



# UNIVERSITÀ DEGLI STUDI DI PALERMO

<b>DEPARTMENT</b>	Giurisprudenza		
<b>ACADEMIC YEAR</b>	2017/2018		
<b>MASTER'S DEGREE (MSC)</b>	LAW		
<b>INTEGRATED COURSE</b>	CRIMINAL LAW - INTEGRATED COURSE		
<b>CODE</b>	18747		
<b>MODULES</b>	Yes		
<b>NUMBER OF MODULES</b>	2		
<b>SCIENTIFIC SECTOR(S)</b>	IUS/17		
<b>HEAD PROFESSOR(S)</b>	PARODI GIUSINO MANFREDI	Professore a contratto in quiescenza	Univ. di PALERMO
	SPENA ALESSANDRO ROMANO BARTOLOMEO	Professore Ordinario Professore Ordinario	Univ. di PALERMO Univ. di PALERMO
	MILITELLO VINCENZO	Professore Ordinario	Univ. di PALERMO
<b>OTHER PROFESSOR(S)</b>	PARODI GIUSINO MANFREDI	Professore a contratto in quiescenza	Univ. di PALERMO
	SPENA ALESSANDRO TESAURO ALESSANDRO	Professore Ordinario Professore Ordinario	Univ. di PALERMO Univ. di PALERMO
	ROMANO BARTOLOMEO	Professore Ordinario	Univ. di PALERMO
	MILITELLO VINCENZO	Professore Ordinario	Univ. di PALERMO
<b>CREDITS</b>	16		
<b>PROPAEDEUTICAL SUBJECTS</b>	04035 - ELEMENTS OF PRIVATE LAW 02432 - CONSTITUTIONAL LAW - INTEGRATED COURSE		
<b>MUTUALIZATION</b>			
<b>YEAR</b>	3		
<b>TERM (SEMESTER)</b>	Annual		
<b>ATTENDANCE</b>	Not mandatory		
<b>EVALUATION</b>	Out of 30		
<b>TEACHER OFFICE HOURS</b>	<p><b>MILITELLO VINCENZO</b> Wednesday 08:30 10:30 stanza docente II Piano area diritto penale plesso centrale Giurisprudenza</p> <p><b>PARODI GIUSINO MANFREDI</b> Thursday 10:00 12:00 Dipartimento di giurisprudenza - Sezione penalistica, via Maqueda 172, secondo piano: stanza docente</p> <p><b>ROMANO BARTOLOMEO</b> Thursday 17:00 18:00 Dipartimento di Giurisprudenza - Stanza del Professore B. Romano.</p> <p><b>SPENA ALESSANDRO</b> Monday 14:00 15:00 Aula 2 (al termine della lezione) o mio ufficio (Sezione di Diritto penale) Wednesday 13:00 14:00 Aula 1 (al termine della lezione) o mio ufficio (Sezione di Diritto penale) Thursday 17:00 18:00 Aula circolare (al termine della lezione) o mio ufficio (Sezione di Diritto penale)</p> <p><b>TESAURO ALESSANDRO</b> Monday 10:00 11:30 piazza Bologni piano 2 stanza 8. Gli studenti potranno raggiungermi anche a margine delle lezioni in aula 2 il mercoledì alle 11.00, il giovedì alle 15.00 e il venerdì alle 16.00</p>		

