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UNIVERSITÀ
DEGLI STUDI
DI PADOVA

GALILEAN SCHOOL COURSE CATALOG

CLASS OF SOCIAL SCIENCES

ACADEMIC YEAR 2020-2021

1st YEAR

ARGUMENT AND INTERPRETATION IN LEGAL CULTURE

Lecturer: Giuseppe Zaccaria, giuseppe.zaccaria@unipd.it

Subject: General Theory of Law (IUS 20)

Language: English/Italian

Syllabus

Goals: The course provides an introduction to law and argumentation. Particular emphasis will be put on the distinction between method, interpretation and argumentation in the application of law and on the contexts of legal argumentation

Contents:

- History of the method in the modern legal culture
- The method debate in the twentieth century
- Normative theory of law and hermeneutical theory of law
- Argumentation and Interpretation. The theories of argumentation

Textbooks: Suggested handouts during seminars

LAW AND ECONOMICS

Professor: Ettore Scimemi, Associate Professor, Department of Political and Legal Sciences and International Studies, University of Padua - ettore.scimemi@unipd.it

Language: English

Syllabus:

Lesson 1: Introduction to the EAL: Rationality and Efficiency

- Positive and Normative Analysis, the EAL in the common law systems and in the civil law systems
- Social welfare: Pareto, Kaldor-Hicks, Rawls; efficiency and fairness (distributive justice)
- Welfare economics: Invisible Hand Theorem, market failures (monopolies, externalities, public goods)
- Uncertainty and imperfect information: expected values and expected utilities, risk aversion, insurance; moral hazard and adverse selection (Akerlof); game theory
- Options and option theory

Lesson 2: Coase Theorem and the Role of Legal Rules

- The problem of externalities: the public solution
- The Coase Theorem: in a world without transaction costs and with transaction costs
- Property rules, liability rules & inalienability rules (Calabresi & Melamed)

Lesson 3: Economic Analysis of Contract Law

- Contracts: complete and incomplete contracts; efficient e penalty defaults
- Mistake and the duty to disclose private information (Kronman)
- Efficient Breach Model
- Specific performance

Lesson 4: Economic Analysis of Tort Law

- The elements of a tort claim and the social function of tort law
- Negligence, strict liability, no liability
- The unilateral care model: the model, the social optimum, the injurer's choice, a comparison between strict liability and negligence
- The bilateral care model: the model, the social optimum, the injurer's choice, a comparison between no liability, strict liability and negligence
- The Learned Hand rule and the concept of negligence
- Contributory negligence e comparative negligence

Lesson 5: Theories of the Firm and Corporate Law

- New theories of the firm
- Henry Hansmann's Ownership of the Firm
- Corporate law and corporate governance

Suggested readings:

- Thomas J. Miceli, *The economic approach to law*, 2nd edition, Stanford University Press, 2009

Further readings:

Lesson 1

- Jules Coleman, "The Economic Analysis of Law", *Nomos*, Vol. 24 (1982), pp. 83-103.
- George Akerlof, "The Market for 'Lemons': Quality, Uncertainty and the Market Mechanism, *Quarterly Journal of Economics*, Vol. 84 (1970), pp. 488-500.

Lesson 2

- Ronald Coase, "The Problem of Social Cost," *Journal of Law and Economics*, Vol. 3 (1960), pp. 1-44.
- Guido Calabresi and A. Douglas Melamed, "Property Rules, Liability Rules, and Inalienability: One View of the Cathedral," *Harvard Law Review*, Vol. 85 (1972), pp. 1089-1128.

Lesson 3

- Steven Shavell, "Damage Measures for Breach of Contract," *Bell Journal of Economics*, Vol. 11 (1980), pp. 466-490.
- Daniel Friedmann, "The Efficient Breach Fallacy," *J. Legal Stud.*, Vol. 18 (1989), pp. 1-24.
- *Hadley v. Baxendale*, 9 Ex. 341, 156 Eng. Rep. 145 (1854).
- *Peevyhouse v. Garland Coal & Mining Co.*, 382 P.2d 109, cert. denied, 375 U.S. 906, Okla. (1962).

