

General Information	A.A. 2021-2022
Academic subject	Comparative Private Law
Degree course	Law single-cycle master programme
ECTS credits	9 and 6
Compulsory attendance	No
Language	Italian language

Subject teacher	Name Surname	Mail address	SSD
	Paolo Pardolesi	paolo.pardolesi@uniba.it	IUS/02

ECTS credits details	Area	SSD	CFU
Basic teaching activities	Comparative	IUS/02	6 and 9

Class schedule	
Period	First semester
Year	3rd YEAR OF COURSE (Fundamental discipline) / 1st YEAR OF COURSE (Discipline of the free choice of the student)
Type of class	Lectures, monothematic seminars and exercises (analysis and debate on sentences and practical cases)

Time management	
Hours	225/150
In-class study hours	72/48
Out-of-class study hours	135/90

Academic calendar	
Class begins	September, 13, 2021
Class ends	December 10, 2022

Syllabus	
Prerequisites/requirements	Private law
Expected learning outcomes	<p><i>Knowledge and understanding on:</i> The student must demonstrate that he has acquired a basic knowledge of the comparative method and of the fundamental features of the great legal traditions in their historical and contemporary evolution.</p> <p><i>Applying knowledge and understanding on:</i> The student must demonstrate that he can apply the comparative method and have acquired awareness of the current results achieved by comparative science in relation to the divergences and convergences of the great legal traditions and the main contemporary legal systems</p> <p><i>Making informed judgments and choices:</i> The student must demonstrate that he has acquired original analysis and argumentation skills in relation to the institutes and legal systems addressed in the course. In particular, the student must show critical awareness of the cases and materials discussed in the classroom.</p>

	<p><i>Communicating knowledge and understanding</i> The student must communicate the knowledge acquired exhaustively and convincingly during the oral exam. In particular, the student must be able to express legal concepts and use legal categories with argumentative ability and language properties.</p> <p><i>Capacities to continue learning</i> The student must demonstrate that he has understood the main characteristics of the different legal traditions, their similarities and differences.</p>
Contents	<p>The course will be divided into three modules.</p> <p>The first module aims to illustrate the methodologies of legal comparison (in particular great attention will be paid to the deepening of the following profiles: the purpose of the comparison; the approval; the formants, the cryptotypes, the transplants and the circulation of macro-micro comparative models) and to introduce students to the knowledge of the main systems established in the world. After a first general overview, the attention will focus on the western legal tradition, in its variants of civil law and common law. Particular importance will be assigned to the US experience, also because of its centrality in relation to the processes of globalization.</p> <p>The second module and the third will concern the analysis, in comparative terms, of the main private law institutions, in particular civil liability and contract. For this purpose, original English materials will be distributed to students; those materials will be the subject of discussion and critical study with the direct involvement of all participants in the course. Seminars are planned to deepen, among other things, English legal terminology and the use of economic analysis techniques of law. For a successful participation in the course a basic knowledge of English is required.</p>
Course program	
Bibliography	<p>9 credits program:</p> <p>For the first module, a text chosen from the following: V. VARANO - V. BARSOTTI, <i>La tradizione giuridica occidentale</i>, VI edition, vol. I, Giappichelli, Turin, 2018 (limited to the following topics: Introduction to comparative law; The tradition of civil law; The tradition of common law; The legal tradition of the Nordic countries); A. GAMBARO - R. SACCO, <i>Sistemi giuridici comparati</i>, IV edition, UTET, Turin, 2018 (limited to the following topics: Legal comparison; Diversity and uniformity in law; Western legal tradition; Common law and equity in England ; The legal experience of the United States; The common roots of civil law experiences; The French model; The German model; Modern civil law systems between French and German influences).</p> <p>For the second and third modules: <i>Seminari di diritto comparato</i>, by PAOLO PARDOLESI, Cacucci, Bari, 2011. [limited to the following parts: 1) all the essays in the First Section (Circulation of micro-comparative models); 2) two essays to be chosen from those present in the Second Section (Civil Liability) and, finally, 3) an essay to be chosen from those present in the Third Section (The Contracts)].</p>

	<p>6 credits program:</p> <p>For the first module, a text chosen from the following: V. VARANO - V. BARSOTTI, <i>La tradizione giuridica occidentale</i>, VI edition, vol. I, Giappichelli, Turin, 2018 [limited to the following topics: Introduction to comparative law; The civil law tradition (in particular, France and Germany); The common law tradition].</p> <p>For the second and third modules: <i>Seminari di diritto private comparator</i>, by PAOLO PARDOLESI, Cacucci, Bari, 2011. [limited to the following parts: 1) all the essays in the First Section (Circulation of micro-comparative models); 2) an essay chosen from among those present in the Second Section (Civil Liability)].</p>
Teaching methods	<p>Conventional teaching methodology; use of multimedia tools (power point, etc.); classroom distribution (i.e. uploading on an e-learning platform) of materials useful for the purposes of the lesson or seminar activities</p>
Assessment methods	<p>Oral examination</p>
Evaluation criteria	<p>The actual acquisition by the student of the knowledge and skills described in the "Expected learning outcomes" section will be assessed in a final oral exam that will take into account the entire teaching program.</p> <p>The exam will take place with the aim of assessing the student's ability to illustrate (as well as to critically analyze) the legal systems and private institutions studied during the course.</p> <p>During the examination, the performance of each student who has participated in the exercises or in the analysis of practical cases will be taken into account.</p> <p>The final assessment will be formulated in an exam or suitability grade according to each student's study plan.</p>
Thesis assignment	<p>Degree theses are assigned after an interview aimed at agreeing with the student on an in-depth topic.</p> <p>Requests must be made no less than six months before the discussion.</p> <p>Knowledge of at least one foreign language is desired.</p>
Erasmus + mobility	<p>The discipline is recognizable training activity to be included in the Learning Agreement of outgoing students admitted to spend a period of study abroad within the framework of participation in the Erasmus + student mobility program.</p> <p>For incoming students, admitted to spend a period of study in-house within the framework of participation in the Erasmus + student mobility program, supplementary material will be made available in English.</p>