



# UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2019/2020		
MASTER'S DEGREE (MSC)	LAW		
SUBJECT	DEONTOLOGY, SOCIOLOGY AND LAW CRITICISM		
TYPE OF EDUCATIONAL ACTIVITY	A		
AMBIT	20002-Filosofico-giuridico		
CODE	15551		
SCIENTIFIC SECTOR(S)	IUS/20		
HEAD PROFESSOR(S)	BARTOLI CLELIA	Professore Associato	Univ. di PALERMO
	TRUJILLO PEREZ	Professore Ordinario	Univ. di PALERMO
	ISABEL ASCENSION		
OTHER PROFESSOR(S)			
CREDITS	6		
INDIVIDUAL STUDY (Hrs)	102		
COURSE ACTIVITY (Hrs)	48		
PROPAEDEUTICAL SUBJECTS	15550 - LEGAL PHILOSOPHY		
MUTUALIZATION			
YEAR	4		
TERM (SEMESTER)	2° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p><b>BARTOLI CLELIA</b>  Friday 12:00 14:00 Dipartimento di Giurisprudenza, Piazza Bologni, 4° piano</p> <p><b>TRUJILLO PEREZ</b>  <b>ISABEL ASCENSION</b>  Monday 12:00 14:00 Piazza Bologni 8, quarto piano, stanza 5. Si prega di prenotare il ricevimento tramite il servizio online o di scrivere una mail a <a href="mailto:isabel.trujillo@unipa.it">isabel.trujillo@unipa.it</a> almeno due giorni prima.</p> <p>Wednesday 12:00 14:00 Piazza Bologni 8, quarto piano, stanza 5. Si prega di prenotare il ricevimento tramite il servizio online o di scrivere una mail a <a href="mailto:isabel.trujillo@unipa.it">isabel.trujillo@unipa.it</a> almeno due giorni prima.</p>		

<b>PREREQUISITES</b>	Capacity to critically reflecting on the relationship between law and justice; basic knowledge of adjudication and administration in contemporary states; basic knowledge on self-regulation as a legal source.
<b>LEARNING OUTCOMES</b>	<p>Knowledge and understanding: knowledge and understanding of the issues concerning the relationship between law and justice, with special attention on the requirements of public ethics and deontological codes on legal operators.</p> <p>Applying knowledge and understanding: ability to analyse typical problems faced by legal operators in the context of a constitutional democracy, and typical conflicts between personal and professional ethics.</p> <p>Making judgments: ability to propose solutions to hard deontological problems, and ability to make competent and well-supported judgments on the ethical and deontological soundness of legal actions and decisions.</p> <p>Communication: ability to correctly formulate and balance reasons in favour and against solutions to ethical and deontological problems.</p> <p>Lifelong learning skills: development the aptitude to face ethical and deontological problems from the peculiar perspective of legal operators.</p>
<b>ASSESSMENT METHODS</b>	<p>Final exam. Exam type: oral exam. The evaluation of the student includes an oral exam, consisting of an interview in which questions are asked concerning topics included in the course program. The dialogical exchange will tend to evaluate whether the student has knowledge and understanding of the topics of the course, has acquired independent judgment and argumentative skills, knows how to present effectively using an appropriate language.</p> <p>Evaluation: Grades on a scale between 18 and 30 cum laude.</p> <p>Evaluation Grid:</p> <ul style="list-style-type: none"> <li>- Excellent: 30-30 cum laude. Excellent knowledge and understanding, excellent communication and argumentative skills, proper use of technical language.</li> <li>- Very good: 26-29. Good knowledge and understanding, good communication and argumentative skills, proper use of technical language.</li> <li>- Good: 24-25. Basic knowledge and understanding, average communication skills, limited argumentative skills.</li> <li>- Average: 21-23. Limited basic knowledge and understanding, sufficient communication skills, poor argumentative skills.</li> <li>- Fair: 18-20. Minimal basic knowledge and understanding, poor communication skills, poor argumentative skills.</li> <li>- Poor. Non-sufficient knowledge and understanding</li> </ul> <p>MidtermExam.</p> <p>A non-compulsory midterm exam will take place after the course's first six weeks</p> <p>Exam type: written exam (two open questions).</p> <p>Evaluation: Grades on a scale between 18 and 30 cum laude</p> <p>Evaluation grid: See above, Final exam.</p>
<b>EDUCATIONAL OBJECTIVES</b>	The course aims at examining, with a multidisciplinary approach, relevant ethical and deontological issues typically faced by legal operators, encouraging students to develop a critical awareness of the requirements of their peculiar role in the context of a constitutional democracy
<b>TEACHING METHODS</b>	Lessons, workshop, fieldwork, meeting with experts
<b>SUGGESTED BIBLIOGRAPHY</b>	<p>- I. Trujillo, <i>Etica delle professioni legali</i>, Il mulino, Bologna 2013.</p> <p>- D. Dolci, <i>Banditi a Partinico</i>, Sellerio, Palermo 2013, pp. 9-29 (prefazione di N. Bobbio e avvertenze dell'autore).</p> <p>Un testo a scelta tra:</p> <p>C. Bartoli, <i>Inchiesta a Ballarò. Il diritto visto dal margine</i>, Navarra, Palermo 2019.</p> <p>C. Bartoli, 2021. <i>Aquí se funda un país. Viaggio nella rivolta del Cile</i>, Round Robin, Roma</p> <p>Texts for the exam in English:</p> <p>H. Arendt, <i>Eichmann in Jerusalem: a report on the banality of evil</i>, New York, [orig. ed. 1963].</p> <p>C. Bartoli, C. Bartoli, 2022. <i>Chile Revolts: from the Uprisings Toward the Constitutional Process</i>, Academia University Press, Torino.</p>

