



Cofinanziato dal
programma Erasmus+
dell'Unione europea



UNIVERSITÀ
DEGLI STUDI DI BARI
ALDO MORO

Cattedra Jean Monnet • HICOM 2018-21 • Sfide storiche, politiche della
memoria ed integrazione europea. Mezzogiorno e area mediterranea

General Information	
Academic subject	Civil law and globalization
Academic year	2019/2020 and 2020/2021
Degree course	Scienze storiche e della documentazione storica. Interclasse. (LM-84)
ECTS credits	6
English name	Civil law and globalization
Compulsory attendance	no
Language	italian

Subject teacher	Nome Cognome	Mail address
	Maria Colomba Perchinunno	mariacolomba.perchinunno@unib a.it

ECTS credits details	Ambito disciplinare	SSD	Crediti
Basic teaching activities	12/A1	IUS/01	6

Class schedule	
Period	First Semester
Year	First
Type of class	Lecture-workshop

Time management	
Hours	150
In-class study hours	42
Out-of-class study hours	108

Academic calendar	
Class begins	
Class ends	

Syllabus	
Prerequisites/-requirement	
Expected learning outcomes (according to Dublin Description) (it is recommended that they are congruent with the learning outcomes contained in A4a, A4b, A4c tables of the SUA-Cds)	After course study student will possess: - knowledge and comprehension of the field of private law, the relationship between private law, european law and supranational law, in sectors affected by the influences of European law and global law; - the ability to apply knowledge and comprehension of private law and of its connection with European and supranational law, with the acquisition of the capability to analyze basic legal questions with specific reference to individuals, personal and property law, obligations and contracts, to be evaluated also



	<p>through the study of legal cases;</p> <ul style="list-style-type: none"> - independent judgement based on the systematic framework of acquired information; and comparing them with other major legal systems; - communicative abilities with the acquisition of the ability to express one's self using fundamental legal-technical language with regards to national and european private legal institutions; - the ability to learn with the acquisition of the ability to use fundamental instruments for updating of knowledge through.
<p>Contents</p>	<p>The course is aimed at learning the general notions of private law and learning fundamental themes of the subject, in particular those concerning issues that regard the relationship between national law and supranational law. Through these contents the essential characteristics of the legal method are illustrated to the student, with reference to the European Union and globalization, the Constitution, the European private law, the lex mercatoria, the rules of international private law, and the national law of others; from the problems related to the political cultural and legal identity of Europe, to the conceptions of European private law, both in terms of national legal traditions, and in terms of European Union law concerning matters of private law; to the problems of harmonization of the Member state's legal systems, also in relation to the drafting of a "European Civil Code".</p> <p>The teaching is inserted within the Jean Monnet Programme, a project co-funded by the Erasmus program + the European Union</p>

<p>Course program</p>	<ul style="list-style-type: none"> - Law and State. Norm and legal system. Law throughout history. Public law and private law. - Rules and sources: - Constitution and European private law - European private law as a common law - National and supranational sources - The reciprocity principle - lex mercatoria and globalization
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	<ul style="list-style-type: none"> - Unidroit principles - Relations between systems: - law in space - The connection criteria and the law 218/95 - The 1989 Rome Convention - The shopping of national law - Indo-European shopping - The "European Civil Code" projects - the right of "others" and private institutions: - Harmonization of Member state's legal systems, in relation also to the drafting of a "European Civil Code"; - Subjects, citizenship, general principles, personal data, consumer protection, market and competition; - The bonds and the European contract; contract law codification projects: Draft common frame of reference; shopping for Indo-European law; The Unidroit principles and the lex mercatoria <p>Materials on <i>leading cases</i> on topics covered during the course will be distributed to attendees. Attendees will be able to establish a special schedule and participate in integrative activities.</p>
Bibliography	<p>1)Alpa, <i>Diritto privato europeo</i>, Torino, 2016, o Visintini, <i>Nozioni giuridiche fondamentali. Diritto privato</i>, most recent edition, excluding chapters 3, 4, 8 and 10.</p> <p>2)Galgano, <i>La globalizzazione e le fonti del diritto</i>, in <i>Riv.trim.dir.pubbl.</i>, fasc. 2, 2006, p. 313 ss. o Galgano, <i>La globalizzazione nello specchio del diritto</i>, Bologna,2005 o Paolo Grossi, <i>L'Europa del diritto</i>, Roma-Bari, 2009 o Conte-Palazzo (a cura di), <i>Crisi della legge e produzione privata del diritto</i>, Varese, 2018 o Ferrarese, <i>Prima lezione di diritto globale</i>, Roma-Bari, 2012 Study must be accompanied by consultation o fan up-to-date CIVIL CODE.</p>
Teaching methods	Lectures.Eventual seminars for in-depth analysis with in-class discussion of legal cases
Assessment methods (indicate at least the type written, oral, other)	Oral exam



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Evaluation criteria (Explain for each expected learning outcome what a student has to know, or is able to do, and how many levels of achievement there are)	Evaluation criteria are based on the level of knowledge and ability to understand fundamental legal arrangements of private law, the appropriateness of language used, communicative abilities, and the ability to use and comprehend national and european sources of law.
Other	