UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Elementi di Storia del Diritto Medievale e Moderno - A-L

2425-1-E1401A076-AL

Learning objectives

Kwoledge and Understanding
Looking at the main stages of the history of law in its centuries-long evolution, the course provides students with knowledge of legal language and fundamental logical-conceptual categories, which are useful for achieving an adequate understanding of the legal dimension in its temporal development.

Applying Kwoledge and Understanding
Students will be able to grasp the main legal issues from a historical and comparative perspective.

Making Judgements
The course aims to provide students with a critical awareness useful for understanding the origins of legal institutions and the evolution of the main European movements of thought.

Communication Skills
Students will acquire an adequate knowledge of historical-legal terminology and the ability to communicate the learned knowledge.

Learning Skills
At the end of the course, the student will be able to complete the acquired knowledge with subsequent in-depth studies of historical and legal issues.

Contents

The course is aimed at providing students with the theoretical skills and knowledge to understand the history of the legal systems in Europe from the Middle Ages up to the 20th century. It is geared to pick out the effects of the social, legal, economic, political, and religious changes occurred across the centuries and to give an insight into the links among legal science, law, and jurisprudence. All students will be given chances to learn the most important

events in the Italian and European legal history in order to provide a pathway into understanding of the links and breaks that mark the history of law sources, legal practice, legal science, power exercise, down the centuries.

Detailed program

Outlines of the law in late Antiquity; notes on the law in the Early Middle Ages (Germanic peoples and the feudal system); notes on the medieval ius commune; the law in the Modern Era (Supreme Courts; the New World; the Reformation); the doctrine of natural law; the Enlightenment; from the French Revolution to Napoleon; the codes in France and in Austria; the law in Italy after the Unification; the Fascist regime.

Prerequisites

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Teaching methods

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

Assessment methods

Oral exam.
The questions asked during the oral interview will be aimed at verifying the students' comprehensive knowledge of the topics covered in the exam program, as well as their ability to conduct an autonomous reflection in the historical-legal field, highlighting connections and interconnections between the different topics covered.
The evaluation criteria for the acquired skills are based on the ability to autonomously reflect on the issues under examination; to connect the different historical periods, grasping continuity and discontinuity; to place the facts and institutions in the historical and socio-cultural context of their time.

Textbooks and Reading Materials

Students can choose between two alternative learning paths.

a) the teaching materials and sources illustrated and commented on in class and uploaded on the e-learning website

OR

b) A. PADOA SCHIOPPA, Storia del diritto in Europa. Dal medioevo all’età contemporanea, Il Mulino, Bologna 2016, capitoli 1, 2 (paragraphs 1-5), 3 (paragraphs 1, 2, 5), 4 (paragraphs 1-4), 6 (paragraph 1), 7 (paragraphs 1, 3), 9 (paragraph 1), 10, 14 (paragraph 1), 17 (paragraphs 1-2, 6), 19 (paragraph 4), 21, 23 (paragraphs 1-2.4, 2.7),

27 (paragraphs 1-5), 28 (paragraphs 3-4), 29, 30 (paragraphs 1-2), 31, 34 (paragraphs 1-2.4, 8.1-8.3), 37 (paragraphs 1-3), 38 (paragraphs 1-2.1)

Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS