

University of Palermo
Department of Law
PhD in Legal Pluralisms, Ancient and Present Perspectives XXXIX cycle

Design document

1. Summary description of the training project of the PhD Course.

The Doctorate in Legal Pluralisms focuses on the study of the phenomena of coexistence and interaction between legal systems and plurality of mechanisms for the production, interpretation and application of law. The articulation into two *curricula*, with a marked interdisciplinary vocation, supports the broad thematic horizon: from the Roman legal experience, proposed, in its public, private and history of sources profiles, both as an autonomous object of study and as a methodological tool for understanding current phenomena; to the processes of European legal integration, both with regard to the relations between pluralism, traditional paradigms of the legal-public sciences and the dynamics of community and international law, and in the private sphere, with particular regard to the construction of a European law of contracts from 'global law' in its impact on public regulation of the market, corporate legal relations, industrial relations, consumer protection; to the relationship between the global order and the recognition of fundamental rights and the transformations in supranational terms of criminal law and criminal proceedings.

In addition to the three-year didactic cycle on the subject of system of sources and the seminar cycles already scheduled, the training activity of the doctoral students envisages a series of further seminar and laboratory activities, some of which are co-organised with the other PhDs of the University of Palermo in the legal-political area; The training activity also envisages - by developing, in this sense, experiences already gained by the PhD in Legal Pluralisms in the past cycles - inter-doctoral training moments, relating to the macro-area of criminal law systems, which see the involvement of the Sicilian network of PhDs in the legal-penal area.

The XXXIX cycle of the Doctorate in Legal Pluralisms will see start of an institutional collaboration with the Court of Marsala, aimed at experimenting a training activity complementary to the main one of the course. This activity will consist in the involvement of doctoral students - whose research theses can be traced back to the disciplinary fields of civil law, commercial law, criminal law and criminal procedural law - in the cataloguing and maximisation of decisional jurisdictional measures in civil, commercial and criminal matters. The work of the doctoral students, supervised by their tutors, will be carried out in accordance with the methodologies and general criteria drawn up by the College and discussed with the togal representatives of the Court of Marsala.

2. Course Objectives.

The training course of the Doctorate in Legal Pluralisms, being primarily aimed at the formation of a solid awareness of the multilevel structure of inter-ordinal dialogues, of mutual circulation and integration of models and systems, of the increase in the circular solidity of the fundamental value bundles involved in the dialogues between systems, is, first and foremost, aimed at high scientific training and looks to the inclusion of doctoral candidates in the scientific communities of the

scientific-disciplinary *fields within the range of* the PhD itself, in view of the subsequent development of their respective academic careers. On the other hand, the Doctorate also aims, due to the aforementioned characteristics of the training of a mastery of method in the use multi-level cultural, scientific and operational tools, to train jurists and legal practitioners methodologically equipped to orient themselves with confidence among the peculiarities of the approaches linked to pluralism, capable of interacting with the complexities of the problems of legal systems.

3. Expected occupational and professional outlets

The training path of the Doctorate in Legal Pluralisms, relying on the sedimentation of competences capable first of all of interacting with the circular complexity of legal experiences and with the resources offered by intersystem connections and dialogues between jurisprudences for the promotion of the highest lines of protection of rights, looks with priority to the following occupational outlets scientific paths in Universities and Research Institutions; ordinary magistracy, special magistracies, advocacy, notariat; representation and management in Public Administrations; representation and management in International Organisations; representation and management in banking and financial intermediation Institutions; management structures for the administration of companies and enterprises; legal consultancy in companies and groups of companies, with particular regard to the sphere of international negotiation relations; specialised consultancy in competition and market regulation.

4. Doctoral curricula related to the Doctoral Course.

A) Roman law and domestic and supranational public law

The curriculum of Roman law and domestic and supranational public law aims at the exploration of interordination paths and of the relevant operational and research methodologies, on the one hand in the diachrony of historical developments, emphasising to this end the impressive parabola of development of Roman law; on the other hand in the evolutionary features of interordination relations in contemporary legal experiences, emphasising in this sense the phenomenologies of globalisation, the lines of development source systems, and the complexity of interordination interrelations.

B) European private law

The European Private Law *curriculum* aims to explore the specificities of the evolutions, current structures and development prospects of interordination relationships in the European framework, highlighting, in their nature as pilot thematic regions, the most advanced protection quadrants that have constituted the elective terrain of experimentation in the operation of advanced interordination instruments, starting contract law and multilevel instruments for the protection of consumers and weak contracting parties

5. Board of teachers.

Coordinator:

Prof. Giuseppe Di Chiara, PO Criminal Procedure Law, IUS/16, 12/G2, CUN Area 12

College:

Prof. Marco Armano, PA Constitutional Law Prof.
Enrico Camilleri, PO Private Law

Prof. Elisa Cavasino, PO Constitutional Law
 Prof. Marcello Cecchetti, PA Public Law, Univ. Sassari Prof.
 Giacomo D'Angelo, PA Roman Law
 Prof. Monica De Simone, PA Roman Law
 Prof. Giuseppe Di Chiara, PO Criminal Procedure Law Prof.
 Giuseppe Falcone, PO Roman Law
 Prof. Annalisa Mangiaracina, PO Criminal Procedure Law Prof.
 Carla Masi, PO Roman Law, Univ. of Naples Federico II
 Prof. Vincenzo Meli, PO Commercial Law, Univ. Roma La Sapienza Prof.
 Vincenzo Militello, PO Criminal Law
 Prof. Lara Modica, PO Private Law Prof.
 Luca Nivarra, PO Private Law Prof.
 Giuseppa Palmeri, PO Private Law
 Prof. Lucia Parlato, PO Criminal Procedure Law
 Prof. Michele Perrino, PO Commercial Law Prof.
 Armando Plaia, PO Private Law
 Prof. Salvatore Sciortino, PA Roman law Prof.
 Licia Siracusa, PA Criminal law
 Prof. Ornella Spataro, PA Constitutional Law
 Prof. Alessandro Spena, PO Criminal Law Prof.
 Francesca Terranova, PA Roman Law
 Prof. Enzamaria Tramontana, PA International law Prof. Luca
 Tumminello, PA Criminal law
 Prof. Maria Carmela Venuti, PO Private Law Prof.
 Giuseppe Verde, PO Constitutional Law

Prof. [Guillermina Patricia Benavides Velasco](#), University of Malaga Prof.
 Emmanuelle Chevreau, University of Paris II Pantheon Assas Prof. Oliver
 Descamps, University of Paris II Pantheon Assas
 Prof. [Charles Jarrosson](#), University of Paris II Pantheon Assas
 Prof. Alfonso Fernandes Miranda Campoamor, University Complutense of Madrid Prof.
[Octavio Garcia Perez](#), University of Malaga
 Prof. Angel Rodriguez, University of Malaga
 Prof. [Bruno Rodriguez-Rosado Martinez Echevarria](#), University of Malaga
 Prof. [Franck Roumy](#), University of Paris II Pantheon Assas
 Prof. [François Saint-Bonnet](#), University of Paris II Pantheon Assas Prof. [Ala Salinas de Frias](#), University of Malaga
 Prof. [Carmen Sanchez-Hernandez](#), University of Malaga Prof.
[Juan Jose Hinojosa Torralvo](#), University of Malaga

6. *Planned training activities for the PhD.*

6.1. Advanced training course:

Source system and multilevel dialogues (Year I, II and II: 60 hours)

The advanced training course, structured in an interdisciplinary key, aims to explore the evolution of the system of sources, probing its inter-systemic circularities also through the study of the contaminations between models, the changing identity of formants, the propulsive resources of jurisprudence, and the methods of dialogues between courts. The lecturers involved, in addition to the members of the teaching staff, include

specialists from outside the College, both Italian and foreign, working at universities, higher education centres, national, foreign and supranational judicial institutions.

