UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Towards a History of European Markets: Institutionalization, Standardization and Legal Harmonization

2223-4-A5810277

Learning objectives

Harmonization of EU law and standardization of norms, in its various ways, continues to act as a solid guiding criterion in the European context, increasingly contributing to a better definition of economic relations and in turn projecting itself into an intercontinental dimension. Through an exegetical problemsolving approach to historical and contemporary sources, we will highlight how issues, which at first glance may seem recent, had already been grasped and addressed since ancient times. Carrying out a contemporary legal, economic and historical analysis will enable a deeper understanding of choices made by institutions, in order to then compare them with the most modern approaches to European integration: from the various projects to unify contract law in past decades, to new forms of harmonization "in a weak sense" carried out within national legal systems, to specific interventions aimed at regulating single problems of an economic nature. Students participating in the course will acquire an in-depth understanding of legal and economic methodologies in their historical context, but also a much broader perspective with an extended view of the foundations of law, economics and culture that continue to define Europe today. The main objectives of the course are the development of a critical approach to law and its sources, in order to refine students' perception of contemporary challenges and endow them with up-to-date problem solving skills. The in-depth studies carried out and the knowledge acquired will contribute to the growth of an European awareness of these future legal and economic professionals, concretely projecting them into the transnational dimension of European lawyers, who put into practice new forms of reasoning, accurate problem solving and implement projects that will help support EU policies. There will be an annual series of lectures; results will be made available to the public in a conference and book publication.

Contents

Detailed program

The THEuMa project is rooted in the core vision of offering a new and innovative didactic program to deepen the understanding of EU integration. To accomplish this, the key topics institutionalization, harmonization and standardization of European markets shall be explored in an pioneering perspective, centred on a historical-juridical-economic approach, enriched by international dimension trough the participation of university professors and experts from a variety of European and non-European backgrounds.
The creation of a common market through harmonized rules has been one of the founding pillars of European integration since the Treaties of Rome. The process of harmonization of European law and standardization of technical norms through different declinations, continues to act as a solid guiding criterion in the European context, increasingly contributing to a better definition of economic relations and in turn projecting itself into an intercontinental dimension.
The proposed Jean Monnet Module will have at its core a series of lectures dedicated to the analysis of this process of EU integration, market unification, harmonization, in a comprehensive and methodologically new investigation as a joint study of the most recent choices and strategies on the subjects analyzed in a diachronic, evolutionary perspective. In a continuous, active discussion among students, teachers and experts, we will provide keys of analysis and interpretation, useful for understanding and operating within the current and future process of unification of European law.
Through an exegetical and problematic approach to historical and contemporary sources, we will highlight how issues, which at first glance may seem recent, had already been grasped and addressed since ancient times. Reforms aimed at standardizing weights and measures in order to improve relations between Athens and Rome; the creation of a monetarily integrated area in the Mediterranean within the Roman Empire, the regulation of fairs, the rules on the rights and obligations of corporations and on the responsibility of their members, as well as the measures relating to food supply constitute some of the relevant examples of this continuous, market-related interregional interaction that continues up to modern codifications. Carrying out a contemporary legal, economic and historical analysis will make it possible to highlight the choices made by the institutions and the consequences of these choices, in order to then compare them with the most modern harmonizing European interventions: from the various projects to unify contract law that have dominated the scene in the past decades (PECL, DRAFT, CESL DRAFT), to new forms of harmonization "in a weak sense" carried out within the national legal systems, especially Germany and France, but also the reforms of the codes of Eastern Europe (Romania, Czech Republic, Hungary), to specific interventions aimed at regulating single problems of an economic nature.
Students participating in the course will not only acquire an in-depth understanding of legal-economic methodologies in their historical context, but a much broader perspective with an extended view of the foundations of law, economics and culture that continue to define Europe today. The main objectives of the course are the development of a critical approach to law and its sources, in order to refine students' perception of contemporary challenges and endow them with up-to-date problem solving skills. The indepth studies carried out and the knowledge acquired will contribute to the growth and development of the European awareness of these future legal and economic professionals, concretely projecting them
into the transnational dimension of European lawyers. They will be enabled to put into practice new forms of reasoning, accurate problem solving and implement projects that will help support EU policies.
The Module is, first of all, targeted at students of the Master's Degree in Law, both Italian and foreign (European and non-European), who have already acquired and consolidated a basic knowledge of national law, European Union law, international law, the history of law and economic law. Furthermore, students of other disciplines, in particular of economic and historical subjects, are invited to participate in the course.

