UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto Penale Mod A - M-Z

2122-2-A5810015-A581001501-MZ

Learning objectives

This course provides a basic understanding of principles of Italian criminal law, both in the light of the the law and of doctrinal developments and case law.

Laws and principles will be explained also discussing cases

Contents

Detailed program

I. Problems and principles of criminal law.

I formal and substancial notion of criminal law

II: Constitucional criminal principles

1) The problem of legitimacy and functions of criminal law. Retributive and prevention conceptions of the criminal sanctions.

II. The Criminal Law.

1) The source of criminal law, prohibition of analogy, the principle of accuracy.

2) The interpretation of the criminal law.

3) When and which law is applied. The criminal law in space.

III. The offense.

1) The fact of crime. General outline and main types: the action and the mode of action, events, causation, harm and danger; permanent crime, crimes of omission.

2) Defenses. General outline.

3) The culpability: intent, fault, mistake, accountability.

4) The exemption from punishment.

5) Attempt and accomplice.

6) Circumstances

IV. The penalty system.

1) The sentencing criteria.

2) Prison sentence and non-custodial sentences.

Prerequisites

No one

Teaching methods

Description of rules and principles and their ratio; case by law approach, aiming to verify comprehension and problem solving capacities.

Assessment methods

Attending students:

oral examination on the topics discussed in class, or alternatively, written test about the first part of program, dedicated to those who have passed the quizzes proposed during the course.

Not attending students: Oral exam

Textbooks and Reading Materials

1. D. PULITANO’, Diritto penale, last edition, all.

or

1. G. MARINUCCI-E. DOLCINI, Manuale di diritto penale. Parte generale, last edition, all.

Plus, this second book for everyone (modulo B):

D. PULITANO', Diritto penale parte speciale, Vol. I, last edition, alla except Part VI.

Students