

Corso di laurea in Scienze giuridiche per l'Immigrazione, i Diritti Umani e l'Interculturalità

ANNO ACCADEMICO 2024-2025

Diritto dell'economia e Processi Interculturali *Economic Law and Intercultural Processes*

Principali informazioni sull'insegnamento	
Year	Third year
Teaching periods	I semester (SEPTEMBER 2024 – DECEMBER 2024)
Credits (CFU/ETCS):	6 CFU
SSD	IUS-05 – ECONOMIC LAW
Language of Instruction	Italian
Attendance Mode	CLASSROOM LECTURES - ATTENDANCE OPTIONAL

Docente	
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Location	DIPARTIMENTO JONICO – VIA DUOMO, N. 259, TARANTO
Sede virtuale	
Office hours	Wednesday, 11:30 AM - 1:00 PM, In Person

Teaching Organization			
Hours			
Total	Classroom lectures	Pratica (laboratorio, campo, esercitazione, altro)	Individual study
150	48		102
CFU/ETCS			
6			

Learning Objectives
<p>The course aims to analyze:</p> <ul style="list-style-type: none"> • The operation of the hawala system and other so-called informal payment systems; the agreement, rules, and payment system; • Money transfer as a payment operation in the hawala system: the delivery of money as a distinctive feature of remittance; • The transfer of payment orders from the payer's intermediary to the beneficiary's intermediary as a transfer of debt or monetary obligation; • Payment service activities in the hawala system and the consequent need for documentation; • Money transfer in the hawala system and the contract as a legal fact; • Efficiency of rules, lex mercatoria, and economic law; • Common rules as an intangible network and system efficiency; • Social networks and payment systems; • The definition of a system of systemic importance, the notion of a complex system, and the concept of a network in network mathematics: a singular similarity.

Prerequisites	KNOWLEDGE OF PRIVATE LAW INSTITUTIONS
TEACHING METHODS	CLASSROOM LECTURES
<p>Expected Learning Outcomes <i>To be indicated for each Dublin Descriptor (DD):</i></p> <p>DD1 Knowledge and Understanding</p> <p>DD2 Knowledge and Understanding Applied</p> <p>DD3-5 Cross-Competencies</p>	<ul style="list-style-type: none"> - DD1 Knowledge and Understanding <i>The course aims to provide knowledge and understanding of:</i> <ul style="list-style-type: none"> - Culture and law: law as a crossroads of cultures (Lipari) - Legal order and legal systems: formal and/or authoritative sources and fact sources; rules and time, law and time (Mario Bretone) - Intercultural processes related to the idea of money and its functional relationship with the community and market, where it is used as a measure of value and a means of payment and exchange: the circulation of a legal and cultural model from Aristotle (Nicomachean Ethics) to F.A. Mann (The Legal Aspect of Money); - Money and currency; - Electronic money, electronic money tokens, and cryptocurrencies or crypto-assets in general (Mi.Ca. Regulation); - The role of central banks: the European Central Bank (ECB) - Circulation of legal models concerning banks and payment systems; - DD2 Knowledge and Understanding Applied <i>(What the student can do upon completing the course or what competencies they have acquired):</i> Knowledge and understanding applied to informal payment systems: remittance systems such as hawala (Arabic) or hundi (Indian) - DD3-5 Cross-Competencies DD3 Critical and Judgment Skills: Ability to develop critical legal reasoning and original judgment. DD4 Communication Skills: Ability to use legal language and specialist terminology; ability to present clearly, coherently, and effectively. DD5 Learning Skills: Ability to learn autonomously the fundamental principles and elements and develop an aware understanding of complex legal phenomena. <ul style="list-style-type: none"> ○ CAPACITÀ DI ESPORRE CON LINEARITÀ, CHIAREZZA ED EFFICACIA

Course Content (Program)	<p>INFORMAL PAYMENT SYSTEMS AND TOOLS</p> <ul style="list-style-type: none"> • Operation of the hawala system and other informal payment systems; the agreement, rules, and payment system; • Money transfer as a payment operation in the hawala system: the delivery of money as a distinctive feature of remittance; • Transfer of payment orders from the payer's intermediary to the beneficiary's intermediary as a transfer of debt or monetary obligation; • Payment service activities in the hawala system and the consequent need for documentation; • Money transfer in the hawala system and the contract as a legal fact; • Efficiency of rules, <i>lex mercatoria</i>, and economic law; • Common rules as an intangible network and system efficiency; • Social networks and payment systems; • Definition of a system of systemic importance, the notion of a complex system, and the concept of a network in network mathematics: a singular similarity.
Recommended Reading	F. MOLITERNI, <i>I sistemi di pagamento informali fra rimesse di denaro e contratto di rete</i> , Milano, Giuffrè, 2029, pp. da 56 a 194.
Note ai testi di riferimento	
Materiali didattici	
Evaluation	
Assessment Method	ORAL EXAM
Criteri di valutazione	<ul style="list-style-type: none"> • <input type="checkbox"/> Knowledge and Understanding: Ability to develop legal reasoning. • <input type="checkbox"/> Applied Knowledge and Understanding: Consequent applications of legal reasoning. • <input type="checkbox"/> Autonomy of Judgment: Ability to develop original reasoning. • <input type="checkbox"/> Communication Skills: Clarity, coherence, and effectiveness of presentation; use of legal language; use of specialist terminology. • <input type="checkbox"/> Learning Ability: Ability to autonomously learn fundamental principles and elements and develop an aware understanding of complex legal phenomena.
Measurement Criteria for Learning and Final Grade	THE FINAL GRADE IS GIVEN IN THIRTIETHS.
Other information	
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