Lesson 4

- John Brown, "Toward an Economic Theory of Liability," *Journal of Legal Studies*, Vol. 2 (1973), pp. 323-349.
- Robert Cooter, "Unity in Torts, Contracts, and Property: The Model of Precaution," *California Law Review*, Vol. 73 (1985), pp. 1-51.
- Anthony Kronman, "Mistake, Disclosure, and Information," *J. Legal Stud.*, Vol. 7 (1978), pp. 134.
- *U.S. v. Carroll Towing Co.*, 159 F.2d 169, 2d Cir. (1947).
- *Sherwood v. Walker*, 66 Mich. 568, 33 N.W. 919, Mich. (1887).

Lesson 5:

- Henry Hansmann, "Ownership of the Firm", *Journal of Law, Economics, & Organization*, Vol. 4 (1988), pp. 267-304.

SOCIAL AND POLITICAL MOVEMENTS IN INTERNATIONAL HISTORY

Lecturer: Valentine Lomellini, Associate Professor of History of International Relations and Terrorism and Security in International History, the Department of Political Science, Law and International Studies, University of Padua – email: valentine.lomellini@unipd.it

Subject: History of International Relations and Contemporary History

Period: 2nd Semester, 30 hours

Language: English

Goals: The course provides the main analytical tools needed to comprehend the rise of social movements and terrorism in Europe in the XX Century; particular attention will be paid to the Italian case.

It will also provide a critical understanding of the international phenomenon of political violence and its use by terrorist organizations, and the State response on the global ground.

Contents: The course will deal with the historical analysis of extra-parliamentary political, cultural and social movements throughout Western and Eastern Europe. Particular attention will be devoted to the international dimension of their activity.

A specific focus will be done on the rise of Italian terrorism, discussing whether this could be considered as consequence of the 1968 protest movement wave or a particular specificity of the Italian context.

In detail, the course will be divided in four parts, and cope with the following topics:

- (1) the theoretical framework of social movement;
- (2) the historical roots of social movements and terrorism in Europe from the 1960s to the 1980s;
- (2) the particularity of the Italian political scenario in the international context: the rise of Left/Right-wing terrorisms and Transnational terrorism;
- (3) 1960s-1980s Italian State policies against terrorism: a comparative perspective.

Under the lecturer's supervision, students are expected to give papers on specific case studies dealing with terrorism, according to their own interests and specific skills.

References: A comprehensive course-pack will be distributed to students during the course.

GROWTH AND DEVELOPMENT IN LONG-RUN HISTORICAL

Lecturer: Dr Roberto Bonfatti, roberto.bonfatti@unipd.it

Subject: Economics (SECS-P/01)

Period: 1st semester, 15 hours

Language: English

Syllabus:

Summary: The course introduces students to the key facts about economics growth, and the main theories which have been developed to explain them. It takes a very long-run view of economic growth, spanning over the entire history of mankind but focusing on the last two centuries. It also discusses modern experiences, and the world's growth perspective over the coming decades.

Contents:

- **Introduction and stylised facts.** We provide a short overview of the contents of the module, and the key questions that we are going to address. We explore a number of facts about economic growth around the world over the past 1000 years.
- **The era of stagnation.** We set up a theoretical model to help us understand the reasons why economic growth was almost non-existing until the 18th century. We then use the model to get some insights into the fluctuations in per capita GDP before the 18th century. We will explore the impact of the Black Death on European per capita GDP and population in the 14th-18th century, the impact of the introduction of the potato in Ireland in the 17th century, and the consequences of technological progress in China in the 16th-18th century.
- **From stagnation to sustained economic growth.** We modify the model introduced in the previous lectures to understand how a stagnating economy can transit to a condition of sustained economic growth. We use the model's insights to explain the coming of the industrial revolution in Britain and a few other Western European countries in the late 18th century/early 19th century.
- **The era of sustained economic growth.** We introduce an entirely new model – the famous Solow model, the workhorse model of modern growth theory – which allows us to better understand the factors that underpin sustained economic growth: physical and human capital accumulation, and technological change. We use the model to generate insights on how fast countries at different level of development – that is, countries that have begun to experience sustained economic growth at different times – should be growing. We use the insights obtained from the Solow model to better understand the pattern of growth of various countries in the 19th and 20th century.
- **From proximate to fundamental causes of growth: “Luck” and “Culture”.** We take stock of what we have learnt so far, and acknowledge that countries can only experience sustained economic growth – and therefore become rich – if they are able to improve their technology, and to accumulate physical or human capital (the so-called “proximate” causes of growth). We then ask a key question: why were some countries able to improve their technology, and to accumulate physical or human capital, why others were not? There are four, partially competing answers to these questions (each emphasizing a different “fundamental” cause of growth), and we begin by reviewing the first two: “luck” and “culture”.
- **“Geography”.** We review a number of studies claiming that it is mainly for geographical reasons that some countries are less good than others at accumulating physical or human capital, and at inventing and adopting better technology. For example, some of these studies claim that certain types of climates are less favorable for the onset of these processes, while others suggest that some regions were advantaged by

the fact that, because of the plant and animal environment that they faced, they discovered agriculture and herding much earlier than the others.

