## **History of Medieval and Modern Law**

## Prof. Savberio Gentile

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to explore the historical evolution of the Italian legal system from the point of view of its sources and key features, as well as the transformation of the techniques and tools used by legal experts in judicial interpretation. At the end of the course, students will be able to carry out a historical analysis of the origins and the *rationale* of the most significant legal devices – with a focus on their evolution – and get a better understanding of the main judicial interpretation techniques and the political/legal options involved in decision making. Therefore, they will be able to develop their knowledge of the law in force, and get familiar with the concepts of judicial interpretation/enforcement that will be at the basis of their future career.

***COURSE CONTENT***

* The justice issue in the history of Western legal culture.
* Law and values in the technical-professional training of contemporary legal experts.
* Origins and evolution of continental legal science.
* From the *renaissance of law* to the fall of common law: from the medieval *interpretatio* to modern judicial interpretation techniques.
* Continental legal Rationalism and its influence on codification.

***READING LIST***

AA.VV., *Tempi del diritto,* Giappichelli, Turin, 2016 (p. 1-199).

1. Cavanna, *Storia del diritto moderno in Europa. Le fonti e il pensiero giuridico I,* Giuffrè, Milan 1990 (these pages of the following reprints have remained unchanged: 190-390; 479-610).

For attending students:

Lecture notes and the teaching material indicated by the lecturer.

***TEACHING METHOD***

Frontal lectures.

***ASSESSMENT METHOD AND CRITERIA***

The final exam aims to assess knowledge of the subject, ability to identify conceptual connections between different topics, acquisition of presentation skills, and use of appropriate terminology.

For attending students the final exam will be based on the lecture notes, and the reading list indicated in class by the lecturer. In addition, at the end of semester 1, they will have the possibility to take a written interim test on the first part of the course, followed by an oral exam (at the end of semester 2) on the second part of the course. The mark obtained in the interim test will be valid for one year. The final mark, instead, will result from the average between the interim test and the oral exam, and it will be expressed in thirtieths. In case of negative mark in the interim test, students will have to take the oral exam at the end of the course (based on both semesters).

Non-attending students, instead, will have to take an oral exam at the end of the course.

***NOTES AND PREREQUISITES***

There are no prerequisites for attending the course. However, students should have a basic knowledge of the most significant historical events that characterised the Middle Ages and the Modern Age in Europe.

Information on office hours available on the teacher's personal page at http://docenti.unicatt.it/.