



# UNIVERSITÀ DEGLI STUDI DI PALERMO

<b>DEPARTMENT</b>	Giurisprudenza
<b>ACADEMIC YEAR</b>	2018/2019
<b>MASTER'S DEGREE (MSC)</b>	LAW
<b>SUBJECT</b>	COMPARATIVE PRIVATE LAW
<b>TYPE OF EDUCATIONAL ACTIVITY</b>	B
<b>AMBIT</b>	20007-Comparatistico
<b>CODE</b>	18352
<b>SCIENTIFIC SECTOR(S)</b>	IUS/02
<b>HEAD PROFESSOR(S)</b>	VANNI DI SAN                      Professore Associato                      Univ. di PALERMO VINCENZO DOMITILLA
<b>OTHER PROFESSOR(S)</b>	
<b>CREDITS</b>	9
<b>INDIVIDUAL STUDY (Hrs)</b>	153
<b>COURSE ACTIVITY (Hrs)</b>	72
<b>PROPAEDEUTICAL SUBJECTS</b>	04035 - ELEMENTS OF PRIVATE LAW 02432 - CONSTITUTIONAL LAW - INTEGRATED COURSE
<b>MUTUALIZATION</b>	
<b>YEAR</b>	2
<b>TERM (SEMESTER)</b>	2° semester
<b>ATTENDANCE</b>	Not mandatory
<b>EVALUATION</b>	Out of 30
<b>TEACHER OFFICE HOURS</b>	<b>VANNI DI SAN</b> <b>VINCENZO DOMITILLA</b> Monday    10:00    12:00    Stanza sita al piano terra, attigua alla sala lettura dell'ex dipartimento di diritto privato generale. Tuesday    10:00    12:00    Stanza sita al piano terra, attigua alla sala lettura dell'ex dipartimento di diritto privato generale.

**DOCENTE:** Prof.ssa DOMITILLA VANNI DI SAN VINCENZO

<b>PREREQUISITES</b>	Basic knowledge of historical, institutional, economic and legal foundations of Italian Law, with particular reference to private and constitutional law.
<b>LEARNING OUTCOMES</b>	<ul style="list-style-type: none"> <li>- Knowledge and ability to understand: enhancing knowledge of comparative law (in English);</li> <li>- Capacity to apply acquired knowledge and understanding: helping the student to understand law from a different perspective than their domestic law and in a foreign language;</li> <li>- Ability of judgement: putting the student in a condition to independently assess the outcome of Comparative Law in a global perspective.</li> <li>- Ability to Communicate: provide students with the knowledge of the contemporary comparative law debate;</li> <li>- Learning ability: learning to deal with both the study of law in a transnational perspective and the legal categories of the common law.</li> </ul>
<b>ASSESSMENT METHODS</b>	<p>Oral examination aimed at ascertaining the level of knowledge of the subject matters. The evaluation will unfold as follows: Excellent (30 - 30 cum laude): good knowledge of the topics, excellent property of language, excellent capacity of analysis ; the student is able to apply theoretical knowledge to real cases which are proposed to be analysed;</p> <p>Very good (26 - 29): good knowledge of the topics, good properties of language, good analytical capacity; the student is able to apply theoretical knowledge to real cases which are proposed to be analysed;</p> <p>Good (24 - 25): Basic knowledge of the main topics, good property of language, the student shows limited ability' to apply theoretical knowledge to real cases which are proposed to be analysed;</p> <p>Satisfactory (21 - 23): the student does not show that complete command of the main teaching topics, although showing to know the basic knowledge; he/she shows satisfactory property of language albeit with a poor ability' to adequately apply theoretical knowledge to real cases which are proposed to be analysed;</p> <p>Sufficient (18 - 20): The threshold of sufficiency will be achieved when the student shows knowledge and understanding of the topics at least in general terms and has minimum application competencies for the resolution of concrete cases; below this threshold, the examination will be considered insufficient.</p>
<b>EDUCATIONAL OBJECTIVES</b>	The course aims for introducing students to the understanding and analysis of the different legal systems, by providing technical and linguistic tools suitable for this purpose. It aims to highlight the similarities and differences and to provide the keys of access to the comparative method.
<b>TEACHING METHODS</b>	Lectures.
<b>SUGGESTED BIBLIOGRAPHY</b>	<p>-G. Criscuoli e M. Serio, Introduzione allo studio del diritto inglese. Le fonti, Giuffrè, 2016, CON ESCLUSIONE DELLE SEGUENTI PARTI: da pag. 51 a pag. 75; da pag. 89 a pag. 241; da pag. 332 a pag. 358; da pag. 389 a pag. 404.</p> <p>-G. Giaimo, La volontà e il corpo, Giappichelli, 2019.</p>

## SYLLABUS

Hrs	Frontal teaching
4	Method and aims of comparative law
3	Comparative Law and Domestic law
4	Legal Formants: a dynamic approach to comparative law
6	Legal systems in comparative law: features
10	The common Law and civil Law traditions: a comparison
3	Judicial reasoning in the Italian and English Law
7	Sources of English law
8	Rule of law
2	Scottish Law Autonomy
3	Public and private law
5	Doctrine of precedent
3	The recourse to legal categories in the English Private law experience
4	Structure of the courts and tribunal system
10	Common law and equity