Guest lectures:

3 MARZO 2023
h. 10.30-12.30, U6-35
Professor Paolo Tedeschi
Sine lege non est forum": normare i mercati per favorire lo sviluppo economico e sociale *
https://elearning.unimib.it/mod/webexunimib/view.php?id=1060339)

16 MARZO
h. 12.30-14.30, Aula 2117
Professor Emilia Mataix Ferrándiz
Horrea: come lo stoccaggio ha interagito con i flussi di spedizione e ha incrementato l'economia romana

https://elearning.unimib.it/mod/webexunimib/view.php?id=1067944

17 MARZO
h. 10.30-12.30, BILAP
Professor Alessandro Hirata
Tipicità contrattuale: diritti dell'Oriente mediterraneo, diritto romano e armonizzazione del diritto contemporaneo
https://elearning.unimib.it/mod/webexunimib/view.php?id=1067945

23 MARZO, h. 12.30-14.30, 2117
Professor Stefania Roncati
L''uso attuale' del diritto romano nella giurisprudenza
https://elearning.unimib.it/mod/webexunimib/view.php?id=1069191

29 MARZO, h. 14.30-17.30, U6-36
Professor Paolo Tedeschi
Tra medioevo ed età moderna: lo sviluppo di fiere e mercati e l'introduzione di nuovi strumenti di pagamento per favorire un'economia sempre più globale
https://elearning.unimib.it/mod/webexunimib/view.php?id=1069193

30 MARZO, h. 12.30-15.30, 2117
Professor Paolo Tedeschi
Nuove regole per favorire lo sviluppo tecnologico: la nascita delle società a responsabilità limitata e l'introduzione di pesi e misure riconosciute a livello internazionale
https://elearning.unimib.it/mod/webexunimib/view.php?id=1069194

12 APRILE 2023, h. 14.30-16.30, U6-36
Professor Gabor Hamza
Codici di diritto privato /diritto civile e diritto commerciale / in Europa
https://elearning.unimib.it/mod/webexunimib/view.php?id=1079837

13 APRILE 2023, n. 12.30-14.30, Aula dottorato
Professor Gabor Hamza
L’armonizzazione del diritto privato /diritto civile e diritto commerciale / in Europa

Professor Francisco Javier Andrés Santos
Riflessioni sul diritto privato europeo. I. Una critica romanistica ai progetti di armonizzazione e unificazione del diritto dei contratti"
link https://elearning.unimib.it/mod/webexunimib/view.php?id=1079838

19 APRILE 2023, h. 14.30-16.30, U6--36
Proferssor Marta García Morcillo
Obscura scientia: standardizzazione e distorsioni del valore nel pensiero economico antico e ricezione postclassica

Professor Nicolas Solonakis
Grain market regulation in the Hellenistic and Roman Mediterranean: socio-institutional responses to economic fragility
link https://elearning.unimib.it/mod/webexunimib/view.php?id=1079841

Prerequisites

Teaching methods

Most of the lessons will be held in an interactive, seminar-like style, strongly dedicated to the exegetical analysis of a variety of selected legal sources. The goal is to provide an incentive for students to actively participate, stimulating textual analysis and the formulation of interpretative hypotheses based thereon. Exercises will be offered in which students will be able conduct short, specific research on topics taught during lessons.

Assessment methods

Textbooks and Reading Materials

Sustainable Development Goals

QUALITY EDUCATION | DECENT WORK AND ECONOMIC GROWTH | PEACE, JUSTICE AND STRONG INSTITUTIONS | PARTNERSHIPS FOR THE GOALS