



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2021/2022		
MASTER'S DEGREE (MSC)	LAW		
INTEGRATED COURSE	HISTORY OF MEDIEVAL AND MODERN LAW - INTEGRATED COURSE		
CODE	19283		
MODULES	Yes		
NUMBER OF MODULES	2		
SCIENTIFIC SECTOR(S)	IUS/19		
HEAD PROFESSOR(S)	DI CHIARA FRANCESCO	Professore Associato	Univ. di PALERMO
OTHER PROFESSOR(S)	DI CHIARA FRANCESCO	Professore Associato	Univ. di PALERMO
	CERRITO MARTA	Ricercatore a tempo determinato	Univ. di PALERMO
CREDITS	12		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	3		
TERM (SEMESTER)	Annual		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p>CERRITO MARTA Monday 10:00 13:00 via Maqueda 172 - Dipartimento di Giurisprudenza, I piano, ex Sezione di storia del diritto, stanza 31. on-line via Teams</p> <p>DI CHIARA FRANCESCO Wednesday 10:00 14:00 presso via Maqueda 172 - Dipartimento di Giurisprudenza, I piano, ex Sezione di storia del diritto, stanza 5.</p>		

DOCENTE: Prof. FRANCESCO DI CHIARA

PREREQUISITES	adequate knowledge of general notions concerning medieval to contemporary history as well as the major legal concepts
LEARNING OUTCOMES	<p>LEARNING OUTCOMES ECTS credits for this course are awarded to students who:</p> <p>Knowledge and understanding</p> <ul style="list-style-type: none"> • have demonstrated in the field of the discipline knowledge and understanding that builds upon their general secondary education, and is typically at a level that, whilst supported by advanced textbooks, includes some aspects that will be informed by knowledge of the forefront of their field of study; <p>Applying knowledge and understanding</p> <ul style="list-style-type: none"> • can apply their knowledge and understanding in the field of the discipline in a manner that indicates a professional approach to their work or vocation, and have competences typically demonstrated through devising and sustaining arguments and solving problems within their field of study; <p>Communication</p> <ul style="list-style-type: none"> • can communicate information, ideas, problems and solutions to both specialist and non-specialist audiences in the field of the discipline; <p>Making judgements</p> <ul style="list-style-type: none"> • have the ability to gather and interpret relevant data in the field of the discipline to inform judgements that include reflection on relevant social, scientific or ethical issues; • have developed those learning skills that are necessary for them to continue to undertake further study with a high degree of autonomy.
ASSESSMENT METHODS	<p>Final oral assessment: The oral assessment is an interview in which knowledge and skills in the field of study are going to be tested. Final notes go from 18 to 30 cum laude points. The student is required to answer at least 3 oral questions regarding the topics of the syllabus with reference to the suggested books.</p> <p>Questions shall assess a) Knowledge and understanding b) cognitive and practical skills c) ability to communicate d) Making judgements</p> <p>Note European Qualifications Framework</p> <p>The interview consists of a minimum of three questions.</p> <p>The evaluation will take place 'in conformity' to the following evaluation grid:</p> <ul style="list-style-type: none"> -Excellent 30 -30 cum laude: advanced knowledge of the topics, excellent property 'language, excellent capacity of analysis ; the student is 'able to apply theoretical knowledge to real cases which are proposed to be analysed. He/she is also able to properly argue possible solution, including multiple alternatives. - Very good 26-29: good knowledge of the topics, good properties 'of language, good capacity' analytical; tthe student is 'able to apply theoretical knowledge to real cases which are proposed to be analysed. The students is able to adequately apply theoretical knowledge to real cases which are proposed to be analysed. - Good 24-25: Basic knowledge of the main topics, good property of language, the student shows limited ability' to apply theoretical knowledge to real cases which are proposed to be analyzed. -Satisfactory 21-23: the student does not show that complete command of the main teaching topics, although showing to know the basic knowledges; he/she shows satisfactory property of language albeit with a poor ability' to adequately apply theoretical knowledge to real cases which are proposed to be analyzed. - Sufficient 18-20: minimal knowledge of the main teaching and technical language issues, limited or no capacxty 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 contents of the various topics on the agenda. <p>During the first semester or the second one n. 1 written test in progress, on voluntary basis, is scheduled. The test, consisting in four open questions, is devoted to offer the stuudent an opportunity to do a preliminary check up of his/ her overall understanding and knowledge of the syllabus.</p> <p>The assessment of the evidence does not mean the final examination and is given a choice: Positive Rating / negative judgment.</p>
TEACHING METHODS	Lectures and guided discussion on and analysis of the proposed historical sources

MODULE
HISTORY OF MEDIEVAL AND MODERN LAW - MODULE I

Prof. FRANCESCO DI CHIARA

SUGGESTED BIBLIOGRAPHY

E. Cortese, Le grandi linee della storia giuridica medievale, Roma, Il Cigno, 2000.

E. Conte, Diritto comune, Bologna, Il Mulino 2009.

AMBIT	20004-Storico-giuridico
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48

EDUCATIONAL OBJECTIVES OF THE MODULE

The course aims at teaching how to face a juridical text in its historical context. The study of law in historical perspective allows the student to investigate the relativity ' of legal solutions and their transformation during the time. Further to acquire critical ability, cultural openness and sense of relativity, the student will have so way to explore the historical and social dimension of the law, measuring himself/herself with a different perspective from that legalistic one traditionally tied up to the study of the positive law.

SYLLABUS

Hrs	Frontal teaching
7	Introduction to the course: law in a historical perspective
8	Outlines of medievale law: Bologna and the birth of the University
8	Outlines of medievale law: canon law
8	Outlines of medievale law: ius comune and iura propria
7	Outlines of medievale law: la scuola del Commento
9	The evolution of the early modern legal thought between the XVth and XVIIth century
Hrs	Practice
1	Practice exercise

MODULE
HISTORY OF MEDIEVAL AND MODERN LAW - MODULE II

Prof.ssa MARTA CERRITO

SUGGESTED BIBLIOGRAPHY

A. PADOA SCHIOPPA, Storia del diritto in Europa. Dal medioevo all'eta' contemporanea, Bologna, il Mulino, 2007, pp. 221-620;

E. DEZZA, Lezioni di Storia della codificazione civile. Il Code Civil (1804) e l'Allgemeines Bürgerliches Gesetzbuch (ABGB, 1812), Torino, Giappichelli, 2000, pp. 5-80 e 125-162.

AMBIT	20004-Storico-giuridico
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48

EDUCATIONAL OBJECTIVES OF THE MODULE

The course aims at teaching how to face a juridical text in its historical context. The study of law in historical perspective allows the student to investigate the relativity ' of legal solutions and their transformation during the time. Further to acquire critical ability, cultural openness and sense of relativity, the student will have so way to explore the historical and social dimension of the law, measuring himself/herself with a different perspective from that legalistic one traditionally tied up to the study of the positive law.

SYLLABUS

Hrs	Frontal teaching
8	National law and ius comune in the european early modern States
8	Natural law theory and human rights
8	Enlightenment and the revolutionary law in USA and France
8	Codification
8	Law and nations in the XIXth century
7	Authors, texts and case studies
Hrs	Practice
1	Practice exercise