- **“Institutions”**. The final fundamental cause of growth is institutions. Supporters of this view hold that a pre-condition for people to be able to accumulate capital and improve technology is that there are 1) good political institutions: governments capable of delivering key services (e.g. security, infrastructure, health, education, etc) and responsive to a wide range of interests; and 2) good economic institutions: well-defined property rights, contestable markets, an efficient judiciary, etc. We study how the emergence of sustained economic growth in Western Europe may be explained with the emergence of good institutions in the centuries before and during the industrial revolution. We further continue deepening the broad concept of “institution”, listing what of the features of “good institution” actually helped to shape the divergence in growth.
- **Fundamental causes: the debate**. In this lecture we make a critical approach to the fundamental causes of growth we analyzed in weeks 7-10. In particular we list for each fundamental cause the most convincing elements and the limits of the views.
- **Assessing current experiences**. We use what we have learnt so far to think critically about some contemporary growth experiences.

References: There is no single textbook that adequately covers the entire material. For topics 1-4, the main reference material will be the lecture. For topics 5-9, the main reference will be the lecture notes *and* the following book: Acemoglu, Daron and James Robinson (2012). *Why Nations Fail – The Origin of Power, Prosperity and Poverty*, London, Profile Books Ltd. Throughout the course we are going to use various journal articles, downloadable for free from within the University network.

Courses from the 2nd year onwards

GAMES, FAMILIARITY, AND STATUS: ON THE STRUCTURES AND DYNAMICS OF REPUTATION

Lecturer: Matteo Bortolini, Associate Professor of Sociology, FISPPA Department, University of Padua

Email: matteo.bortolini@unipd.it

Subject: Sociology (SPS/07)

Period: 2nd semester, 30 hours

Language: English

Goals and skills

1. Learn/Use basic sociological concepts regarding reputation, time, evaluation, opinion, trust, and social networks
2. Be able to analyze complex situations
3. Craft sound social science arguments
4. Organize research materials
5. Develop group skills in multidisciplinary work
6. Organize a sound presentation
7. Organize effective discussions

Contents

As employed in different social sciences, “reputation” is a complex concept, whose multifocality (and sometimes fuzziness) might be understood as a powerful resource for understanding social interactions, organizations, and wider societal systems. From the theory of repeated games to sociological analyses of gossip and social cohesion, from social networks theory to the assessment of liberal professions and corporate strategies, the concept of reputation is central for a number of social-scientific endeavors. This course focuses on a thorough analysis of the concept and its network of related concepts (honor, trust, status, etc.) from many different points of view: the construction and transformation of reputations; reputational capitals and resources; the transfer of reputation from one actor to another; offline and online dynamics of reputation.

The course is divided into two very distinct sections. During the first section we will build a common conceptual frame for understanding and describing what reputation is and explaining its dynamics in ancient, modern, and contemporary societies. We will survey a host of historical, philosophical, economic, and sociological works in order to extract some useful concepts (i.e. to compare the idea of reputation with other similar ideas) and summarize some of the most important descriptive and normative theories pertaining to our field.

During the second section of the course we will hold a number of presentations by the students—each student will present a book chosen from a list.

The two sections will also be different in their style of interaction: the instructor will lecture during the first section, and lead seminar discussions during the second section. The relationship between the two sections is not only chronological, it also has a pedagogical intention: through the first section of the course, the students will acquire the conceptual and historical skills that will enable them to critically present and discuss the texts proposed for the seminars.

Readings

A full reading list including books and articles from a number of social sciences will be distributed on the first day of class. Most of the reading materials will be uploaded on a dedicated Moodle page, together with some video-tutorials on presentations, discussions, and the like.

NEW TECHNOLOGIES IN FORENSIC GENETICS: CURRENT USE AND FUTURE DIRECTIONS IN GOVERNANCE AND POLICY

Lecturer: Prof. Luciana Caenazzo, Associate Professor of Legal Medicine at the Department of Molecular Medicine, University of Padua

Subject: Legal Medicine (MED/43)

Period: 2nd semester, 30 h

Language: English as medium for dialogue

Syllabus

Goals:

The course will look at the biological basis of DNA profiling and how DNA is analyzed and interpreted in different case type. We will also consider the concept of identity, as a central issue in the criminal justice.

