UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Storia del Diritto - A-L

2526-1-LMG01A001-AL

Learning objectives

Applied knowledge and understanding.
This course provides a general overview of the history of the legal systems in order to discover their roots as well as to underline the effects of the social, economic, political, religious changes happened in the centuries and pick out how it has changed the way the law is interpreted, enforced, and tought. Students will be provided with knowledge of legal terms and categories both logical and conceptual. This course is also designed to help students understand the historical evolution of legal system, gain a critical awareness towards the law, study the past to acquire a broader understanding of the modern legal concepts, learn to know the main European schools of thoughts, adopt a comparative approach to study law. Students will acquire knowledge and understanding in the field above specified.
Autonomy of judgment.
The course will provide students with the foundation for understanding the historical evolution of the law, with the aim of generating independent judgment regarding the solutions proposed by legislators, legal scholars, and case law.
Communication skills.
Students will develop communication skills in the presentation and discussion of legal issues, based on logical-legal reasoning, rigor in conceptual language, and the ability to use interpretative tools in analyzing the problems studied.
Learning ability.
Students will be able to conduct independent in-depth research using normative, doctrinal, and jurisprudential sources, and critically analyze legal thought, integrating historical knowledge with that of current law.

Contents

The course aims to guide students through the history of law, from the medieval period to the Contemporary Age, in order to better understand the Present and its future developments. This course is also designed to help students understand the historical evolution of legal system, gain a critical awareness towards the law, study the

past to acquire a broader understanding of the modern legal concepts, learn to know the main European schools of thoughts, adopt a comparative approach to study law.

Detailed program

Ancient roots. Church and Empire. The early Middle Ages: Roman law, Canon law, Germanic laws, customary law. Medieval Ius Commune. Civil and canon law. Transformations of the Modern Ages. The central courts. . Natural law. Enlightenment. Civil Codes. Criminal Codes. Interpretation of law

Prerequisites

Teaching methods

Frontal and interactive lectures; analysis of historical sources and documents; video and slide show.
Lectures are held in presence. In case of need (recoveries, strikes, other particular reasons), some lessons may be delivered online, in streaming mode (synchronous) or asynchronously and recorded, up to a maximum of 8 hours.

Assessment methods

The exam will be oral. Students are required to demonstrate in-depth knowledge of the syllabus and the sources analyzed, critical analysis skills, the development of dialectical reasoning, and knowledge of legal phenomena in a diachronic process. They also must possess command of language and a basic understanding of the main legal institutions, viewed in their historical context. The student's understanding of the evolution of each institution examined will be assessed. The exam will assess the student's ability to independently reflect on the topics under consideration, the ability to connect different historical periods, grasping continuities and discontinuities, and the ability to place facts and institutions within the historical and socio-cultural context of the time.
Mid-term written exam: Students who wish may take a mid-term written exam in May (the exact date will be announced later) on a portion of the syllabus, consisting of open-ended questions on topics discussed in class. The evaluation criteria for the written exam are the same as those for the oral exam.

Textbooks and Reading Materials

The program is unique for attending and non-attending students. Attendance is free and no signature is required in class.
Texts for full exam preparation:
G. CHIODI, Dal medioevo all'età contemporanea: un profilo giuridico, Giappichelli, Torino 2025, Torino 2025, on press, plus all the supplementary materials discussed during the course, which are made available to all students on the site.
Alternatively, students can prepare on A. PADOA SCHIOPPA, Storia del diritto in Europa. Dal medioevo all’età contemporanea, Seconda edizione, Bologna, Il Mulino, 2016: chaps 1-15, 21, 23, 27-29, 31, 32 (§§ 1-3), 34 (§§ 1, 2, 4, 8), 37 (§§ 1-3).
The tests found on the e-learning site are available to all students.

CREDIT INTEGRATION
NB It is necessary to present the exam with the booklet or other document such as the resolution certifying the transfer, which shows the grade obtained in Elements of Medieval and Modern Legal History (6 CFU).
Students enrolled in the degree course in Legal Services Sciences who have requested to transfer to the master's degree course in Law and have already taken the exam in Elements of Medieval and Modern Legal History (6 CFU) will have to take the exam in Medieval and Modern Legal History (9 CFU) with the following exam program:
ANTONIO PADOA SCHIOPPA, History of Law in Europe. From the Middle Ages to the Contemporary Age, Il Mulino, Bologna 2007 - First edition. pp. 391-447 (Part Four, Chapters 27-28-29) pp. 456-472 (Part Four, Chapter 31) pp. 475-488 (Part Five, Chapter 32, paragraphs 1-2-3) pp. 517-549 (Part Five, Chapter 34) pp. 593-609 (Part Six, Chapter 37, paragraphs 1-2-3) pp. 621-641 (Part Six, Chapter 38) Total pages: 153 Students who have purchased the second edition of the textbook are advised that the chapters and paragraphs to be studied are the same, while the page numbering has changed as follows: ANTONIO PADOA SCHIOPPA, History of Law in Europe. From the Middle Ages to the Contemporary Age, Il Mulino, Bologna 2016 - Second edition. pp. 411-469 (Part Four, Chapters 27-28-29) pp. 478-494 (Part Four, Chapter 31) pp. 495-511 (Part Five, Chapter 32, paragraphs 1-2-3) pp. 542-577 (Part Five, Chapter 34) pp. 621-638 (Part Six, Chapter 37, paragraphs 1-2-3) pp. 651-672 (Part Six, Chapter 38)
Students transferring from other universities who need to acquire 1, 2 or 3 additional credits (depending on the case) in History of Medieval and Modern Law (9 CFU) must take the exam on the following text: 1 CFU ANTONIO PADOA SCHIOPPA, Italy and Europe in the history of law, Il Mulino, Bologna 2003: - V (The new science of law) - IX (Jurists and the legal profession) - XIV (From the Napoleonic Code to the Civil Code) 2 CFU ANTONIO PADOA SCHIOPPA, Italy and Europe in the history of law, Il Mulino, Bologna 2003: - V (The new science of law) - IX (Jurists and the legal profession) - XI (The absolute states) - XII (Institutions, orders and classes) - XIV (From the Napoleonic Code to the Civil Code) 3 CFU ANTONIO PADOA SCHIOPPA, Italy and Europe in the history of law, Il Mulino, Bologna 2003: - V (The new science of law) - IX (Jurists and the legal profession) - XI (The absolute states) - XII (Institutions, orders and classes) - XIII (Three reforms of the Enlightenment) - XIV (From the Napoleonic Code to the Civil Code) - XV (Italian commercial law)

Sustainable Development Goals

GENDER EQUALITY | PEACE, JUSTICE AND STRONG INSTITUTIONS