<p><b>PREREQUISITES</b></p>	<p>Knowledge and competence regarding:  a) the basic notions of public law, also in historical perspective;  b) the categories of the general theory of law and state;  c) the fundamental concepts of private law.  These notions are a necessary requisite in order to understand the fundamental doctrines of the criminal law's general part.</p>
<p><b>LEARNING OUTCOMES</b></p>	<p>(On Dublin descriptors - section 'Didattica' of the website 'Giurisprudenza' - And according on RAD).  <b>KNOWLEDGE AND UNDERSTANDING:</b> Knowledge of the general part of the Italian criminal law, as well as of the structure of the Italian criminal code's special part, with references to the so-called complementary criminal law. This knowledge base will be addressed to understand the links between the criminal law's general doctrines, the criminal law's protection aims and the specific crimes that will be studied during the course. Both the constitutional and the EU general contexts will also be given due consideration.   <b>APPLYING KNOWLEDGE AND UNDERSTANDING:</b> Ability to grasp the practical relevance of the criminal law's general doctrines and their applicability to specific cases.  <b>MAKING JUDGEMENTS:</b> Ability to make comparative evaluations as well as to develop critical arguments regarding criminal law subjects.   <b>COMMUNICATION SKILLS:</b> Ability to use the technical language of both the criminal law and the criminal law theory.  <b>LEARNING SKILLS:</b> Ability to understand criminal statutes, doctrinal arguments and judicial decisions; ability to systematically organize the criminal law's fundamental concepts.</p>
<p><b>ASSESSMENT METHODS</b></p>	<p>Oral final exam and intermediate optional exams. Positive evaluation of the exams will always provided on a scale ranging from 18 to 30 cum laude points.  Oral exam  The oral exam consists of an interview aimed at ascertaining the candidate's knowledge of the general part of the Italian criminal law, as well as his/her knowledge of the general structure of the Italian criminal code's special part. The interview consists of a minimum of three questions.  Questions will be aimed at ascertaining: 1) the candidate's knowledge of the topics in the syllabus; 2) his/her ability to use and apply the learned notions, as well as to relate them each other; 3) his/her ability to use appropriately the criminal law theory's language.  The evaluation will take place 'in conformity' to the following evaluation grid:  - Excellent (30-30 cum laude): excellent knowledge of the topics in the syllabus, excellent ability to use the criminal law's technical language, excellent capacity of analysis; excellent ability to apply theoretical knowledge to real cases which are proposed to be analysed; excellent ability to properly argue possible solutions, including multiple alternatives.  - Very good (26-29): very good knowledge of the topics in the syllabus, very good ability to use the criminal law's technical language, very good capacity of analysis; very good ability to apply theoretical knowledge to real cases which are proposed to be analysed; very good ability to properly argue possible solutions, including multiple alternatives.  - Good (24-25): good knowledge of the topics in the syllabus, good ability to use the criminal law's technical language, with a certain ability to apply theoretical knowledge to real cases which are proposed to be analysed.  - Satisfactory (21-23): satisfactory knowledge of the topics in the syllabus; satisfactory ability to use the criminal law's technical language, albeit with a poor ability to adequately apply theoretical knowledge to real cases which are proposed to be analyzed.  - Sufficient (18-20): basic knowledge of the main teaching; basic ability to use the criminal law's technical language; limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed.  - Insufficient outcome: the student does not have an acceptable knowledge of the topics in the syllabus.  Optional intermediate exams.  It can be either oral or written, at the professor's discretion.  It will consist of maximum 4 questions, one of which at least will have practical character or reference to case law.  If written, the intermediate exam will last 3 hours at most.  Should the intermediate exam be successful, the final oral exam will only be focussed on different topics from those with which the intermediate exam was concerned.  The evaluation will take place 'in conformity' to the following evaluation grid:  - Excellent (30-30 cum laude): excellent knowledge of the topics in the syllabus, excellent ability to use the criminal law's technical language, excellent capacity of analysis; excellent ability to apply theoretical knowledge to real cases which are proposed to be analysed; excellent ability to properly argue possible</p>

	<p>solutions, including multiple alternatives.</p> <ul style="list-style-type: none"> <li>- Very good (26-29): very good knowledge of the topics in the syllabus, very good ability to use the criminal law's technical language, very good capacity of analysis; very good ability to apply theoretical knowledge to real cases which are proposed to be analysed; very good ability to properly argue possible solutions, including multiple alternatives.</li> <li>- Good (24-25): good knowledge of the topics in the syllabus, good ability to use the criminal law's technical language, with a certain ability to apply theoretical knowledge to real cases which are proposed to be analysed.</li> <li>- Satisfactory (21-23): satisfactory knowledge of the topics in the syllabus; satisfactory ability to use the criminal law's technical language, albeit with a poor ability to adequately apply theoretical knowledge to real cases which are proposed to be analyzed.</li> <li>- Sufficient (18-20): basic knowledge of the main teaching; basic ability to use the criminal law's technical language; limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed.</li> <li>- Insufficient outcome: the student does not have an acceptable knowledge of the topics in the syllabus.</li> </ul>
<b>TEACHING METHODS</b>	<ul style="list-style-type: none"> <li>- Lectures with interactive method and possible interventions of experts</li> <li>- Classroom written exercises</li> </ul>

<b>PREREQUISITES</b>	Knowledge and competence regarding: a) the basic notions of public law, also in historical perspective; b) the categories of the general theory of law and state; c) the fundamental concepts of private law. These notions are a necessary requisite in order to understand the fundamental doctrines of the criminal law's general part.
<b>LEARNING OUTCOMES</b>	On Dublin descriptors - section 'Didattica' of the website 'Giurisprudenza' - And according on RAD). KNOWLEDGE AND UNDERSTANDING: Knowledge of the general part of the Italian criminal law, as well as of the structure of the Italian criminal code's special part, with references to the so-called complementary criminal law. This knowledge base will be addressed to understand the links between the criminal law's general doctrines, the criminal law's protection aims and the specific crimes that will be studied during the course. Both the constitutional and the EU general contexts will also be given due consideration.  APPLYING KNOWLEDGE AND UNDERSTANDING: Ability to grasp the practical relevance of the criminal law's general doctrines and their applicability to specific cases. MAKING JUDGEMENTS: Ability to make comparative evaluations as well as to develop critical arguments regarding criminal law subjects.  COMMUNICATION SKILLS: Ability to use the technical language of both the criminal law and the criminal law theory. LEARNING SKILLS: Ability to understand criminal statutes, doctrinal arguments and judicial decisions; ability to systematically organize the criminal law's fundamental concepts.
<b>ASSESSMENT METHODS</b>	Oral final exam and intermediate optional exams. Positive evaluation of the exams will always provided on a scale ranging from 18 to 30 cum laude points. Oral exam The oral exam consists of an interview aimed at ascertaining the candidate's knowledge of the general part of the Italian criminal law, as well as his/her knowledge of the general structure of the Italian criminal code's special part. The interview consists of a minimum of three questions. Questions will be aimed at ascertaining: 1) the candidate's knowledge of the topics in the syllabus; 2) his/her ability to use and apply the learned notions, as well as to relate them each other; 3) his/her ability to use appropriately the criminal law theory's language. The evaluation will take place 'in conformity' to the following evaluation grid: - Excellent (30-30 cum laude): excellent knowledge of the topics in the syllabus, excellent ability to use the criminal law's technical language, excellent capacity of analysis; excellent ability to apply theoretical knowledge to real cases which are proposed to be analysed; excellent ability to properly argue possible solutions, including multiple alternatives. - Very good (26-29): very good knowledge of the topics in the syllabus, very good ability to use the criminal law's technical language, very good capacity of analysis; very good ability to apply theoretical knowledge to real cases which are proposed to be analysed; very good ability to properly argue possible solutions, including multiple alternatives. - Good (24-25): good knowledge of the topics in the syllabus, good ability to use the criminal law's technical language, with a certain ability to apply theoretical knowledge to real cases which are proposed to be analysed. - Satisfactory (21-23): satisfactory knowledge of the topics in the syllabus; satisfactory ability to use the criminal law's technical language, albeit with a poor ability to adequately apply theoretical knowledge to real cases which are proposed to be analyzed. - Sufficient (18-20): basic knowledge of the main teaching; basic ability to use the criminal law's technical language; limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed. - Insufficient outcome: the student does not have an acceptable knowledge of the topics in the syllabus. Optional intermediate exams. It can be either oral or written, at the professor's discretion. It will consist of maximum 4 questions, one of which at least will have practical character or reference to case law. If written, the intermediate exam will last 3 hours at most. Should the intermediate exam be successful, the final oral exam will only be focussed on different topics from those with which the intermediate exam was concerned. The evaluation will take place 'in conformity' to the following evaluation grid: - Excellent (30-30 cum laude): excellent knowledge of the topics in the syllabus, excellent ability to use the criminal law's technical language, excellent capacity of analysis; excellent ability to apply theoretical knowledge to real cases which are proposed to be analysed; excellent ability to properly argue possible

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<b>TEACHING METHODS</b>	<ul style="list-style-type: none"> <li>- Lectures with interactive method and possible interventions of experts</li> <li>- Classroom written exercises</li> </ul>

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<b>TEACHING METHODS</b>	<p>- Lectures with interactive method</p> <p>- Classroom written exercises</p>

<p><b>MODULE</b> <b>MODULE I</b></p> <p><i>Prof. ALESSANDRO SPENA - Lettere S-Z, - Lettere S-Z</i></p>	
<b>SUGGESTED BIBLIOGRAPHY</b>	
FIANDACA/MUSCO, Diritto penale, parte generale, Zanichelli ed., Bologna, ultima edizione.	
<b>AMBIT</b>	20012-Penalistico
<b>INDIVIDUAL STUDY (Hrs)</b>	136
<b>COURSE ACTIVITY (Hrs)</b>	64
<b>EDUCATIONAL OBJECTIVES OF THE MODULE</b>	
The course aims at providing students with an adequate knowledge and understanding of the criminal law system, as it results from both theoretical reasonings and judicial decisions.	

### SYLLABUS

Hrs	Frontal teaching
2	Features and Functions of Criminal Law
8	Rule of Law
20	Commissive Intentional Crimes
10	Circumstances; Attempt; Complicity
4	Commissive Unintentional Crimes
4	Omission
4	Strict Liability
6	Concurrent Offences
6	Criminal Sanctions

**MODULE  
MODULE II**

*Prof. ALESSANDRO TESAURO - Lettere S-Z, - Lettere S-Z*

**SUGGESTED BIBLIOGRAPHY**

**A. STUDENTI FREQUENTANTI:**

Il materiale didattico verterà indicato nel corso delle lezioni.

**B. STUDENTI NON FREQUENTANTI:**

- Spina, Reati contro la famiglia, in Grosso, Padovani, Pagliaro (dir.), Trattato di diritto penale, Milano, Giuffrè, 2012;  
- Padovani, Stortoni, Diritto penale e fattispecie criminose, Bologna, il Mulino, ultima edizione.

<b>AMBIT</b>	20012-Penalistico
<b>INDIVIDUAL STUDY (Hrs)</b>	136
<b>COURSE ACTIVITY (Hrs)</b>	64

**EDUCATIONAL OBJECTIVES OF THE MODULE**

By means of an in-depth analysis of some heavily debated topics taken from both the general and the special part of the criminal law, the Modulo aims at equipping students with the ability to concretely apply the criminal law's general principles and fundamental notions.

**SYLLABUS**

<b>Hrs</b>	<b>Frontal teaching</b>
6	Legitimation of criminal law and the principles of criminalization, with specific regard to offence principle, legal moralism and legal paternalism
6	Constitutionally oriented interpretation of criminal norms, with specific regard to intra-familial crimes
6	The distinction between justification and excuse, with specific regard to self-defence and necessity
5	Euthanasia, right to life and the limits of consent
6	The perplexing borders between intention and negligence, with specific regard to crimes of homicide
6	Crimmigration: the mass-foreigner as criminal
5	Smuggling vs. trafficking: the foreigner as victim
6	Terrorism, security and the enemy criminal law
6	Discrimination, hate crimes and free speech
6	The perplexing borders between corruption and extortion
6	Motherhood surrogacy and civil status alteration

