

**COURSE OF STUDY: L-39 -L-40 – Social Service Sciences and Sociology**  
**course in L-39 Social Service Sciences**

*(common course with Political, economic and administrative sciences)*

**ACADEMIC YEAR 2024/2025**

**ACADEMIC SUBJECT *Private law (M/Z)***

<b>General information</b>	
Year of the course	I year
Academic calendar (starting and ending date)	I semester (september 16 <sup>th</sup> 2024 december 13 <sup>h</sup> 2024)
Credits (CFU/ETCS):	6
SSD	IUS/01- Private law
Language	Italian
Mode of attendance	Not compulsory, but strongly recommended

<b>Professor/ Lecturer</b>	
Name and Surname	<b>Valeria Corriero</b>
E-mail	<a href="mailto:valeria.corriero@uniba.it">valeria.corriero@uniba.it</a>
Telephone	080/5717805
Department and address	Department of Political Sciences, Room n. 12, Floor I Adress, Corso Italia, n. 23
Virtual room	Platform Microsoft teams, Code ks8dep7
Office Hours (and modalities: e.g., by appointment, on line, etc.)	In attendance, all Wednesday from 11 a.m to 1 p.m., in any case by appointment by email Please consult the teaching page for further updates: <a href="https://www.uniba.it/it/docenti/corriero-valeria/attivita-didattica">https://www.uniba.it/it/docenti/corriero-valeria/attivita-didattica</a>

<b>Work schedule</b>			
<b>Hours</b>			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
<b>150</b>	48		102
<b>CFU/ETCS</b>			
6			

<b>Learning Objectives</b>
<p>The student will acquire a solid wealth of technical and methodological knowledge in private law; will be able to use the legal lexicon and to grasp the systematic and axiological connections between the institutions of private law, with particular attention to the vulnerable subjects and formations social networks in which the individual's personality unfolds.</p> <p>The student will achieve autonomy in the search for regulatory sources and in the systematic interpretation of the same, in light of the concrete interests at stake, in view of the solution of practical cases from an interdisciplinary perspective.</p> <p>Among the ways in which the expected abilities are verified, we note the analysis of cases, addressed by doctrine and jurisprudence, during the development of in-depth seminars.</p>

<b>Course prerequisites</b>	A good knowledge of the Italian language and the possession of adequate learning and reasoning skills are required. Basic knowledge of the Constitution of the Italian Republic is also useful (in particular, regarding fundamental principles and rights and the rights and duties of citizens). Passing the Private Law exam must precede the optional Social Legislation and Administrative Law exams.
<b>Teaching strategie</b>	<p>The method with which to deal with the study of the discipline, and which will be followed by the teacher during the lectures, implies in addition to the analysis of private institutions, through the continuous consultation of the regulatory sources (primarily the civil code), also the ability understanding 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.</p> <p>Heuristic-Socratic lectures, integrative seminars, including interdisciplinary ones, mentoring and exercises on "case studies".</p>
<b>Expected learning outcomes in terms of</b>	
<b>Knowledge and understanding on:</b>	The student acquires the fundamental notions concerning the main institutions of civil law and the essential discipline of the same by attending, not compulsory but highly recommended, teaching activities, organized in lectures, supplementary seminars, including interdisciplinary, and exercises on "case studies".
<b>Applying knowledge and understanding on:</b>	The student is able to understand the complexity of the civil issues submitted to him and to interpret the main laws and private legal institutions, on the basis of the knowledge acquired during the educational activities, in order to apply them to the concrete case, with particular regard to the protection of vulnerable subjects, through the use of an appropriate 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 institutions 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 institutions of civil law; knows how to apply the knowledge acquired to solve non-complex practical cases; acquires the basic knowledge for learning the legal disciplines related to private law that he will have to deal with in the degree course (eg, Labor law).</li> <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 and by the centrality of the value of the person, with particular regard to the protection of the subjects and the social formations considered weak people (minors,</li> </ul>

	women, homosexuals, unmarried couples, families, individuals who lack all or part of autonomy).
<b>Syllabus</b>	
<b>Content knowledge</b>	<p>The general part of the course will focus on the introductory notions and the fundamental principles of private law. In particular, we will proceed with the analysis of the sources of private law, the identification of the different types of facts, acts and legal effects, the study of the subjects (natural and legal persons), of the legal subjective situations (existential, real, possessory, credit and debit, guarantee), negotiation and contractual autonomy, civil liability and the features of family law. The special part of the course will pay particular attention to the problem of the interpretation of contracts, in an attempt to accredit a new system of contractual hermeneutics, compared to the traditional one of the civil code, and to legitimize the "corrective" judicial interpretation of contracts.</p> <p>1) General part:  1. <i>Introductory notions and fundamental principles</i>: Social reality and legal system - Sources of law - Principles - Fact and legal effect - Subjective situation and legal relationship - Dynamic of subjective situations - Legal method and interpretation. Application of the law in the space and the time. 2. <i>Natural and legal persons</i>. 3. <i>Legal situations</i>: Existential situations – Real situations - Possession situations - Credit and debt situations - Guarantee situations - Prescription and forfeiture. 4. <i>Negotiation autonomy</i>: Negotiation autonomy and contractual autonomy - Negotiation autonomy with non-patrimoniale content - Individual contracts: a) contracts relating to the transfer of situations; b) contracts and (acts) relating to the destination of goods for purpose; c) contracts relating to the enjoyment and use of goods; d) contracts relating to the execution of works and services; e) agreements without valuable consideration and without valuable consideration - Unilateral promises - Advertising and registration. 5. <i>Civil liability</i>: Liability for tort - Liability c.d. special - Tort and damage. 6. <i>Business enterprise</i>: Business and firm - Competition. 7. <i>Family and parental relationships</i>.</p> <p>2) Special part:  Contract and interpretation in the civil code system - Towards a new systematic of contractual hermeneutics criteria The "corrective" interpretation of contracts.</p>
<b>Texts and readings</b>	<p>1) P. Perlingieri, <i>Istituzioni di diritto civile</i>, ESI, Napoli, latest edition.  2) M. Pennasilico, <i>Contratto e interpretazione. Lineamenti di ermeneutica contrattuale</i>, Giappichelli, Torino, latest edition.</p>
<b>Notes, additional materials</b>	The study of the program requires the consultation of a civil code updated and accompanied by the main regulatory sources, as well as the study of the didactic material relating to sentences and in-depth essays of civil law institutes.