6.2. Training paths and consistency with NRP objectives

A)

Law Lab Project:

didactics of law, primary and secondary university education, system resources (1 grant, Ministerial Decree No. 188/2023)

Project highlights:

Jurist training, innovative didactics, digitisation of teaching: lights, shadows, governance strategies of Italian and EU universities. Privacy protection, access rights, participatory guarantees, security, equality. Performance monitoring and system criticalities: development and implementation of feedback methods.

The project envisages a period of study and research for a total of 6 months at at least two public universities other than the University of Palermo, as well as a further period of study and research for a total of 6 months at foreign universities or foreign higher education institutions.

B)

Praxis in Law Project:

the circulation of interpretative practices of merit in the stratification processes of Applied Law (4 grants, Ministerial Decree No. 188/2023)

Project highlights:

The interpretative practices of the judges of merit: *recording*, databases, access, analysis, navigability inside and outside the judicial offices. Resource sharing, circulation, use of AI systems: perspectives, limits, shortcomings, criticalities. State of the art, networks under construction, comparative experiences.

The project includes a period of study and research a total of 6 months at at least two judicial centres of merit, as well as a further period of study and research for a total of 6 months at foreign universities or foreign higher education institutions.

Both projects are consistent with the objectives and purposes of EU Regulation 2021/241 and with the objectives of the NRP, and in particular with Mission 4, Component 1, with special reference to Investment 4.1 'Extension of the number of PhDs and innovative PhDs for public administration and cultural heritage'. In particular, for both projects, the criteria set forth in Ministerial Decree no. 188/2023: both projects, in a multidisciplinary perspective, aim at promoting research activities also applied in public administrations (the first project in public university administrations and higher education, the second project in judicial institutions of merit), and are aimed at reconstructing the integrated system of sources from the perspective of multilevel dialogues and circulations, which constitutes *the proprium* of the PhD in Legal Pluralisms to participate in the strategic organisation public administrations (in particular universities and higher education as regards the first project, and judicial institutions of merit as regards the second project) by enhancing their resources, monitoring their criticalities, designing organisational innovations, and studying and promoting their digital transition also through the implementation of advanced technologies and AI resources.

6.3. Seminars

6.3.1. The PhD course envisages, during the three-year period, according to a model already used for the previous cycles, the annual organisation - so as to take into account conceptual junctures emerging from the scientific debate, resulting from the publication of research results or from national, European and supranational case law or from national, European and supranational regulatory innovations, European and supranational jurisprudential innovations - of seminar cycles on topics related to the individual macro-areas of the PhD programme (area of European private law, area of Roman law and the rights of antiquity, area of commercial law, area of national and European public and constitutional law, area of the penal system) as well as on transversal topics.

6.3.2. The PhD programme organises, for each year of the course, a Summer School (held in June-July) and a Winter School held in February-March) on emerging interdisciplinary macro-themes, in partnership with the Human Rights PhD programme of the University of Palermo.

6.3.3. The doctoral programme periodically organises workshops for discussion and sharing among the doctoral students of the active cycles on the progress of the specific lines of research of the individual doctoral students: the workshops, which are open to the participation of the doctoral students who have graduated in the last five years and the undergraduates with theses on relevant topics, are attended by the doctoral students of the active cycles and their tutors and cotutors as well as, as discussants, external academic and non-academic specialists in the relevant thematic areas.

6.3.4. Legality, foreseeability, interpretation, maximisation, precedent: the laboratories of case law. Dialogues with experience. - The seminar cycle, which avails itself of the participation of lecturers, also from outside the College, and of magistrates, includes workshop sessions on the maximisation techniques of judicial decisions of merit.

