

Course of study in
"Economics, management and international markets" - [L-33].
a.y. 2021/2022

SUBJECT

Private Law

SDS: **IUS/01** - ECT: 9

II YEAR; I SEMESTER

Lecturer: **Prof. ssa Alessandra Langella**

Disciplinary tutor: to be appointed

<p>Qualification and scientific background of the lecturer</p>	<p>Visiting Researcher, Relais Culture Europe, Paris, June-July 2021. Lecturer in Private and Family Law, Department of Law, University of Perugia, Chair Prof. Stefanelli. Research Fellow, University of Perugia, IUS/01, December 2020. Research Fellow, 2019/2020. University of Perugia. Ius/01. Adjunct lecturer in the course Children's Rights Law, Telematic University of Studies, IUL. ACADEMIC YEARS 2019-2020, 2020-2021, 2021-2022. Volunteer operator of the Altro Diritto Association at the Juvenile Penal Institute of Florence. Habilitation to the profession of lawyer, Court of Appeal of Perugia, November 2018. Advanced Training Course "Defence of children at risk, legal instruments of protection for minors" at the Scuola Superiore dell'Avvocatura, Rome. May-November 2018 PhD in Law and protection: contemporary experience and comparative Romanistic legal system, University of Rome, Tor Vergata, June 2018. Visiting Researcher, Max Planck Institut für Ausländisches und Internationales Privatrecht, Hamburg, September-November 2016. Lecturer in Private Law, Department of Economics, University of Perugia, Chair Prof. F. Scaglione. Lecturer in Roman Law, Department of Law, Luiss Guido Carli, Rome, Chair Prof. A. Masi. Traineeship at the Ministry of Foreign Affairs, Diplomatic Ceremonial of the Republic, Litigation Office, September 2012-January 2013.</p>
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	Law degree Luiss Guido Carli, Rome, 2012.
<p>Description of contents and subdivision of the programme into teaching modules</p>	<p>The Private Law degree course will be divided into 3 teaching modules designed as follows:</p> <ul style="list-style-type: none"> ➤ Module 1 - Preliminary Concepts - Subjects of Law The first module will be devoted to introductory notions and basic principles of Private Law. The sources of law. The legal norm, Interpretation. The subject of the legal relationship. Natural persons - Rights of personality. Right to life. Right to health. Protection of name and identity - Protection of confidentiality and personal data (Legislative Decree no. 196/2003) - Legal persons. ➤ Module 2 - Rights in rem and rights of obligation The second module is devoted to property and rights in rem and rights of obligation. Property. Rights in rem of enjoyment. Communion. Condominium. Possession. Detention. Obligatory relationship: sources of obligations. Natural obligations. Joint and several obligations. Modification of the subjects of the obligatory relationship. Modes of extinction. Financial responsibility. ➤ Module 3 - Contracts, protection of rights, general principles of succession: Module 3 is devoted to the study of a central institution of the entire system of private law, the contract. Specifically: the legal transaction. Essential elements of the legal transaction. Accidental elements. Pathologies. Rescission and termination. Discipline of individual contracts. In addition, the protection of rights. Proof of facts. Publicity. Prescription and forfeiture. Succession by reason of death: general principles.
<p>Abstract</p>	<p>Private law is the area of the legal system that regulates and governs relations between individuals. It organises the patrimonial and personal relationships of the associates, as well as governing the relations between private individuals and the Public Administration where it acts <i>iure privatorum</i>, i.e. as a private entity.</p>

	<p>The programme focuses on positive national law without neglecting the connections with European Union law.</p> <p>The aim of the course is to provide the basic notions and skills to be able to move in common private law.</p> <p>The course will be divided into 3 teaching modules.</p>
<p>Learning objectives</p>	<p>The course covers the basic concepts and institutions of private law. The skills learnt are aimed at enabling the drafting of simple contract formulas and the analysis of practical cases.</p> <p>At the end of the course, students are expected to demonstrate the following:</p> <ul style="list-style-type: none"> ➤ to use legal language rigorously; ➤ to have knowledge of the basic notions; ➤ to have learnt the structure of the civil code; ➤ to master the institutions of private law; ➤ to understand the problems associated with certain private-sector institutions; ➤ to know how to apply the acquired knowledge; ➤ to critically evaluate standards.
<p>Expected learning outcomes</p>	<p>A. Knowledge and understanding</p> <p>By the end of the course, students will have acquired the basic skills relating to the private law institutions covered. They will be able to express themselves correctly through the use of appropriate technical and legal language.</p> <p>B. Applied knowledge and understanding</p> <p>The course aims to provide students with the tools to ensure the understanding and application of legal rules. Students will be called upon to apply the acquired skills in order to frame cases and to find the most suitable answers to the practical cases proposed, supporting with personal arguments the solutions they consider most appropriate and indicating the logical-legal reasons that justify them. In this sense, the course aims to develop students' logical-argumentative skills, inviting them to apply the notions to practical cases, also by compiling brief comments on sentences.</p> <p>C. Autonomy of judgement</p>

	<p>The course aims to develop the student's ability to make autonomous and critical judgements about the rationale behind the rules. By the end of the course, students should demonstrate a good level of autonomy, enabling them to study in depth the complexity of the legal issues addressed.</p> <p>D. Communication skills At the end of the course, students should be able to express the knowledge they have acquired with clarity and mastery of terminology. The opportunities for discussion between the students, the lecturer and the subject tutor provide an opportunity to interface and dialogue with different interlocutors in order to enhance the students' communication skills.</p> <p>E. Learning ability At the end of the course, the student will have learned the contents of private law necessary to deal with the subjects in the private law sector included in the faculty's syllabus.</p>
<p>Skills to be acquired</p>	<p>EXPECTED RESULTS</p> <p>A. Use of advanced textbooks, knowledge of some cutting-edge topics within the subject studied. The course is intended as a basis for studying and learning the fundamental institutions of private law. The knowledge gained from the course is a prerequisite for a more in-depth investigation of specific topics and for the analysis of more complex legal issues.</p> <p>B. A professional approach to work and possession of appropriate skills to devise arguments, support them and solve problems within the subject studied. Ability to collect and interpret data useful for making independent judgements. The course aims to develop legal skills in students who in their future profession will be called upon to apply legal rules, albeit as a non-main aspect of their work, for which they may also have to deal with judges, notaries and lawyers.</p> <p>C. Ability to communicate information, ideas, problems and solutions to specialists and non-specialists.</p>

	<p>At the end of the course the student is expected to have learned the necessary language to express himself or herself with specialist and non-specialist interlocutors.</p> <p>D. Ability to undertake further studies with a high degree of autonomy.</p> <p>The student has understood the most important categories of private law. In addition to having knowledge of the basic legal institutes, the student has gained a good confidence with the study method and with the appropriate tools of legal interpretation aimed at achieving a technical analysis of private relationships with a critical and autonomous approach.</p>
<p>Didactics organisation</p>	<p>DIDACTICS PROVISION</p> <ul style="list-style-type: none"> ➤ 9 hours of recorded video lessons available on the platform. ➤ 3 synchronous meetings on the platform. ➤ Podcasts of all the above-mentioned video lessons. <p>INTERACTIVE DIDACTICS</p> <ul style="list-style-type: none"> ➤ 1 course orientation forum; ➤ 3 in-depth thematic forums (1 per module); ➤ Possibility to carry out work in groups; ➤ 3 structured <i>e-activities</i> (as described in the section “<i>in itinere assessment methods</i>”). <p>SELF-LEARNING</p> <p>Teaching materials are provided for each module: in-depth thematic studies, articles and slides by the lecturer, open access readings, online resources, reference bibliography, etc.</p>
<p>Recommended examination texts</p>	<ul style="list-style-type: none"> ➤ M. PARADISO, <i>Corso di Istituzioni di Diritto Privato</i>, Utet. Giappichelli Editore. <p>The student must consult an updated edition of the Civil Code.</p>
<p>In itinere assessment methods</p>	<p>Access to the final examination is subject to the following 3 e-activities:</p> <ul style="list-style-type: none"> ➤ E-activity 1 - Module 1: Self-assessment multiple-choice test. ➤ E-activity 2 - Module 2: Free-response tests.

	<p>➤ E-tivity 3 - Module 3: multiple-choice test on all topics of the module and the whole course as a preliminary test to the final examination (self-assessment).</p>
<p>Procedure for the final examination</p>	<p>The assessment of learning will take the form of an oral interview on the course contents and on the final report submitted, if any. The grade (min 18, max 30 with possible honours) is determined by the level of performance for each of the following dimensions of the oral interview: mastery of contents, appropriateness of definitions and theoretical references, clarity of argument, command of specialist language.</p>
<p>Language of instruction</p>	<p>Italian</p>