UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

History of Contemporary Family Law

1920-4-A5810039

Learning objectives

This course provides a specific overview of the history of Family Law in order to gain a better understanding of the Present and its future developments. Attending students will specifically have the opportunity to read and analyse historical sources and documents. Students will also be helped to improve their abilities to discuss and solve past legal cases. Students will thus able to read and understand legal texts while gaining at the same time the awareness that lawyers and jurists work using logical reasoning and arguments that are always well-founded and effective.

Contents

The history of Family's law from Middle To Contemporary age

Detailed program

The concept of family from the Middle Ages to date; “Patrimonio e affetti”: succession, dowry, trust; lovematch, arranged marriage, hedgemarriage; Parental authority; woman’s position in the Ancien Régime and in the Age of Codification; the Family Law in the 18th century: criticism and reforms; the French revolutionary law; back to the past: tradition and modernity of the French and Austrian civil codes; European civil law and Italian Family Law in the 18h century; the achievements of the 18th century: Civil Marriage, separation, divorce; the Pisanelli code and the following Italian civil code (1942).

Prerequisites

It is advisible to pass the exam of History of Medieval and Modern Law before taking the exam of History of Family Law because students are required to know the basics about the history of European law and legal thought from the Middle Ages to the Present.

Teaching methods

Traditional and interactive lessons; analysis of historical sources and documents; video and slide show.

Assessment methods

Oral exam

Textbooks and Reading Materials

An e-learning website providing supplementary teaching materials, the normative, doctrinal and jurisprudential sources dealt with during the classes, self-assessment tests for the preparation of the final exam and an interactive forum with the teacher is available for students attending the classes.

NOT ATTENDING STUDENTS: 1. E. DEZZA, Lezioni di Storia della codificazione civile. Il Code Civil (1804) e l'Allgemeines Bürgerliches Gesetzbuch (ABGB, 1812), Giappichelli, Torino, 2000. 2. G. VISMARA, Il diritto di famiglia in Italia dalle riforme ai codici, Giuffrè, Milano, 1978.