



**COURSE OF STUDY:** L1 - Sciences of the Cultural Heritage

**ACADEMIC YEAR :** 2023-2024

**ACADEMIC SUBJECT :** Public law and legislation of cultural heritage

| General information                          |   |
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| Year of the course                           | 2°  |
| Academic calendar (starting and ending date) | Second Semester (26.02.2024 – 15.05.2024)                           |
| 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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| Department and address   | University of Bari Aldo Moro - Dipartimento di ricerca e innovazione umanistica, Palazzo Ateneo, Piazza Umberto I - 70121 Bari (Italy) |
| 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        |   |  |

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| <b>Learning Objectives</b>  | The course aims to provide the fundamental legal notions in the field of public law and the basic legal notions in the field of legislation of cultural heritage 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. |
| <b>Course prerequisites</b> | Knowledge of the Italian language   |

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| <b>Teaching strategie</b>                     | 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 |
| <b>Expected learning outcomes in terms of</b> |   |
| <b>Knowledge and</b>                          | Knowledge and understand the legislation on cultural heritage and the   |



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| <b>understanding on:</b>                        | system of sources<br>Knowledge and understand the central and peripheral institutions and their respective functions in the governance of cultural heritage   |
| <b>Applying knowledge and understanding on:</b> | Identify and understand the regulatory sources governing the subject of cultural heritage.<br>Apply knowledge of cultural heritage in specific areas: protection, conservation, circulation of assets, financing, procurement.<br>Recognize and apply law in concrete cases   |
| <b>Soft skills</b>                              | <ul style="list-style-type: none"> <li>• Making informed judgments and choices <ul style="list-style-type: none"> <li>○ Making judgments about case law in the context of the discipline of cultural heritage.</li> </ul> </li> <li>• Communicating knowledge and understanding <ul style="list-style-type: none"> <li>○ Report with appropriate language what has been learned</li> </ul> </li> <li>• Capacities to continue learning</li> </ul> Being able to independently acquire further and new legal sources to be used in specific cases.   |
| <b>Syllabus</b>                                 |   |
| <b>Content knowledge</b>                        | <p><b>Introduction to public law</b><br/>The system of sources. Constitutional organization. Constitutional rights and freedoms.</p> <p><b>The law of cultural heritage</b><br/>Object and method. Purpose. The notion cultural heritage. Identification of cultural heritage.<br/>The State and territorial autonomies. The role of private subjects. The State organization: the Ministry of Cultural Heritage and Activities and Tourism.<br/>Protection and valorization. The division of skills.</p>   |
| <b>Texts and readings</b>                       | <p>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.</p> <p>or</p> <p>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>M.A. Cabiddu, N. Grasso, <i>Diritto dei beni culturali e del paesaggio</i>, Giappichelli, 2020.</p> <p><i>Codice ragionato dei beni culturali e del paesaggio</i>, Nel Diritto, latest edition (for consultation only).</p> |
| <b>Notes, additional materials</b>              | No additional materials   |
| <b>Repository</b>                               |   |
| <b>Assessment</b>                               |   |
| 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   |



|                                 |  |
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|                                 | 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"><li>• Knowledge and understanding<br/>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.</li><li>• Applying knowledge and understanding<br/>To identify legal sources and know how to apply them in concrete contexts</li><li>• Autonomy of judgment<br/>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</li><li>• Communicating knowledge and understanding<br/>To describe, through the use of specific legal terminology, the discipline of cultural sector</li><li>• Communication skills<br/>To describe, through the use of specific legal terminology, the discipline of cultural sector</li><li>• Capacities to continue learning<br/>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</li></ul>  |
| 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"><li>- 0-18: insufficient evaluation</li><li>- 18-21: sufficient evaluation</li><li>- 22-24: fair evaluation</li><li>- 25-27: good evaluation</li><li>- 28-30: excellent evaluation</li></ul> <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> |
| <b>Further information</b>      |  |
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