




PERSONAL INFORMATION

Dr. David Edward Zammit LL.D. Ph.D. (Dunelm)



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-  david.zammit@um.edu.mt

Sex Male | Date of birth 27/07/1969 | Nationality Maltese | Personal Status: Married with two children

WORK EXPERIENCE

January 2008 to date

Head of Department of Civil Law, Faculty of Laws

University of Malta

- Appointed Head of Department of Civil law; which in terms of staff numbers and teaching load, is one of the largest Departments in the Law Faculty. This post involves, inter alia, chairing over 40 examination boards of the different study units offered by the department, administering the Department's academic staff, ensuring supervision and examination of some 30 dissertations a year, liaising with visiting lecturers and examiners and managing the Department's research. Over the past 14 years I have rebuilt the Department so that it now has a core team of five full time academic staff, all of whom either have PhD's or are in the process of completing them. Most of these are former students of mine; so that their research focuses on relating private law to its social and cultural context.

Business or sector Academia

2004 to date

Senior Lecturer in Civil Law and Anthropology, Faculty of Laws

University of Malta

- Lecturing and coordination of study-units in: Law of Obligations (Tort law), Legal Anthropology, Issues in Law and Society, Anthropological Perspectives in Human Rights, Law, State and Society in Southern Europe, Professional Ethics and Advocacy Skills.
- Appointed course coordinator for the LL.D. course and subsequently for the M.Adv. course.

Business or sector Academia

2016 to date

Founding Director of the Law Clinic at the University of Malta

- The clinic trains all Master of Advocacy students to acquire good advocacy skills through offering pro bono legal assistance to deserving clients under the supervision of warranted advocates. Annually well over a hundred students participate in the clinic, which services up to 200 clients at a time.

Business or sector Academia

2012 to date

Member of the Human Rights Programme, Faculty of Laws University of Malta

- Appointed member of the University's Human Rights Programme.

Business or sector Academia

2007 to date

Visiting Lecturer – University of Bologna (Ravenna Campus)

- Lecture a module annually on The Right to Asylum in a Mediterranean Context in the

- Masters in Diritti Umani, Migrazione e Sviluppo
[Business or sector](#) Academia
- 2009 – 2010 **Visiting Lecturer**
Universita' Kore of Enna, Italy.
▪ For two years I taught a module on *Inglese Giuridico* to law students.
[Business or sector](#) Academia
- 2001 – 2006 **Coordinator and Lecturer, Mediterranean Masters in Human Rights and Democratization**
University of Malta
▪ Annually coordinated the first study-unit taught to students following the Mediterranean Masters in Human Rights and Democratization course on Human Rights and Mediterranean Cultures.
▪ Delivered lectures to M.A. students on Anthropology and Human Rights.
[Business or sector](#) Academia
- 1999 to date **Promoted to permanent Lecturer in Civil Law, Faculty of Laws**
University of Malta
▪ This post includes increased teaching and student supervision duties
▪ Appointed course coordinator for the LL.D. course
- 1997 - 2013 **Executive Editor of the Mediterranean Journal of Human Rights**
University of Malta
▪ The Mediterranean Journal of Human Rights is an interdisciplinary journal which explores the interrelationships between Human Rights Charters and their social contexts. It also encourages debate on the future restructuring of Human Rights Law.
- 1996 **Assistant Lecturer Full-time in Civil Law, Faculty of Laws**
University of Malta
▪ Appointed Assistant Lecturer on a permanent full-time basis in the Dept. of Civil law, Law Faculty, University of Malta.
▪ Served on Faculty Examination Boards in Philosophy of Law and Civil law.
▪ Compiled the course catalogues for the B.A. (Legal and Humanistic Studies) and LL.D. courses
- 1995 **Assistant Lecturer Part-Time in Civil Law, Faculty of Laws**
University of Malta
▪ Employed as Assistant Lecturer in Civil Law (with a special interest in Legal Anthropology), on a part time basis, at the University of Malta.
[Business or sector](#) Academia

EDUCATION AND TRAINING

- 2002 **European University Institute Florence: Summer School on Migration** |
 Participated in the Summer School organized by the EUI's Mediterranean Programme: *Migration in the Euro-Mediterranean Area – Demographic, Economic, Legal, Political and Social Dimensions.*
- 1998 **'La Sapienza' University Rome: Corso di Perfezionamento**
 ▪ Postgraduate diploma in Civil Liability and Consumer law
- 1994 – 1998 **University of Durham, UK: Ph.D. in Legal Anthropology** |
 ▪ Under supervision of Professor Michael Carrithers, Head of the Anthropology Department. Graduated with a thesis entitled: *Laws and Stories: an Ethnographic Study of Maltese Legal Representation.*
- 1993-1994 **University of Malta (Mediterranean Institute): M.Phil. Qualifying - Social Anthropology** |
 ▪ Successfully completed an M.Phil. qualifying course in Social Anthropology.
- 1987 – 1993 **University of Malta (Faculty of Laws): Doctor of Laws (LL.D.)**
 Obtained the degree of Doctor of Laws, following the Diploma of Notary Public with a thesis entitled: 'The Relationship between Law and Morality' under the supervision of Prof. Rene Cremona

PERSONAL SKILLS

Mother tongue(s) English, Maltese

Other language(s)	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
Italian	C2	C2	C2	C2	C2
French	B1	B1	B1	B1	B1
Arabic	A2	A2	A2	A2	A2

Levels: A1/A2: Basic user - B1/B2: Independent user - C1/C2 Proficient user
[Common European Framework of Reference for Languages](#)

Driving licence B

ADDITIONAL INFORMATION

- Publications**
- 1997 "Human rights versus social practice in the Mediterranean'. *Mediterranean Journal of Human Rights*, 1(2), 85-104
- 1999 Book Review of Busuttill, S. (ed.) *Mainly Human Rights in Mediterranean Journal of Human Rights* Vol. 3 No. 2, pp. 581-585.
- 2000 Book Review of E. Gellner, Language and Solitude, in *Journal of the Royal Anthropological Institute* Vol.6 no. 1, pp.152-153.
- 2001 "Emerging Occupational Trends among Maltese Lawyers and Notaries," *Law and Practice: the journal of the Maltese Chamber of Advocates*, Vol.2
- 2002 "Does the *non-cumul* rule exist in our Civil law?" in *Id-Dritt* Vol. XVIII, Mireva Publications, pp. 49-68.
- 2002 'Professional ideals in maltese legal practice', *Id-Dritt*, Published by the Law Student's Society, University of Malta, XVIII
- 2002 "The Case of the Faithful Prostitute" in *Tijdschrift voor Familie – en Jeugdrecht*, No.1. pp.10-15
- 2003 "Commoditising Rubble in Maltese Suburbia: A Photo-Essay" in *Journal of Mediterranean Studies* Vol.13, No.1, 2003, pp.157-167
- 2004 Co-edited, together with Prof. Ilan Pappé of the University of Haifa and Hadeel Al-Treiki of the Mediterranean Academy of Diplomatic Studies, a special issue of the *Mediterranean Journal of Human Rights*, Vol. 8 no. 2, entitled: Human Rights and the Forgotten Histories of the Israeli/ Palestinian Conflict. I wrote the editorial and also contributed a book review of P. Fitzpatrick and E. Darian-Smith: *Laws of the Postcolonial*.
- 2006 "Lawyer-client interaction: what goes on and who's in charge?" in *Id-Dritt* Vol. XIX, Allied Newspapers Limited – Malta
- 2007 Edited a special issue of the University of Malta's *Journal of Mediterranean Studies*, Volume 17 no, 2, on 'Migration in the Mediterranean. I wrote the editorial entitled: "Migration in the Mediterranean: Equalising Strategies and Social Hierarchies in Migrant Integration, pp. 169-184
- 2008 Co-edited, together with Professor Michele Pistone and Dr Anna Gallagher a special issue of the *Mediterranean Journal of Human Rights*, Vol. 11 no. 2, entitled: Migration and Human Rights in the Mediterranean Region. I wrote the editorial and also contributed a book review to this issue.
- 2008 Edited *Maltese Perspectives on Human Rights*, a publication containing chapters contributed by leading Maltese jurists on key areas of human rights.
- 2008 Edited a Thematic Issue of the *Journal of Mediterranean Studies*, Vol. 17 no.1, on: Migration in the Mediterranean: Shifting Patterns and Challenges for Integration. I wrote the editorial entitled: "Migration in the Mediterranean: Equalising Strategies and Social Hierarchies in Migrant Integration."
- 2008-21 In the past thirteen years, I co-edited with G Caruana Demajo and L Quintano the Malta chapter of the *European Yearbook of Tort Law* published by the European Centre for Tort and Insurance Law in 2008, 2009, 2010, 2011, 2012,2013,2014,2015,2016,2017,2018 &
- 2009 Day, D., Grindsted, A., Piquard, B., & Zammit, D. (Eds.). (2009). *Cities and crises* (HumanitarianNet Publication Series on Migration ed.). Bilbao, Spain: Deusto University Press.
- 2011 Suban, R. & Zammit, D.E. *Satisfying Labour Demand through Migration in Malta*, Malta report prepared for a study funded by the European Migration Network and published on their web-site here: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/reports_en
- 2012 Wrote pages 549-574 of the Malta chapter of Vernon Palmer's book: *Mixed Jurisdictions Worldwide*,

- published by Cambridge University Press.
- 2012 Donlan, S. P., & Ando, B. & Zammit, D.E. "A happy union?" Malta's legal hybridity. *Tulane European & Civil Law Forum*, 27, pp.165-208.
- 2012 "Maltese Court Delays and the Ethnography of Legal Practice" in *Journal of Civil Law Studies* Vol. 4 No. 2, published by the State University of Louisiana, US.
- 2012 *Consultative Assessment on the Integration of Third Country Nationals – Final (Malta) Report*; Commissioned by IOM-Malta and published electronically here:
https://malta.iom.int/sites/malta/files/Consultative_Assessment_of_Integration_o_0.pdf
- 2013 David Zammit, "Balancing between Patronage and Professionalism: an ethnographic account of lawyering in Malta" in Azzopardi, J., Formosa, S., Scicluna, S. & Willis A. *Key Issues in Criminology Janus 3*, University of Malta.
- 2014 Ferrari, V., Tlokinski, W., Zammit D.E. *Responsabilità medica ed organizzazione sanitaria; Profili etico-giuridici e gestionali*, Aracne (Italy).
- 2014 Zammit, D. E. & Grima C. 'Medical Liability and Psychological Damage in Maltese Jurisprudence' in Ferrari, V., Tlokinski, W., Zammit D.E. *Responsabilità medica ed organizzazione sanitaria; Profili etico-giuridici e gestionali*, Aracne (Italy).
- 2015 Zammit, D.E. & Xerri, K. "Lease, Locazioni and Kera': Merging Legal Concepts in Postcolonial Malta" in Farran, S., Gallen, J. & Rautenbach C. (ed) *The Diffusion of Law: The Movement of Laws and Norms Around the World*, Ashgate
- 2016 Zammit, D. E. "Vemacularising Asylum Law in Malta" in Arnold, R. & Colcelli, V. *Europeanization through Private Law instruments*, University of Regensburg, pp.73-107
- 2016 Zammit D. E. & Borg Cardona S. "Liability for Football Injuries in Maltese Tort Law" in Rubino, F. Helzel, P. & Bulinski, L. (eds.) *La 'Metamorfosi dello Sport: Un Approccio Multidisciplinare*, Università della Calabria, Franco Angeli, pp.249-272
- 2016 Zammit D. E., Foreword to Caroline Savvidis, *Court Delays and Human Rights Remedies*, Routledge
- 2016 Zammit D. E. "They also serve who only stand and wait: Exploring the economy of legal time in Malta" in *id-Dritt Volume XXVI*
- 2016 Zammit D.E. Does the non cumul rule exist in our civil law? *Dike kai nomos* 10:55–94
- 2017 Suban, R. & Zammit, D.E. "Promoting the integration of third-country nationals through the labour market: Combating discrimination in Employment: The case of third-country nationals in Malta", in *Mediterranean Human Rights Review*, Vol. 1 No. 1 (2017): <https://www.um.edu.mt/laws/mjhr>
- 2017 Donlan, S.P. Marrani, D., Twomey M. & Zammit, D.E. "Legal Education and the Profession in Three Mixed/Micro Jurisdictions - Malta, Jersey, and Seychelles" in Butler, P. & Morris, C. (ed.), *Small States in a Legal World*, Springer
- 2018 Sadegh, I. & Zammit, D. E. "Legitimizing a Muslim Marriage in Malta: Navigating Legal and Normative Structures", *Oxford Journal of Law and Religion*, Volume 7, Issue 3, Pages 498–518
- 2018 "How Human Rights have influenced Maltese Civil Liability Jurisprudence", in Raymond Mangion (ed), *The UN Declaration of Human Rights: '70 Years On'*, Malta: Fondazzjoni Celebrazzjonijiet Nazjonali
- 2019 Zammit D.E., Muscat M. "Human Dignity in Malta." In: Becchi P., Mathis K. (eds) *Handbook of Human Dignity in Europe*. Springer, Cham