The first part of the course introduces DNA profiling as a complex technological system, composed of heterogeneous social and material elements and practices that give rise to problems of governance; then the second part will consider the issue of human rights and liberties raised by DNA profiling, reflecting on different debates and national practices that vary from State to State, involving strong argumentation for more explicit form of public engagement in the governance of forensic DNA profiling.

The course aims to provide knowledge of the fundamentals of forensic genetics and its implications for society, future research and in civil and penal trials. It intends to provide students a solid understanding of social and ethical aspects regarding aspects of genetic identification applied to a single subject as well as to a mass disaster in terms of investigations, research and potentiality with a particular emphasis on the concept of “proportionality” as a resource for balancing the social and ethical risks and benefits of the use of forensic genetics. After having completed this course, the students are expected to have acquired knowledge about explained and discussed contents.

Contents:

- Technical basis of forensic genetics and new technologies (NGS, MPS, SNP detection)
- Forensic genetics, visible traits and microbiome
- The role of forensic genetics in mass disasters
- DNA and the Criminal Justice System: consensus and debate
- The foundation of criminal investigation ethics
- Trials and Triumphs of DNA evidence
- Global Governance of Forensic DNA profiling and database: Individual rights and common good
- Lessons from DNA: restriking the balance between finality and Justice, privacy and security

References:

A comprehensive course pack will be distributed to students by the instructor in class.

LABS IN ACCOUNTING AND CORPORATE FINANCE

Lecturers: - Antonio Parbonetti, Full Professor of Accounting at the Department of Economics and Management, University of Padua – antonio.parbonetti@unipd.it - Michele Fabrizi, Associate Professor of Corporate Finance at the Department of Economics and Management, University of Padua - michele.fabrizi@unipd.it

Subject: Accounting (SECS-P/07) and Corporate Finance (SECS-P/09) Period: 2 nd Semester, 30 h.

Language: English as medium for dialogue

Syllabus

Goals: The course aims at deepening students' understanding on key topics in accounting and corporate finance. The course is structured into two main parts. In the first part, students will analyze the financial statements of companies that face specific situations and they will be asked to study how financial statements help to better understand the underlying economic situation. In the second part, students will analyze the most recent trends in accounting and finance research in order to have a general idea of the topics analyzed by researchers in finance and accounting and the main methodologies used. Classes will be organized as small labs during which the instructor will provide an initial overview of the topic and subsequently students will be required to work in groups or make presentations.

Content: Part I. Case studies in financial statement analysis (12h) - Firms in financial distress; Firms with high intangible assets; Financial Institutions; etc... Part II. Contemporary trends in accounting and finance research (18h) - Foreign cash holdings; Fair Value; Disclosure and real effects; dividend policy etc...

CONSTITUTIONAL DECISIONS AND DEMOCRATIC DEVELOPMENT: THE ITALIAN CASE

Lecturer: Andrea Ambrosi, Senior Lecturer of Constitutional Law at the Department of Public, International and Community Law, University of Padua - andrea.ambrosi@unipd.it

Subject: Constitutional Law (IUS/08)

Period: 1st Semester, 30 h

Syllabus

The course aims at illustrating the foundations of the Italian Constitutional legal system through an in-depth analysis of the Italian Constitutional Court case law, after 60 years of its institutional functioning.

The attention is particularly focused on the studying of fundamental rights and freedoms enshrined in the Constitutional Charter, the form of the constitutional government and its State legal form, the relationships existing between the domestic legal order and the international legal systems, along with the internal balances between the different levels of governance, on the one side, and the principle of national unity, on the other.

Each subject matter shall be explained from the concrete perspective, looking at the landmark cases rendered by the Italian Constitutional Court dealing with the many and sensitive kinds of constitutional debates and controversies which have characterized the institutional life of Italy through these last six decades.

The in-depth analysis of the case law is aimed at showing the decisive role and importance played by such an institution, whose judgments have certainly had a fundamental impact on the development of Italian domestic legal system and of the European legal system as well.

A particular attention shall be attributed to the concrete cases of legal life, as the quality of the legal interpretation of the texts is enhanced by its capability of solving real and factual situation problems.