	We recommend: Civil Code, edited by G. Perlingieri and M. Angelone, ESI, Naples, 2024.
<b>Repository</b>	Additional learning material can be found in the Teams class.  Reference texts are available in the department library. For information, please consult the following link: <a href="https://www.uniba.it/it/ricerca/dipartimenti/scienze-politiche/biblioteca/biblioteche-1/servizi-offert">https://www.uniba.it/it/ricerca/dipartimenti/scienze-politiche/biblioteca/biblioteche-1/servizi-offert</a> i

<b>Assessment</b>	
Assessment methods	<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, with particular regard to the protection of subjects and social formations considered vulnerable (minors, women, homosexuals, unmarried couples, family, individuals who lack all or part of autonomy).</p> <p>During the exam, the candidate will be asked a suitable number of questions relating to each of the books of the civil code, the subject of the exam programme, in order to test the existence of adequate preparation to pass the exam.</p> <p><b>Oral exam only.</b></p> <p>Students who book during the last lesson or via email to be sent to the teacher, no later than the fifth day before the December exam date, will be allowed to take two exemptions (which will take place during the December exam date on first, and the January exam the second), at the end of the course. The reservation on Esse3 must be made, in case of overcoming the first exemption, for the date of the first exam in January (second exemption).</p> <p>The first exemption (December session) will include the study and critical analysis of the following institutions: hierarchy of legal sources, facts, legal acts and effects, subjects (natural and legal persons), legal situations (existential, real enjoyment, possessory).</p> <p>The second part of the exemption (first appeal in January) will concern the following institutions: legal situations (credit, debt and guarantee), negotiation and contractual autonomy, civil liability and features of family law; special part of the course dedicated to the interpretation of contracts. The final evaluation will be given by the average of the marks obtained in the exoneration tests.</p>
Assessment criteria	<ul style="list-style-type: none"> <li>• <i>Knowledge and understanding</i> :The student acquires the fundamental notions concerning the main institutions of civil law and the essential discipline of the same by attending, not compulsory but highly recommended, teaching activities, organized in lectures, supplementary seminars, including interdisciplinary, and exercises on “case studies”.</li> <li>• <i>Applying knowledge and understanding</i>: The student is able to understand the complexity of the civil issues submitted to him and to interpret the main laws and privat legal institutions, on the basis of the knowledge acquired during the educational activities, in order to apply them to the concrete case, with particular regard to</li> </ul>

	<p>the protection of weak subjects, through the use of an appropriate legal lexicon.</p> <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 institutions 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 institutions of civil law; knows how to apply the knowledge acquired to solve non-complex practical cases; acquires the basic knowledge for learning the legal disciplines related to private law that he will have to deal with in the degree course (eg, Labor law).</li> <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 and by the centrality of the value of the person, with particular regard to the protection of the subjects and the social formations considered vulnerable people (minors, women, homosexuals, unmarried couples, families, individuals who lack all or part of autonomy).</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>
Final exam and grading criteria	<p>The final grade will be attributed through the assessment of the level of preparation demonstrated by the student during the examination in relation to each of the books of the civil code, on which every single question will focus, with particular regard to the subjects, to the legal situations of debt and credit, and negotiating autonomy. 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 ability to argue on the systematic and axiological connections between the institutions of private law.</p> <p>The method of verifying the expected learning outcomes is represented by the oral test, which consists of a minimum of three questions on the teaching programme. The vote is expressed in thirtieths. If the candidate does not demonstrate at least sufficient knowledge of basic teaching topics, it will not be possible to proceed with the subsequent questions.</p> <p>The criteria followed for the evaluation of learning outcomes expressed out of thirty are: Insufficient: <b>0-17</b> Lack of, incomplete and inadequate knowledge of the topics contained in the program, use of non-legal lexicon by the candidates</p>



	<p>Sufficient: <b>18-20</b> Sufficient knowledge of the topics contained in the program and overall adequacy of the legal lexicon used by the candidates</p> <p>Fair: <b>21-23</b> Fair knowledge of the topics contained in the program, fair argumentation and connection skills between the various topics, through the use of an adequate legal lexicon by the candidates</p> <p>Good: <b>24-26</b> Good knowledge of the topics contained in the program, good ability for in-depth analysis and criticism, through the use of an adequate legal lexicon by the candidates</p> <p>Distinct: <b>27-28</b> More than good knowledge of the topics contained in the program, more than good ability for in-depth analysis, connection between the different topics, criticism and mastery of the legal lexicon on the part of the candidates</p> <p>Very good: <b>29-30</b> Excellent knowledge of the topics contained in the program, excellent ability for in-depth analysis, connection between the different topics, as well as criticism and mastery of the legal lexicon on the part of the candidates</p> <p>Excellent: <b>30L</b> Excellent knowledge of the topics contained in the program, excellent ability for in-depth analysis, connection between the different topics, criticism and mastery of the legal lexicon on the part of the candidates.</p>
Further information	