability to analyze and summarize, the ability to make connections between the different themes as well as the mastery of the exposition will also be evaluated.</p> <p>The final grade is assigned out of thirty according to the following evaluation scheme:</p> <ul style="list-style-type: none">- 0-18: insufficient evaluation- 18-21: sufficient evaluation- 22-24: fair evaluation- 25-27: good evaluation- 28-30: excellent evaluation <p>The attribution of honors takes place when the exam is passed in an excellent manner, bringing out the complete achievement of all the objectives set also with the contribution of an autonomous and individual study of specific topics.</p> <p>The exam is considered passed when the grade is greater than or equal to 18.</p>
Further information	