

General Information	
Academic subject	Foundations of European Law
Degree course	Law
Curriculum	
ECTS credits	6
Compulsory attendance	No
Language	Italian

Subject teacher	Name Surname	Mail address	SSD
	AURELIO ARNESE	aurelioarnese@libero.it - aurelio.arnese@uniba.it	Ius/18

ECTS credits details	Area	CFU/ETCS
Basic teaching activities	12	6

Class schedule	
Period	II semester
Year	
Type of class	Lectures

Time management	
Hours	150
In-class study hours	48
Out-of-class study hours	90

Academic calendar	
Class begins	FEBRUARY 24, 2022
Class ends	MAY 27, 2022

Syllabus	
Prerequisites/requirements	
Expected learning outcomes	<p>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.</p> <p>Learning the subject will train the student with greater awareness of the legal models that characterize the current law.</p> <p>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.</p> <p>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.</p>

Contents	<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;
Course program	
Bibliography	<p><i>Il diritto romano caso per caso</i>, a cura di L. Solidoro-M. Scognamiglio-P. Pasquino, Giappichelli, 2018;</p> <p>E. Stolfi, <i>La cultura giuridica dell'antica Grecia. Legge, politica, giustizia</i>, Carocci, 2020</p> <p>L. Garofalo, <i>Intercci schmittiani</i>, il Mulino, 2020</p> <p>R. Cardilli, <i>Fondamento romano dei diritti odierni</i>, Giappichelli, 2021</p> <p>At the beginning of the course, the parts of the above mentioned reference texts, that will be subject to specific analysis, will be indicated.</p>
Notes	
Teaching methods	<p>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.</p>
Assessment methods	<p>Oral exam at the end of the course year</p>
Evaluation criteria	<p>Knowledge and understanding Applying knowledge and understanding Autonomy of judgment Communicating knowledge and understanding Communication skills Capacities to continue learning</p>
Further information	