

**PHILOSOPHY OF LAW I
(STUDENTS M-Z)
2024-2025, I Semester, ECTS 8**

Prof.ssa PAOLA CHIARELLA

Course Information	Master's Degree in LAW, 8 ECTS, academic year 2024-2025, I semester. LANGUAGE: ITALIAN
Professor Information	Prof.ssa Paola Chiarella is Associate Professor in Philosophy of Law (Department of Law, Economic and Sociology). Student reception: room 9, "S. Venuta University Campus", Legal-economic building at the end of each lesson (prior appointment scheduled by email). paola.chiarella@unicz.it; 0961.3694933.
Course Description	By taking into account central themes and topics of legal philosophical reflection, but also the main theories concerning the nature of law, this course aims to outline the fundamental concepts of the philosophy of law. In order to provide the necessary guidelines for understanding the contemporary philosophical-legal debate, we will examine the most relevant modern perspectives in legal theory. Particular attention will be devoted to American legal realism's deepening.
Course objectives and expected learning outcomes	At the beginning of the course of study, students will be introduced to the essential notions in legal matters, but in a critical manner, asking themselves the problem of the essence of the issues and developing their ability to argue. By the end of the course, students should be able to master the key legal-philosophical concepts and understand the guidelines of contemporary legal philosophy. It is also essential that they possess critical analytical skills as well as the ability to present legal arguments on the most relevant legal issues.
Program (contents, methods of development); Possible distinction of programs between attending and non-attending students	The origins of philosophy of law. Greek philosophy. St. Augustine and St. Thomas. The dawn of modernity. Modern natural law. Utilitarianism. Legal historicism. Legal positivism and anti-formalism. Normativism. Institutionalism. Scandinavian and American legal realism. Legal Theories of Today. A special seminar activity will concern Oliver Wendell Holmes Jr.'s thought and his influence on American legal realism. The possibility of accessing a specific program that arises from the lessons content is reserved for attending students only. For attending students only, an exempt intermediate test is possible.
Estimate of the commitment required for individual study in terms of hours	The indicated program requires an individual study of approximately 150 hours.
Teaching methods	The course will take place through lectures and seminars aimed at stimulating

	students to debate, confront and make independent judgments on the topics discussed.																															
Learning resources (recommended textbooks, further recommended reading, other educational material)	<p>Casadei Thomas – Zanetti Gianfrancesco, <i>Manuale multimediale di filosofia del diritto</i>, Giappichelli, Torino 2022;</p> <p>Chiarella Paola, <i>The life of the Law. Oliver Wendell Holmes, tra scienza del diritto e professione legale</i>, Rubbettino, Soveria Mannelli 2023, chapters 2 e 3.</p>																															
Support Activities	Reception activities and exercises.																															
Modality of Attendance	Attendance is not compulsory. Attending students will be able to take intermediate tests.																															
Modality of Assessment of knowledge	<table border="1"> <thead> <tr> <th>Grade</th> <th>Knowledge and understanding of the topic</th> <th>Ability to analyze and synthesize</th> <th>Use of references</th> </tr> </thead> <tbody> <tr> <td>Fail</td> <td>Severe shortcomings and inaccuracies</td> <td>Irrelevant. Frequent generalizations. Inability to synthesize</td> <td>Completely inappropriate</td> </tr> <tr> <td>18-20</td> <td>Sufficient. Important shortcomings.</td> <td>Sufficient capabilities</td> <td>Sufficient</td> </tr> <tr> <td>21-23</td> <td>Basic knowledge</td> <td>The student is capable of correct analysis and synthesis, argues logically and consistently</td> <td>The student uses standard references</td> </tr> <tr> <td>24-26</td> <td>Satisfactory. Good knowledge</td> <td>The student has good analysis and synthesis skills. The arguments are expressed consistently</td> <td>The student uses standard references</td> </tr> <tr> <td>27-29</td> <td>Very Good</td> <td>The student has considerable skills in analysis and synthesis</td> <td>The student deepened the topics of the exam</td> </tr> <tr> <td>30-30L</td> <td>Excellent</td> <td>The student has excellent analysis and synthesis skills</td> <td>Important insights.</td> </tr> </tbody> </table>				Grade	Knowledge and understanding of the topic	Ability to analyze and synthesize	Use of references	Fail	Severe shortcomings and inaccuracies	Irrelevant. Frequent generalizations. Inability to synthesize	Completely inappropriate	18-20	Sufficient. Important 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	The student has considerable skills in analysis and synthesis	The student deepened the topics of the exam	30-30L	Excellent	The student has excellent analysis and synthesis skills	Important insights.
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