

**Master's Degree in Law**  
**History of justice and legal professions**  
**Academic Year 2021/2022, 5<sup>th</sup> Year, 2<sup>nd</sup> Semester, n. 6 CFU**

**Prof. Ferruccio Francesco Mariano Maradei**

<b>Course Information</b>	HISTORY OF JUSTICE AND LEGAL PROFESSIONS Credits (CFU): 6 5 <sup>th</sup> Year, 2 <sup>nd</sup> Semester Academic Year 2021/2022
<b>Professor Information</b>	Prof. Ferruccio Francesco Mariano Maradei e-mail address: <a href="mailto:maradei@unicz.it">maradei@unicz.it</a> Student reception: before and after lectures during the Course; before and after examinations; according to the notices communicated monthly on the website or at the students request
<b>Course description</b>	The Course aims to provide students with the widest possible vision of the organization of legal professions from the early Middle Ages to the last reforms of the 20 <sup>th</sup> Century, starting from the role they played in the trial. For this reason it will be focused the attention to the characteristics of the procedure in the Roman-Barbarian age, and then to go on to illustrate more widely, in the light of some books of the <i>Ius Commune</i> doctrine, the various stages of the Roman-Canon process, both civil and criminal, foundation of today's trial systems.
<b>Course targets and expected learning outcomes</b>	Students will have a good awareness of the three fundamental juridical professions of notary, judge and lawyer, and of the development of the forms of the process from the Middle Ages to the Contemporary Age.
<b>Program (contents, teaching methods)</b>	The Course, which aims to deepen some topics of the course of History of medieval and modern law, focuses on the history of justice and legal professions. The starting point will be the process whose evolution will be outlined from the first "unrefined" early medieval forms, which still see the indistinction between the civil process and the criminal one, to the rise of the Roman-Canon process that introduced this distinction and that will constitute the basic procedural model until the age of legal codification. There will be examined the individual professional figures who in the process find their common field of action: the notary, that throughout the Middle Ages and a part of the Modern Age exercises functions as registrar in the courts (at the same time with his activity of draw up the negotiating acts of private individuals); the lawyer who defends the reasons of his client in Courts, and the judge who decides the controversy. After a general historical framework of the evolution of these professions we will focus in particular on their discipline and organization in some State contexts of Italy in the <i>Ancien Régime</i> , including the Kingdom of the Two Sicilies and The Kingdom of Sardinia, that guide the process of national unification. The Course, which will continue with an analysis of the legal literature produced in relation to the exercise of these professions, namely notarial and procedural "formulari", the opinions and allegations of lawyers and the collections of decisions of the major Courts, will end with look at the latest developments related to these three professions.  <b>Recommended program for non-attending students:</b> - M. ASCHERI, <i>Introduzione storica al diritto moderno e contemporaneo. Lezioni e</i>

	<p><i>documenti</i>, Torino, Giappichelli, (pp. 1-270);</p> <p>- P. ALVAZZI DEL FRATE, <i>Giustizia e garanzie giurisdizionali. Appunti di storia degli ordinamenti giudiziari</i>, Torino Giappichelli Editore.</p> <p><b><u>Recommended program for attending students:</u></b></p> <ul style="list-style-type: none"> <li>- Notes from the lessons: understanding of the topics and contents of lectures is required;</li> <li>- P. ALVAZZI DEL FRATE, <i>Giustizia e garanzie giurisdizionali. Appunti di storia degli ordinamenti giudiziari</i>, Torino Giappichelli Editore</li> </ul> <p>The Course will essentially take place through traditional lessons</p>
<b>Time commitment required for individual study</b>	At least 160 hours of individual study
<b>Teaching methods</b>	Lectures and in-depth studies of individual topics with suggestion of further teaching materials.
<b>Learning resources (recommended handbooks, further recommended readings, additional teaching material)</b>	<p><b><u>Recommended program for non-attending students:</u></b></p> <ul style="list-style-type: none"> <li>- M. ASCHERI, <i>Introduzione storica al diritto moderno e contemporaneo. Lezioni e documenti</i>, Torino, Giappichelli, pp. 1-270;</li> <li>-</li> <li>- P. ALVAZZI DEL FRATE, <i>Giustizia e garanzie giurisdizionali. Appunti di storia degli ordinamenti giudiziari</i>, Torino Giappichelli Editore</li> </ul> <p><b><u>Recommended program for attending students:</u></b></p> <ul style="list-style-type: none"> <li>- Appunti dalle lezioni: è richiesta la conoscenza degli argomenti trattati a lezione;</li> <li>- P. ALVAZZI DEL FRATE, <i>Giustizia e garanzie giurisdizionali. Appunti di storia degli ordinamenti giudiziari</i>, Torino Giappichelli Editore</li> </ul> <p>Any further readings recommended for additional information will be indicated during the Course. Other didactic material used: photo-reproductions of ancient documents particularly significant illustrated during the lesson.</p>
<b>Support activities</b>	Reception activities according to the calendar indicated monthly on the website and by appointment for explanations and insights.
<b>Modality of attendance</b>	See the art. 8 of the “Regolamento didattico d’Ateneo”
<b>Assessment methods and criteria</b>	See the art. 22 of the “Regolamento didattico d’Ateneo” at the following link: <a href="http://www.unicz.it/pdf/regolamentodidatticoateneodr681.pdf">http://www.unicz.it/pdf/regolamentodidatticoateneodr681.pdf</a>

<b>Grade</b>	<b>Knowledge and understanding of the topic</b>	<b>Ability to analyze and synthesize</b>	<b>Use of references</b>
Fail	Severe shortcomings and inaccuracies.	Irrelevant. Frequent generalizations. Inability to synthesize.	Completely inappropriate.
18-20	Sufficient. Significant shortcomings.	Sufficient capabilities.	Sufficient.
21-23	Basic knowledge.	The student is capable of correct analysis and synthesis, argues logically and consistently.	The student uses standard references.
24-26	Satisfactory. Good knowledge.	The student has good analysis and synthesis skills. The arguments are expressed consistently.	The student uses standard references.
27-29	Very good knowledge.	The student has considerable skills in analysis and synthesis.	The student deepened the topics of the exam.
30-30 e lode	Excellent knowledge.	The student has excellent skills analysis and synthesis skills.	Relevant insights.