**MODULE  
MODULE I**

*Prof. BARTOLOMEO ROMANO - Lettere M-R, - Lettere M-R*

**SUGGESTED BIBLIOGRAPHY**

B. ROMANO, Diritto penale, parte generale, 3<sup>a</sup> ed., Giuffrè, Milano, 2016;  
B. ROMANO, Delitti contro l'amministrazione della giustizia, 6<sup>a</sup> ed., Giuffrè, Milano, 2016;  
B. ROMANO, Delitti contro la sfera sessuale della persona, 6<sup>a</sup> ed., Giuffrè, Milano, 2016.

<b>AMBIT</b>	20012-Penalistico
<b>INDIVIDUAL STUDY (Hrs)</b>	136
<b>COURSE ACTIVITY (Hrs)</b>	64

**EDUCATIONAL OBJECTIVES OF THE MODULE**

Educational Objectives The course aims at providing students with an adequate knowledge and understanding of the criminal law system, as it results from both theoretical reasonings and judicial decisions.

**SYLLABUS**

<b>Hrs</b>	<b>Frontal teaching</b>
128	Criminal law, general part; Crimes against the administration of justice; Crimes against the person's sexuality.
128	Criminal law, general part; Crimes against the administration of justice; Crimes against the person's sexuality.

  

<b>Hrs</b>	<b>Practice</b>
10	Law on the topics covered.
10	Law on the topics covered.

  

<b>Hrs</b>	<b>Workshops</b>
10	Participations in Conferences and Seminars.
10	Participations in Conferences and Seminars.

**MODULE  
MODULE II**

*Prof. BARTOLOMEO ROMANO - Lettere M-R, - Lettere M-R*

**SUGGESTED BIBLIOGRAPHY**

B. ROMANO, Diritto penale, parte generale, 3<sup>a</sup> ed., Giuffrè, Milano, 2016;  
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<b>INDIVIDUAL STUDY (Hrs)</b>	136
<b>COURSE ACTIVITY (Hrs)</b>	64

**EDUCATIONAL OBJECTIVES OF THE MODULE**

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<b>Hrs</b>	<b>Practice</b>
10	Law on the topics covered.
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<b>Hrs</b>	<b>Workshops</b>
10	Participations in Conferences and Seminars.
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**MODULE  
MODULE I**

*Prof. MANFREDI PARODI GIUSINO - Lettere D-L, - Lettere D-L*

**SUGGESTED BIBLIOGRAPHY**

Per la parte generale:

PAGLIARO, Principi di diritto penale. Parte generale, VIII ed., Milano, Giuffrè, 2003;

oppure

FIANDACA – MUSCO, Diritto penale. Parte generale, VII ed., Bologna, Zanichelli, 2014.

Per la parte speciale:

PAGLIARO – PARODI GIUSINO, Principi di diritto penale. Parte speciale I. Delitti contro la pubblica amministrazione, X ed., Milano, Giuffrè, 2008, pagg. 1-406;

Per la riforma introdotta in materia di concussione e corruzione dalla l. 190 del 2012: PULITANO, La novella in materia di corruzione, in Cass. pen., 2012.

Ulteriori testi sull'ultimo punto – e, in generale, su tutta la materia - potranno essere indicati dal docente durante il corso, per tenere conto di modifiche eventualmente sopravvenute.

<b>AMBIT</b>	20012-Penalistico
<b>INDIVIDUAL STUDY (Hrs)</b>	136
<b>COURSE ACTIVITY (Hrs)</b>	64

**EDUCATIONAL OBJECTIVES OF THE MODULE**

The course aims at providing students with an adequate knowledge and understanding of the criminal law system, as it results from both theoretical reasonings and judicial decisions.

**SYLLABUS**

<b>Hrs</b>	<b>Frontal teaching</b>
12	12 Introduction to criminal law. Constitutional principles.
12	Sources of criminal law
34	Elements of Crime and general Defenses
6	Circumstances. Attempt.