## SYLLABUS

Hrs	Frontal teaching
3	Presentation of the course, the teaching method and the type of assessment
6	Legal ethics
6	Critical legal theories: "who is the subject of the law?"
6	The sociology of law: the local reality as a field of research
3	Spatial (un)justice: history of urban evolution of Palermo city
6	Prevention and contrast of pathological addictions: the concept of harm reduction

## SYLLABUS

Hrs	Frontal teaching
6	Workshop of legal draft writing
3	Conflicts between spheres of ethics. The Eichmann case and the banality of evil
3	Authority and law. The crimes of obedience
3	Legal ethics of judge
3	legal ethic's of lawyer

<b>PREREQUISITES</b>	Capacity to critically reflecting on the relationship between law and justice; basic knowledge of adjudication and administration in contemporary states; basic knowledge on self-regulation as a legal source.
<b>LEARNING OUTCOMES</b>	<p>Knowledge and understanding: knowledge and understanding of the issues concerning the relationship between law and justice, with special attention on the requirements of public ethics and deontological codes on legal operators.</p> <p>Applying knowledge and understanding: ability to analyse typical problems faced by legal operators in the context of a constitutional democracy, and typical conflicts between personal and professional ethics.</p> <p>Making judgments: ability to propose solutions to hard deontological problems, and ability to make competent and well-supported judgments on the ethical and deontological soundness of legal actions and decisions.</p> <p>Communication: ability to correctly formulate and balance reasons in favour and against solutions to ethical and deontological problems.</p> <p>Lifelong learning skills: development the aptitude to face ethical and deontological problems from the peculiar perspective of legal operators.</p>
<b>ASSESSMENT METHODS</b>	<p>The exam will consist of a written part (with the possibility of rescheduling it earlier) and a discussion. The written test will have two open written questions on the topics.</p> <p>Evaluation Grid:</p> <ul style="list-style-type: none"> <li>- Excellent: 30-30 cum laude. Excellent knowledge and understanding, excellent communication and argumentative skills, proper use of technical language.</li> <li>- Very good: 26-29. Good knowledge and understanding, good communication and argumentative skills, proper use of technical language.</li> <li>- Good: 24-25. Basic knowledge and understanding, average communication skills, limited argumentative skills.</li> <li>- Average: 21-23. Limited basic knowledge and understanding, sufficient communication skills, poor argumentative skills.</li> <li>- Fair: 18-20. Minimal basic knowledge and understanding, poor communication skills, poor argumentative skills.</li> <li>- Poor. Non-sufficient knowledge and understanding.</li> </ul>
<b>EDUCATIONAL OBJECTIVES</b>	The course aims at examining, with a multidisciplinary approach, relevant ethical and deontological issues typically faced by legal operators, encouraging students to develop a critical awareness of the requirements of their peculiar role in the context of a constitutional democracy.
<b>TEACHING METHODS</b>	The course will have a first part, more theoretical (lectures), and a second one practical (seminars) dedicated to the discussion of the professional ethics of the different legal roles. In this second part various legal practitioners (judges, lawyers, notaries, public officials) will be invited to take part to the course. In this part specific and problematic cases will be discussed.
<b>SUGGESTED BIBLIOGRAPHY</b>	<p>I. Trujillo, <i>Etica delle professioni legali</i>, Il mulino, Bologna 2013 e F. Benatti, <i>Etica, impresa, contratto e mercato</i>, Il mulino, Bologna 2014.</p> <p>Foreign students can use: J. Waldron, <i>The concept and the Rule of Law</i>. New York University School of Law. Working Papers, November, 2008 e S.M. Roesler, <i>The Ethics of Global Justice Lawyering</i>, Yale Human Rights Development Journal, vol. 13, 1, article 3.</p>

## SYLLABUS

Hrs	Frontal teaching
2	Ordinary morality and role ethics
2	Justificating reasons in specification of professional ethics
4	Reasons of specification of legal professions
4	Civic morals and legal profesisonal ethics
2	The social role of lawyers
2	Deontological ethics and virtue ethics
4	Impartiality
4	Loyalty and fair play
4	Justice and rule of law
2	Provisional Conclusions
4	Legal Ethics
4	Judges's ethics
4	Notaries's ethics
4	Mediation ethics
2	Conclusions