



General information	
Academic subject	History of Italian law
Degree course	CONSLAV
Academic Year	2024-2025
Year of the course	First year
European Credit Transfer and Accumulation System (ECTS)	6
DSS	IUS/19
Language	Italian
Academic calendar (starting and ending date)	II Semester (from 17 February 2025 to 23 May 2025)
Attendance	Attendance is not mandatory, but recommended

Professor/ Lecturer	
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Department and address	Bari, Department of law, Cesare Battisti Square, Palazzo Del Prete, V floor, stair B.
Tutoring (time and day)	Wednesday, from 2 p.m. to 5 p.m. However, it is advisable to contact the professor in advance by e-mail to receive confirmation of the regular course of the assistance activity or to agree on different times or days.

Syllabus	
Learning Objectives	The course aims to provide first-year students with a good understanding and adequate knowledge of the historical development of law in Italy and Europe in order to contribute to the formation of their 'legal awareness'. The development of students' critical capabilities, an essential objective of the course, will be pursued through the examination of legal sources in their historical context of reference. At the end of the course, students will be able to get to know the main legal sources of the Middle Ages and the Modern Age, place them appropriately in their historical context, and critically assess their impact on the legal and institutional level.
Course prerequisites	Diritto romano
Contents	<p>The programme envisages the examination of the historical development of law from the Middle Ages up to the season of the 19th century codifications. The area of particular interest is the Italian one, although the European dimension of the most significant legal phenomena will not be neglected. The course programme can be considered as divided into four segments.</p> <p>1) The Early Middle Ages (5th-11th centuries): In this first part, the historical period between the fall of the Roman Empire and the birth of the Holy Roman Empire will be examined. With the active participation of the students, the most significant legal stages of the transition between the Roman world and the medieval world will be identified and reconstructed. In particular, we will focus on Roman-Barbaric legislation as the fusion of two different heritages and the first embryo of a European juridical consciousness.</p> <p>2) The Late Middle Ages (12th-15th centuries): The second part of the course will focus on the relationship between the two major institutional forces of the European Middle Ages: the Papacy and the Empire. It will focus, in particular, on how they succeeded in making the</p>

	<p>entire continent a strongly connected place in legal terms thanks to the flourishing of <i>Ius commune</i> (civil and canonical);</p> <p>3) The Modern Age (16th-17th centuries): the downsizing of the two great universal powers, accompanied by the development of currents of thought strongly oriented towards emphasising the individuality of the individual rather than the communitarian dimension of society led to the affirmation, across the continent, of sovereign monarchies and their own laws. We will observe, in this part of the course, the overcoming of common law in favour of state law; The age of codes (19th century):</p> <p>4) The 19th century brought Europe the extraordinary novelty of codification. That is, of a law that was national, exclusive, unitary and not hetero-integrable. In this last phase of the course we will focus on the major codification experiences in Europe and the constitutional supports on which the codes could rely.</p>
Books and bibliography	A. CASSI (ed), <i>Le danze di Clío e Astrea. Fondamenti storici del diritto europeo</i> , Giappichelli, Torino 2023, pp. 1-332.
Additional materials	The reference text allows a series of multimedia links, prepared by the authors, in order to make the learning path as dynamic and interactive as possible.

Work schedule			
Hours			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips))	Out-of-class study hours/Self-study hours
150	48	10	92
CFU/ETCS			
6			

Teaching strategy	
	The teaching methodology is the classical lecture method. the course also includes exercises in archives and libraries on ancient documents and sources.

Expected learning outcomes	
Knowledge and understanding on:	The course aims to provide a general overview of European legal sources, institutions, science and practice, with particular focus on the Italian area, in the period between the Middle Ages and the 19th century. On the basis of the gradually acquired knowledge, students should be able to understand the regions and the ways in which the different legal experiences that followed one another in the European continent interacted.
Applying knowledge and understanding on:	On the 'application' level, the course aims to form in students the ability to approach the document independently and to draw from it the information useful for the reconstruction of the historical-legal phenomenon of interest.
Soft skills	<ul style="list-style-type: none"> • Making informed judgments and choices The course aims to develop students' capacity for critical analysis. In particular, to stimulate the use of heterogeneous tools in order to achieve the goal set. • Communicating knowledge and understanding

	<p>During the course, students will be presented with documents in the original language - predominantly Latin - in order to develop a learning process that leads to the acquisition of a complex and rich historical-legal language that comes directly from the sources analysed.</p> <ul style="list-style-type: none"> • Capacities to continue learning The entire course, through the continuous solicitation of documentary sources, is geared towards providing students with the necessary tools for the formation of skills useful for free and autonomous learning.
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Assessment and feedback	
Methods of assessment	<p>The students' level of learning is assessed by means of a final oral interview. The final grade is awarded in thirtieths. The examination is only deemed passed if and when the student has demonstrated that he/she has acquired at least the essential knowledge.</p>
Evaluation criteria	<ul style="list-style-type: none"> • Knowledge and understanding The student is expected to demonstrate an understanding of the reasons for and effects of major junctures in European legal history. • Applying knowledge and understanding The student must prove that he/she can autonomously connect the acquired notions with the documents and sources that may be submitted to him/her during the examination. • Autonomy of judgment Students are required to be able to assess the importance of the various stages of continental legal history and their ability to place themselves in a transversal dimension between the various states of Europe. • Communicating knowledge and understanding Students are required to demonstrate that they have acquired a satisfactory historical-legal language, including the use of technical terms peculiar to the discipline. • Communication skills Communication skills will also be assessed according to the ability to use technical terms in the original language. • Capacities to continue learning

	The ability to learn will be assessed by confronting the student with texts of contemporary or classical doctrine.
Criteria for assessment and attribution of the final mark	<p>The assessment of the final examination will be based on a set of criteria on which the passing of the examination will depend. In order for the examination to be passed, the student must demonstrate that he/she has acquired knowledge of the basics provided during the course and that he/she is able to make connections - even elementary ones - between facts and events in the legal history of Europe. The demonstration of a more advanced level of these skills - coupled with appropriate vocabulary, accuracy of exposition, and the ability to synthesis one's own thought without penalizing its richness - will result in the awarding of a higher mark, the greater the skills acquired.</p> <p>The final grade is given in thirtieths. The exam is passed when the grade is 18/30 or higher.</p> <p>Evaluation in thirtieths will consider the level of preparation according to the stated criteria and in alignment with expected learning outcomes: excellent (30/30 and honors), very good (28/29), good (25/27), fair (21/24), sufficient (18/20). Honors are awarded with unanimous consent of the examination commission.</p>
Additional information	