6.3.5. Illicit trafficking in the Mediterranean: analysis of phenomena, law enforcement tools, international cooperation. - The seminar course explores the multiple profiles of illicit trafficking that sees the Mediterranean Sea as a theatre of perpetration, joining its shores: in addition to the phenomena of *smuggling* and trafficking, the subject of analysis is drug and tobacco trafficking. The seminar cycle will be held with the participation of scholars from outside the teaching staff as well as magistrates, lawyers, officials from international organisations, and managers of the judicial and prevention police.

6.3.6. Consumer protection and multilevel methods. The in-depth seminar reconstructs the evolution of the discipline of consumer protection, exploring its complexity, also in the light of the resources and criticalities highlighted by the instruments of judicial protection and ADR and ODR devices. The seminar cycle takes place with the participation scholars also from outside the teaching staff as well as magistrates, lawyers, notaries and experts from the world of the professions.

6.3.7. *Human Resource Strategy for Researchers (HRS4R): Cycle of Events 'Education for Research'*: interdisciplinary seminars and workshops aimed at skills development

transversal, organised partnership within the PhD School of the University Palermo, with regard to the principles and indications of the European Charter for Researchers.

7. Visibility of the Doctorate, accessibility of project documentation and information.

The Doctorate in Legal Pluralisms has an institutional website that allows the accessibility of data concerning the description of the training project, the objectives of the Course, the occupational and professional outlets, the *curricula* into which the Doctorate Course is divided, the composition of the Board of teachers, the PhD students and their individual research projects, the training activities carried out by the Doctorate also in synergy with other PhDs, with the University Doctoral School, with public and private institutions, also international or from other countries.

8. Training and organisational facilities available to doctoral students.

Doctoral students have full access to the resources, both physical and digital, of the Department' Library System and the University Library System, well as the library systems of the Universities with which the Doctorate has structural collaborative relationships and, in particular, with the University of Paris II Pantheon Assas and the University of Malaga. Doctoral thesis co-tutors also have access to the library systems of the consortium universities (namely the Universidad Complutense de Madrid, the University of Burgos, the University of Turku).

For the purposes of individual study and all other institutional activities, doctoral students have at their disposal the Department's Doctoral Rooms as well as other spaces placed at their disposal on a daily basis on the instructions of their Tutors.

9. Design monitoring systems, tools for verifying the quality of training courses, indicators.

The doctorate has a system for surveying the opinions of doctoral and post-doctoral students.

The Doctorate has an internal Commission for the evaluation of training activities, composed of a member of the Board of teachers and a representative of the PhD students for each active cycle of the Doctorate.

The Doctorate monitors the training activities taking into account the periodic consultation of stakeholders and, in particular, of Judiciary, the Bar and the Notariat.

Doctoral students, belonging to the most recent cycles, whose degree was obtained at a university other than the University of Palermo, or at a foreign university, as well as Doctoral students co-supervising a doctoral thesis, and finally Doctoral students at other foreign doctorates co-supervising a thesis with the Doctorate in Legal Pluralisms are distributed according to the following table (data are limited to the most recent doctoral cycles):

	XXXIV	XXXV	XXXVI	XXXVII	XXXVIII
Non-UniPa graduates	25%	14%	20%	10%	
Graduates abroad	25%	14%		10%	
Cotutela thesis	25%	29%			
Cotutela thesis (foreign doctorate)				10%	

Doctoral students who, in the course of their three-year training period, have spent at least 3 months abroad or at least 6 months abroad (or have planned study periods abroad for the same amount of time and have already been accredited at the foreign location of study stay), are distributed as follows

	XXXIV	XXXV	XXXVI	XXXVII	XXXVIII
Stay of study quarterly abroad	75%	57%	60%	40%	20%
Stay of study semester abroad	25%	29%		10%	20%

On numerous occasions, PhD students in Legal Pluralisms have been invited speakers at national and international seminars and study meetings.

This planning document was unanimously approved by the Board Lecturers of the PhD programme in Legal Pluralisms, Ancient and Present Perspectives at its meeting on 28/07/2023.