



UNIVERSITÀ  
DEGLI STUDI DI MILANO-BICOCCA

## SYLLABUS DEL CORSO

### Storia del Diritto di Famiglia

2324-4-A5810039

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#### 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 be 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 18th century; the achievements of the 18th century: Civil Marriage, separation, divorce; the Pisanelli code and the following Italian civil code (1942).

## **Prerequisites**

It is advisable 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. The ability to learn, to reason critically on the contents of the course, knowledge of the sources, ability to connect diachronic between the topics covered and understanding of the evolution of the individual institutions examined will be assessed.

## **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.

or:

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.

## **Sustainable Development Goals**

GENDER EQUALITY | PEACE, JUSTICE AND STRONG INSTITUTIONS

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