

COURSE OF STUDY: LMG – SGI
L 14
ACADEMIC YEAR: 2023-2024
ACADEMIC SUBJECT: Foundations of European Law

General information	
Year of the course	Optional exam
Academic calendar (starting and ending date)	II semester / FEBRUARY 22, 2024 - MAY 31, 2022 .
Credits (CFU/ETCS):	6
SSD	Ius 18
Language	Italian
Mode of attendance	Traditional lessons

Professor/ Lecturer	
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Telephone	-
Department and address	Dipartimento Jonico, Via Duomo 259, Taranto
Virtual room	-
Office Hours (and modalities: e.g., by appointment, on line, etc.)	II semester after lessons – I semester Monday 12.00 am

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
150	48		90
CFU/ETCS			
6	6		

Learning Objectives	A historical-comparative study, immune from actualizing visions (and temptations), of the phenomena dating back to the Roman tradition and the legal culture of ancient Greece, provides an indispensable contribution for the analysis of current law. Scanning the matrices of the main legal figures circulating in the legal systems of the countries of the European Union is a fundamental support for the training of the contemporary jurist, also for the not uncommon reference to Roman law by the Courts operating in Europe. In ancient legal thought, the foundations of a European law that can progressively become more and more a unifying factor among the EU Member States and the point of contact with the systems of Common Law continue to be seen. It is therefore an essential contribution to understand the internal dynamics of the various legal systems, including those of the Mediterranean countries not included in the European Union. Even China, in some sectors, such as that of real rights and bonds, has undergone reforms clearly inspired by Roman law. Nor should it be overlooked that some legal figures, primarily that of bona fides, have for some time now attracted the special attention of Chinese scholars.
Course prerequisites	None

Teaching strategie	The teaching has an exegetical edge with the help of descriptive slides of the contents of the individual lessons and containing the main sources to be examined. The material can also be downloaded from the e-learning platform.
Expected learning outcomes in terms of	Learning the subject will train the student with greater awareness of the legal models that characterize the current law.
Knowledge and understanding on:	Foundations of European Law - argumentative skills
Applying knowledge and understanding on:	The acquired notions will be fundamental for the ability of learners both to use language and legal concepts, and for the development of argumentative schemes.
Soft skills	The degree of knowledge achieved will be of great importance for students for any professional outlet they may aspire to and not only for traditional legal professions, such as that of lawyer, magistrate or notary
Syllabus	
Content knowledge	<p>The topics around which the teaching will be divided are:</p> <ul style="list-style-type: none"> - European law and its Romanistic foundations; - the legal culture of ancient Greece; - Common Law and Civil Law; - dispute settlement systems; - substantive law institutions (possession, property and real rights, obligations, contracts, offenses, successions, donations); - the Roman iurisprudentia; - interpretatio et ius controversum in the debate between jurists and in court; -equity; - “good faith” clause and abuse of law; - fundamentals of antitrust law; - punitive damages; - equality; - law and justice; -constitution / organizational models; -process; - legal systems of the Mediterranean; - Legal reforms in China;
Texts and readings	<p>The student may choose to use one of the following texts:</p> <p><i>Il diritto romano caso per caso</i>, a cura di L. Solidoro-M. Scognamiglio-P. Pasquino, Giappichelli, 2018;</p> <p><i>Fondamenti del diritto europeo. Esperienze e prospettive</i>, a cura di G. Santucci, M. Ferretti, S. Di Maria, EUT, 2019</p> <p>R. Cardilli, <i>Fondamento romano dei diritti odierni</i>, Giappichelli, 2021</p> <p>L. Garofalo, <i>Intrercci schmittiani</i>, il Mulino, 2020</p> <p>E. Stolfi, <i>La cultura giuridica dell’antica Grecia. Legge, politica, giustizia</i>, Carocci, 2020</p> <p>P.Lambrini, <i>Fondamenti del diritto europeo</i>, Giappichelli, 2021</p> <p>E. Stolfi, <i>Prima lezione di diritto romano</i>, Laterza, 2023</p>

Notes, additional materials	None
Repository	
Assessment	
Assessment methods	Oral exam at the end of the course year
Assessment criteria	<p>Knowledge and understanding</p> <p>Applying knowledge and understanding</p> <p>Autonomy of judgment</p> <p>Communicating knowledge and understanding</p> <p>Communication skills</p> <p>Capacities to continue learning</p>
Final exam and grading criteria	The final grade is given in thirtieths, with honors where the preparation is particularly thorough. The examination is considered passed when the grade is greater than or equal to 18.
Further information	
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