Language: Italian

Cases and materials: the cases and materials shall be those suggested and given to the students during seminars

Teaching method: Class lectures and case-law analysis with the students

Final exam: the forms of assessment shall be agreed upon by the teacher and the students during the seminars, taking into account the content of the seminars and the participation of students.

DEMOGRAPHIC DYNAMICS AND THE FUTURE OF EUROPE

Lecturer: Gianpiero dalla Zuanna, Professor of Demography, Department of Statistical Sciences, University of Padova- email: gpdz@stat.unipd.it

Period: 2 nd semester (March-May), 30h

Language: English (or Italian if all the students understand the Italian language)

Aims and outcomes of the course: The relevance of demographic change for economic and social dynamics cannot be ignored. Low fertility, population ageing and the new organization of family life have emerged in developed countries and Europe, while high fertility, high population growth, health threats and overurbanization – largely intertwined with poverty – continue to affect developing countries. Migration connects the South to the North of the world in an important way, with enormous economic and politic implication. The first 12 hours of this course provides a basic introduction to the measures for studying population. These measures are treated with practical examples that should help students to understand the main population dynamics that affect both developed and developing countries. The main data-bases will also be illustrated (Istat, Eurostat, United Nations ...) where students can find demographic macro-data and indicators. The second part of the course (18 hours) will have more seminar character. Students will be offered a dossier of articles on issues of European population. At the end of the course, the students will be able to read and understand general articles on demographic topics, and to use some data-bases of demographic measures.

Teaching methods: Lessons of the first part will be as much as possible interactive, using also internet for exploring the demographic data-bases. The second part of the course will be organized as some workshops in which students will presents articles of the dossier.

Final examination: Each student will be evaluated on the presentation during workshops.

References

The materials will be available just before the course

INDIVIDUAL PARAMETERS IN CLASSIFICATION AND DECISION-MAKING

Lecturer: Andrea Spoto, University of Padova- email: andrea.spoto@unipd.it

The classification process is used by individuals as a method to simplify complexity and thus facilitate the decision-making process. In the case of dichotomous decisions, the classification is based on the grouping into two alternative and mutually exclusive categories of stimuli that rarely have a dichotomous nature. Typically, there is a sort of continuity in the trait of “belonging” of each stimulus to a category. This trait has at its lower pole the absolute non-belonging of the stimulus to the category, while on the other pole there is the sure belonging of the stimulus to the category. An extremely interesting aspect in this process is the fact that not all individuals carry out in the same way the classification of stimuli in the two categories. This discrepancy could be due either to a different evaluation of the stimuli, or to a distortion that occurs in the selection of the dichotomous choice. In this respect it is crucial the level of belonging of the stimulus to the category which is minimally sufficient for an individual to classify the stimulus in that category. The introduction of this minimally sufficient level has great relevance in the study of decision-making processes and has applications in various contexts including medical and psychological diagnosis, referee decision, dispatch and emergency department triage, legal decision making, choices in economics. The course aims to introduce the problem of estimating the “minimally sufficient level of belonging” for the classification and the consequences of its use in decision making, in the evaluation of the agreement among different individuals and in the description individual classification attitude.

EPIDEMIOLOGY OF INFECTION DISEASES

Lecturer: Vincenzo Baldo, Full Professor in Hygiene e Public Health. Department of Cardiac Thoracic Vascular Sciences and Public Health, University of Padova - email: vincenzo.baldo@unipd.it

Period: Academic year 2020-2021, 2nd semester, 30 hours.

Language: Italian (English as medium for dialogue)

Goals: the student will be able to understand the epidemiological methods and techniques that are specific for infectious diseases, such as outbreak investigations and surveillance. Specific infectious diseases and their epidemiology will be covered, include interventions such as vaccination. The course illustrates: characteristics of infectious disease transmission dynamics and the different epidemiological approaches (study of the occurrence of infections in populations, identification of risk factors, and the development and evaluation of effective treatment measures and prevention strategies); the public health response to infectious diseases; the impact of interventions on transmission dynamic; practical training in performing specific epidemiological analyses.

Cases and materials: the cases and materials shall be those suggested and given to the students during the course

Teaching method: Class lectures and “real word” analysis with the students.

Final exam: the forms of assessment shall be agreed upon by the teacher and the students during the seminars, taking into account the content of the seminars and the participation of students.

References: A list of references and necessary materials will be provided by the instructor in class. A moodle page will be opened before the course begins, containing all necessary information.