**MODULE  
MODULE II**

*Prof. MANFREDI PARODI GIUSINO - Lettere D-L, - Lettere D-L*

**SUGGESTED BIBLIOGRAPHY**

Per la parte generale:

PAGLIARO, Principi di diritto penale. Parte generale, VIII ed., Milano, Giuffrè, 2003;

oppure

FIANDACA – MUSCO, Diritto penale. Parte generale, VII ed., Bologna, Zanichelli, 2014.

Per la parte speciale:

PAGLIARO – PARODI GIUSINO, Principi di diritto penale. Parte speciale I. Delitti contro la pubblica amministrazione, X ed., Milano, Giuffrè, 2008, pagg. 1-406;

Per la riforma introdotta in materia di concussione e corruzione dalla l. 190 del 2012: PULITANO, La novella in materia di corruzione, in Cass. pen., 2012.

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**SYLLABUS**

<b>Hrs</b>	<b>Frontal teaching</b>
6	Complicity
10	Criminal sanctions
12	Introduction to the special part: crimes against public offices.
8	Missappropriation by public officers.
15	Corruption and bribery.
5	Abuse of public power.
8	Protection of secrets. Omission.

**MODULE  
MODULE I**

*Prof. VINCENZO MILITELLO - Lettere A-C, - Lettere A-C*

**SUGGESTED BIBLIOGRAPHY**

INDISPENSABILE e' lo studio di un codice penale aggiornato e completo delle principali leggi complementari.

PER LA PARTE GENERALE:

Pagliari, Principi di diritto penale. P.G., Giuffre' Milano, ultima edizione, con gli aggiornamenti che che saranno indicati a lezione e messi a disposizione sul portale del corso per gli studenti iscritti.

OPPURE: Pulitano', Diritto penale, Giappichelli Torino, ultima edizione

PER LA PARTE SPECIALE: Pagliaro, Principi di diritto penale. Parte speciale III: Delitti contro il patrimonio, Giuffre' Milano, 2003, con gli aggiornamenti che che saranno indicati a lezione e messi a disposizione sul portale del corso per gli studenti iscritti.

<b>AMBIT</b>	20012-Penalistico
<b>INDIVIDUAL STUDY (Hrs)</b>	136
<b>COURSE ACTIVITY (Hrs)</b>	64

**EDUCATIONAL OBJECTIVES OF THE MODULE**

The course aims at providing students with an adequate knowledge and understanding of the criminal law system, as it results from both theoretical reasonings and judicial decisions.

**SYLLABUS**

<b>Hrs</b>	<b>Frontal teaching</b>
8	Introduction of criminal law
18	Sources of criminal law
24	Elements of crime and general defences
20	Accomplices, Attempt, Sentencing
15	Criminal sanctions
15	The special part of criminal law and the crimes against property
14	Crimes against property through violence (Theft, Robbery, criminal damage, extortion, misappropriation).
14	Crimes against property through fraud (e.g. Fraud, Usury, Money Laundering)
8	Introduction of criminal law
18	Sources of criminal law
24	Elements of crime and general defences
20	Accomplices, Attempt, Sentencing
15	Criminal sanctions
15	The special part of criminal law and the crimes against property
14	Crimes against property through violence (Theft, Robbery, criminal damage, extortion, misappropriation).
14	Crimes against property through fraud (e.g. Fraud, Usury, Money Laundering)

**MODULE  
MODULE II**

*Prof. VINCENZO MILITELLO - Lettere A-C, - Lettere A-C*

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INDISPENSABILE e' lo studio di un codice penale aggiornato e completo delle principali leggi complementari.

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PER LA PARTE SPECIALE: Pagliaro, Principi di diritto penale. Parte speciale III: Delitti contro il patrimonio, Giuffre' Milano, 2003, con gli aggiornamenti che che saranno indicati a lezione e messi a disposizione sul portale del corso per gli studenti iscritti.

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