

CORSO DI STUDIO *Giurisprudenza*
ANNO ACCADEMICO 2023-2024
DENOMINAZIONE DELL'INSEGNAMENTO *Diritto penale II- Criminal law PART II*

Principali informazioni sull'insegnamento	
Anno di corso	<i>III</i>
Periodo di erogazione	<i>I semestre (11-09-2023/07-12-2023)</i>
Crediti formativi universitari (CFU/ETCS):	<i>9</i>
SSD	<i>IUS17</i>
Lingua di erogazione	<i>Italian</i>
Modalità di frequenza	<i>Presence</i>

Docente	
Nome e cognome	<i>Giuseppe Losappio</i>
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Sede	<i>Via Duomo, 259 - Taranto</i>
Sede virtuale	<i>bh6ek2t</i>
Ricevimento	<i>Tuesday at 1:30 pm (the student must to reserve the meeting sending mail)</i>

Organizzazione della didattica			
Ore			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
<i>225</i>	<i>72</i>	<i>18</i>	<i>135</i>
CFU/ETCS			
<i>9</i>			

Learning Objectives	<i>The course looks to a knowledge of criminal law principles that enables the student to read critically the system. In this perspective, the student is urged to become aware of the distorting effects, with respect to of the so-called criminal classicism, the contemporary declinations (/ variables) of constants of the criminal system, such as the so-called criminal populism, pan-criminal law and the so-called "Punitive passion".</i>
Course prerequisites	<i>Basic knowledge of institutions of philosophy of law, private law and constitutional law</i>

Teaching strategie	<i>The course includes lessons, lectures and seminar activities</i>
Expected learning outcomes in terms of	
Knowledge and understanding on:	<i>Knowledge of the principles of criminal law in the perspective of Italian and European Courts jurisprudence</i>
Applying knowledge and understanding on:	<i>Basic knowledge for applications to the Constitutional Court and the ECtHR</i>
Soft skills	<i>Making informed judgments and choices - The course aims to stimulate critical awareness of the relationships between the current face of the criminal system, criminal law principles, including those of a</i>

	<p>constitutional nature, the European and supranational framework, the main guidelines for reform of the code</p> <p>Communicating knowledge and understanding</p> <ul style="list-style-type: none"> - Ability to expose the criminal law concepts in an orderly manner and to correctly use the related terminology <p>Capacities to continue learning</p> <ul style="list-style-type: none"> - Ability to assimilate study texts in relation to legislation, dogmatic elaborations and jurisprudential paths; ability to organize the topics studied in an ordered system of concepts also in view of further study and professional opportunities
Syllabus	
Content knowledge	<p>I. System of criminal law. II. Material (actus reus) and mental (mens rea). III-IV. Actus reus. V. Mens rea. Foreword. VI. Form and hypothesis of the so-called strict liability (/ without fault). VII. Willful misconduct (dolus). VIII. Negligence. IX-X The Reo, Mental disease and defect. XI-XII. Participation-Conspiracy. XIII. The attempted crime. The impossible crime. Desistation and withdrawal. XIV. Circumstances. XVI. Unity and plurality of crimes (formal concurrence of crimes, continuous crime, complex crime). XV. Defenses. XVI. The punishment</p>
Texts and readings	<p>Mantovani F., <i>Diritto penale. Parte Generale, ultima edizione</i></p> <p>Marinucci G. – Dolcini E. – Gatta G.L., <i>Diritto penale. Parte generale, ultima edizione</i></p> <p>Palazzo F.- Bartoli R., <i>Corso di diritto penale. Parte generale, ultima edizione</i></p> <p>Pulitanò D., <i>Diritto penale, ultima edizione</i></p> <p><i>The use of a different textbook must be authorized by the Professor</i></p>
Notes, additional materials	<p>https://archiviopdc.dirittopenaleuomo.org/</p> <p>http://www.archiviopenale.it/</p> <p>https://discrimen.it/</p> <p>https://www.giurisprudenzapenale.com/</p> <p>http://www.la legislazione penale.eu/</p> <p>https://www.sistemapenale.it/</p>

Assessment	
Assessment methods	
Assessment criteria	<p>Knowledge and understanding</p> <ul style="list-style-type: none"> - The course aims to stimulate critical awareness principles of criminal law in the perspective of Italian and European Courts jurisprudence <p>Applying knowledge and understanding</p> <ul style="list-style-type: none"> - Knowledge of the principles of criminal law in the triple direction of the regulation, of the theoretical studies and the jurisprudence <p>Autonomy of judgment</p> <ul style="list-style-type: none"> - Make the students able to develop his own critical evaluation of the legislative production and of the jurisprudence <p>Communicating knowledge and understanding</p> <ul style="list-style-type: none"> - Ability to expose the criminal law concepts in an orderly manner and to correctly use the related terminology <p>Communication skills</p> <ul style="list-style-type: none"> - Ability to assimilate study texts in relation to legislation, dogmatic elaborations and jurisprudential paths
Final exam and grading criteria	<i>The aims is to enable the student to deep understanding of the criminal law</i>
Further information	