- 2019 "Subsidiary Status" in Bartolini A., Cippitani R., Colcelli, V. (eds.) *Dictionary of Statutes within EU Law: The Individual Statutes as Pillar of European Union Integration*, Springer International Publishing
- 2019 Co-edited, together with Dr Ibtisam Sadegh and Prof. Susan F. Hirsch, a special issue (Volume 27 no.2) of the *Journal of Mediterranean Studies* entitled 'Religious Marriages in the Mediterranean'. Co-wrote the editorial entitled: 'Religious Marriages in the Mediterranean', pp.101-110
- 2019 Zammit, David E. & Alina Kislova, 'Clinical Legal Education in Malta: Learning from experience and identifying the challenges', in *International Journal of Clinical Legal Education*, Vol.26 No.3 pp.149-176
- 2020 Maltese National Report (cases 3,4,8,9,11 & 12) in Aurelia Colombi Ciacchi, Chantal Mak & Zeeshan Mansoor (ed.) *Immoral Contracts in Europe*, Intersentia Publishers.
Maltese National Report (cases 1,2,5, 6,7 & 10), in collaboration with Kurt Xerri
Preface to Annunziata Rapillo, *Le nuove frontiere della responsabilità civile: I danni punitive*, Aracne Editrice, Italy.
- 2021 'The Legal Consciousness of African Asylum Seekers in the Maltese Labour Market,' in Godfrey Baldacchino & Manwel Debono (ed.) *Working Life: The Transformation of Malta: 1960-2020*, Malta University Press
- 2022 Zammit, David E & Debono, Pauline, 'Establishing Civil Liability for Smart Contracts: a Hybrid Legal Framework to Regulate an Emerging Technology' in Università di Calabria, *Processo, processi e rivoluzione tecnologica*

Research Experience

- July -August 1991 Carried out ethnographic field research on linguistic code switching between official and dialectal forms of Maltese in the village of Mgarr.
- May 1995 – Sept. 1997 Pursued ethnographic field research for my Ph.D. in Maltese courts and legal offices, focusing particularly on the social and institutional sites through which client narratives pass in the process of civil litigation. My aim was to understand the changes the narratives themselves undergo as they are gradually converted into legal discourse, the fluctuating power struggles that accompany this process and the way in which it is embedded in and reverberates upon broader historical, political and cultural structures.
- October 1999 – to date Carried out legal research on Maltese civil law of obligations, focusing particularly on the law of tort, with the aim of understanding the cultural logic behind the provision of the Maltese civil code and the leading court judgments in the field.
- October 2000 to date Commenced historic-legal research focusing on the origins of the form of proceeding employed in the Maltese civil courts and on the proceedings of the British Royal Commission that visited Malta in 1912. My aim is to reach a deeper understanding of the processes I had observed during my fieldwork by locating them within Maltese colonial and postcolonial history.
- April-Sept. 2005 Collaborated with two British psychologists in developing and implementing a research project aimed at assessing Maltese perceptions of Arabs.
- February 2005 - 2013 Commenced ethnographic research on asylum seekers and the management of asylum claims in Malta. My aim is to reach a deeper understanding of the system of asylum processing in the context of a political and legal anthropology of Southern European states and legal systems. This research is being carried out partly on the basis of a series of field visits to Maltese detention and open centers for immigrants and also on the strength of a series of interviews with immigrants, Maltese policy makers, police and army and workers with voluntary organizations. During the summer of 1996, I directed a group of law students to assist me in this research.
- March-August 2006 Participated in the Civil Society Project, phase 2: The Family in Malta, Europe and the Mediterranean, European Documentation and Research Centre (EDRC), University of

Malta: Jean Monnet European Centre of Excellence.

- August - November 2006 Carried out comparative research on the legal processing of asylum claims in the United States and also researched the modus operandi of legal clinics in American law schools by means of participant observation at the CARES legal clinic for asylum seekers, refugees and migrants at the University of Villanova Law School (PA). During this visit to Philadelphia, two teams of students representing asylum seekers were supervised throughout the various stages of their application and the US Immigration Courts were observed on various occasions. The aim of this research was partly pedagogical: to provide a basis for the establishment of a legal clinic at the University of Malta and partly theoretical: to understand the way in which asylum narratives are converted into legal discourse in the context of a purely adversarial mode of litigation.
- December 2007- 2010 Co-ordinated a Research Project on the Integration of Irregular Migrants in the Maltese labour market for the University of Malta's Centre for Labour Studies, in conjunction with the Departments of Civil law and International Relations. This Research was sponsored by the Friedrich Ebert Stiftung Foundation.
- 2010 Researched and wrote, in conjunction with Robert Suban M.A., the Malta national report for the European Migration Network study on Satisfying Labour Demand through Migration.
- Feb-June 2012 Conducted intensive anthropological research consisting of interviews and participant observation among Third Country National migrants residing in Malta and local stakeholders in order to assess their integration into Maltese society. As part of this research, I organized and coordinated a team of student researchers who assisted with the interviews and in so doing worked closely with a colleague from the Anthropology Programme: Dr. Jean Paul Baldacchino, who carried out valuable research of his own. I was commissioned to carry out this research by the International Organization for Migration (Malta branch) in the framework of their research project entitled: "Consultative Assessment on the Integration of Third Country Nationals". This research was funded by the European Union under the European Fund for the Integration of Third-Country Nationals (IF) 2007 – 2013. My final report can be downloaded from this link:<https://ec.europa.eu/migrant-integration/librarydoc/consultative-assessment-of-integration-of-third-country-nationals-project-final-report>
- Nov2012-April 2013 Conducted research for the International Organisation on Migration and compiled another report on the experiences of Third Country Nationals in the Maltese Labour Market for the EU funded project: [IF 2011 – 08: Pan-European Conference – Work: a Tool for Inclusion or a Reason for Exclusion?](#)
- January-September 2013 Researched Maltese law on contractual fraud and liability in delict and quasi-delict for an expert report which was commissioned by Mishcon de Reja and submitted before the English High Court in the case of Group Seven and Rheingold vs AIC, Mr Marek and others; which was relied upon by Mr Justice Peter Smith in reaching his judgment in the case: [2014] EWHC 2046 (Ch). This choice to rely on my report was endorsed by the Court of Appeal in Group Seven Ltd and Anor v. Allied Investment Corporation Ltd and ORS [2019] EWCA Civ 614; with Lord Justice Vos commenting: 'it seems to me that Dr Zammit's opinion is much to be preferred.'
- January-April 2016 Researched together with Dr Jeanise Bonnici an expert report on Maltese Asylum Law; which was commissioned by Lawrence Lupin Solicitors and submitted to the UK Upper Tribunal JR4896/2014 Immigration and Asylum Chamber in the case R (on the application of) OMAR HASSOON KARADA & The Queen (on the application of) ISMAIL MOHAMED HASSAN (Claimants) and SECRETARY OF STATE FOR THE HOME DEPARTMENT (Defendant). This report was favourably reviewed by the two Judges presiding over the Upper Tribunal; who commented: 'The joint report of Dr Zannit and Dr Bonnici is a commendable piece of work. It is evidently well researched

and comprehensive in its terms. Its structure is clear and comprehensible and the authors have addressed, in coherent terms, each of the questions they were requested to consider. Furthermore, the report is balanced. We detect no hint of partisanship or exaggeration.”

- January 2019 Two week research visit at the 'Law and Anthropology' Department of the Max Planck Institute for Social Anthropology, Halle (Saale), Germany
- January 2021-to date Conducting research on Maltese civil liability issues arising in relation to Smart Contracts in the context of the project 'Systematising Smart Contracts within Classical Contract Law'.

Research Projects and Awards:

- January 2022 Member of Research Group based in the Jagiellonian University of Krakow, Poland studying Marriage, Human Rights and Legal Pluralism in Europe
- January 2022 Co-Principal Investigator of the Project 'Crossing Borders to Connect Routes. Researching with educational communities to promote equity and fight racism towards immigrants in a post-pandemic world' This project is led by the Universitat Oberta de Catalunya and has been granted \$75,000.00 by the Spencer Foundation for Educational Research
- October 2019 Awarded a University of Malta Research Excellence Award of 60,000 Euros for the project: Systematising Smart Contracts within Classical Contract Law Theory; which is a two year project employing research assistants and commencing in January 2021
- Dec 2018 Awarded the University of Malta's *Malta Human Rights Award* for the best scholarly work on human rights relevant to Malta over the last five years in relation to my paper entitled: Vernacularising Asylum Law in Malta
- Aug2006-Nov.2006 Awarded a Fulbright Research Scholarship to attend at the CARES Law Clinic at the University of Villanova Law School to study the Law Clinic at the University of Villanova (US)

Memberships:

- Member of the University of Malta's Human Rights Programme
- Fellow of the Royal Anthropological Institute (RAI)
- Member of the European Association of Social Anthropologists (EASA)
- Fellow of the European Centre of Tort and Insurance Law