UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Criminal Law Mod B - M-Z

2425-2-A5810015-A581001502-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

Lectures will be held in presence, unless exceptionally impossible, in which case the lecture will be recorded and made available via e-learning.

The first part of the lectures will take place in lecture mode. After describing the essential theoretical aspects of the various topics covered, the lectures will take place in an interactive mode: concrete cases will be analysed orally (through discussion) and in writing (through work and learning assessments to be carried out during the lecture).

Active participation in the analysis of case studies and application problems is required. The course will be conducted with the use of slides.

It is essential to have an up-to-date criminal code at hand from the start of the lectures.

Assessment methods

Students participating in interactive teaching (debate and written work) may take a written test at the end of the lectures.

If the written test is passed, the mark will be added to the mark obtained in the oral test on the topics excluded from the written test. The final grade will be the average of the two (written+oral).

Students who do not participate in interactive teaching will take an oral test on the entire examination programme.

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

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS