

**COURSE OF STUDY: L-39 -L-40 – SOCIAL SERVICE SCIENCES AND SOCIOLOGY. -  
SOCIAL SERVICE SCIENCES  
ACADEMIC YEAR : 2023-2024  
ACADEMIC SUBJECT: PRIVATE LAW (A/L)**

<b>General information</b>	
Year of the course	I year
Academic calendar (starting and ending date)	I semester (18 September 2023 -7 december 2023)
Credits (CFU/ETCS):	6
SSD	IUS /01
Language	Italian
Mode of attendance	Attendance, although not compulsory, is highly recommended

<b>Professor/ Lecturer</b>	
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Virtual headquarters	Platform Microsoft teams
Tutoring (time and day)	Tuesday and Wednesday, h. 11:30/12:30, in presence

<b>Syllabus</b>	
<b>Learning Objectives</b>	The student will acquire a solid wealth of technical and methodological knowledge in private law; he will learn the technical-legal terminology and will be able to grasp and place the systematic and axiological connections between the institutes of private law. The student will achieve autonomy in the search for normative sources and in the systematic interpretation of the same, in the light of the concrete interests at stake and in view of the solution of practical cases in an interdisciplinary perspective.
<b>Course prerequisites</b>	A good knowledge of the Italian language and the possession of adequate learning and reasoning skills are required. It is also useful to have a basic knowledge of the Italian Republic Constitution.
<b>Contents</b>	<i>Natural and legal persons:</i> a) Natural persons b) Legal persons. <i>Family and parental relationships:</i> General notions - Marriage - Personal relationships between spouses - Patrimonial relationships between spouses - Personal separation between spouses - Dissolution of marriage - Filiation - Adoptions and foster care. <i>Succession due to cause of death:</i> Principles and limits - Succession proceedings - Acquisition and loss of inheritance - Successions of the legitimates - Legitimate succession - Testamentary succession - Hereditary communion and division. <i>Legal situations:</i> a) Existential situations b) Real enjoyment situations c) Ownership situations d) Credit and debt situations: Structure and characteristics of the obligation - The events of the bonds - Typical types of bonds e) Situations of guarantee: Situations of patrimonial guarantee - Real guarantee situations - Personal guarantee situations f) Prescription and



	<p>forfeiture.</p> <p><i>Negotiation autonomy and contractual autonomy:</i> a) Negotiation autonomy: Introduction - Tools of negotiation autonomy: structural profile - “Essential elements” of the legal transaction and “requirements” of the contract - Tools of negotiation autonomy: Dynamic profile - Constraints in the formation of contracts - Pathology in the genetic phase of contracts - Effectiveness of contracts - Transfer of contracts and subcontracting - Execution of contracts - Instruments of negotiation autonomy: Systematic profile, b) Negotiation autonomy with non-patrimonial content: Acts with non-patrimonial content - Acts of disposition of the body c) advertising and transcription.</p> <p><i>Civil and unlawful liability:</i> Liability for unlawful acts - Liability c.d. special - Tort and damage.</p>
<b>Books and bibliography</b>	P. Perlingieri, <i>Istituzioni di diritto civile</i> , ESI, ultima edizione in commercio.
<b>Additional materials</b>	The study of the program requires the necessary consultation of a code civil updated and accompanied by the main regulatory sources.

Work schedule		
Total	Lectures	Out-of-class study hours/ Self-study hours
<b>Hours</b>		
150	48	102
<b>ECTS</b>		
6		
<b>Teaching strategy</b>	The method with which to deal with the the study of the discipline, which will be followed by the teacher during the lectures, implies, in addition to the analysis of the institutes, through the continuous consultation of the regulatory sources, also the ability understanding and interpretation of them. This involves the development of a critical and systematic reasoning capacity around the topics dealt with, as well as the expository mastery of concepts.	
<b>Expected learning outcomes</b>		
<b>Knowledge and understanding on:</b>	The student acquires the fundamental notions concerning the main institutes of private law and the essential discipline of the same same by attending, not compulsory but absolutely recommended, teaching activities organized in lectures and any additional exercises and/or seminars, including interdisciplinary ones.	
<b>Applying knowledge and understanding on:</b>	The student is able to understand the complexity of the institutes analyzed and to interpret the relative norms on the basis of the knowledge acquired during the educational activities, in order to apply them to the concrete case through the use of an appropriate technical-legal lexicon.	
<b>Soft skills</b>	<ul style="list-style-type: none"> <li><i>Making judgements:</i> the student is able to understand and properly use the technical-legal terminology; is able to distinguish, within a text or a discourse, the parts that describe regulatory elements from those that offer their interpretation; knows how to operate the appropriate systematic and axiological connections between the various institutes of civil law and transdisciplinary between the various disciplines covered by the course of study.</li> <li><i>Communication:</i> the student is able to understand the structure and function of the main institutes of civil law; knows how to apply the knowledge acquired to solve non-complex practical cases; acquires the basic knowledge</li> </ul>	



	<p>for learning the legal disciplines related to private law that he will have to deal with in the degree course (eg, Constitutional Law, Labor Law, European Community Law).</p> <ul style="list-style-type: none"> <li>• <i>Lifelong learning skills</i>: the course aims to introduce the study of private law, offering a critical and problematic view of the matter, inspired to respect for constitutional and European legality.</li> <li>• <i>Working in groups</i>: students attending the seminars will be asked to coordinate with other people, including those of different cultures and professional specializations, integrating skills and forming a working group for the analysis and comment of cases and jurisprudential sources.</li> </ul>
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Assessment and feedback	
Methods of assessment	<p>It is required to the candidate to show, in the oral exam, systematic and analytical learning of principles, rules and of the institutes of private law, according to the Italian-European system sources.</p> <p>Oral exam only.</p>
Evaluation criteria	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding on</i>: students should have the ability to analyze and synthesize information, i.e. to acquire, organize and reformulate data and knowledge from different sources. Attending students will be invited, during the seminar and during the examination, to grasp and summarize the meaning of some judgments of jurisprudence, in turn an expression of synthesis between the description of the case in point of the judicial order and the reasons for the decision.</li> <li>• <i>Applying knowledge and understanding on</i>: students must have the ability to solve problems, that is to apply what they have learned to a concrete case, selecting the knowledge that allows them to solve it in the most appropriate way. Attending students will apply, in the analysis of legal problems and concrete cases agreed with the teacher, the method and argumentative techniques studied.</li> <li>• <i>Making judgements</i>: students must be able to formulate judgments independently, i.e. interpret information with a critical sense and make consequent decisions. Attending students will have to take a stand on the adequacy and reasonableness of the judicial orders examined.</li> <li>• <i>Communication skills</i>: students must be able to communicate effectively, to transmit information and ideas in a clear and formally correct way, expressing them in adequate terms with respect to specialist or non-specialist interlocutors in the sector. Attending students, during seminars and exercises, will be invited to speak with the teacher on the solutions adopted.</li> <li>• <i>Lifelong learning skills</i>: students must be able to recognize their own gaps and identify effective strategies aimed at acquiring new knowledge and skills.</li> </ul>
Criteria for assessment and attribution of the final mark	<p>The final grade will be attributed through the assessment of the level of preparation demonstrated by the student during the exam in relation to each of the topics in the program, which each question will focus on.</p> <p>The vote will be expressed out of thirty (from 18/30 to 30/30 with honors). For the assignment of honors an ad hoc question will be formulated, through which the student will have to demonstrate a thorough and critical knowledge of a private law institute, as well as an excellent technical ability to argue on the systematic and axiological links between the various institutes.</p> <p>The criteria for the evaluation of learning outcomes are:</p>



	<p><b>Insufficient: 0-17</b> Lacking, inadequate knowledge of the topics contained in the program, use of a non-legal lexicon by candidates</p> <p><b>Sufficient: 18-20</b> Sufficient knowledge of the topics contained in the programme and overall adequacy of the legal lexicon used by the candidates</p> <p><b>Discreet: 21-23</b> Discrete knowledge of the topics contained in the program, discrete ability to argue and make connection between the various topics, through the use of an adequate legal lexicon by candidates</p> <p><b>Very good: 24-26</b> Good knowledge of the topics contained in the program, good ability to deepen and critique, through the use of an adequate legal lexicon by candidates.</p> <p><b>Distinguished: 27-28</b> More than good knowledge of the topics contained in the program, more than good ability to deepen and argue on the links between the different topics, to criticise, mastery of legal lexicon by candidates.</p> <p><b>Very good: 29-30</b> Excellent knowledge of the topics contained in the program, excellent ability to deepen, argue on the link between the different topics, to criticise, mastery of legal lexicon by candidates.</p> <p><b>Excellent: 30L</b> Excellent knowledge of the topics contained in the program, excellent ability to deepen, argue on the link between the different topics, to criticise and excellent mastery of legal lexicon.</p>
<p><b>Additional information</b></p>	<p>President: Prof. Salvatore Giuseppe Simone; members: Proff. Francesco Di Giovanni, Ferdinando Parente, Valeria Corriero; Doctors: Rocco Lombardi, Antonello Mariella, Diego Di Tondo.</p>