# Principles of law

## Gr. A-K: Prof. Daniela M. Frenda; Gr. L-Z: Prof. Andrea Casà

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course of Principles of Law aims at outlining the most relevant general theoretic principles required to understand the fundamentals of Private law, mainly about persons and entities, obligations and contracts, contractual and tort liability.

On these issues, the course aims at inquiring the rational grounds and the operating area, in addition to their evolution among scholars’ interpretation and courts’ decisions. A particular attention is directed, also, to an international overview, with continuous comparisons with the other national systems, both of civil law and of common law.

An important viewpoint of analysis will be the one of European private law, both in those fields in which a uniform law exists already (consumer law, to take the main example), and in those where some attempts have been led by scholars and wrote down in drafts.

The course will enable the students to embrace a method to understand juridical problems in order to know which institute has to be applied to a specific concrete case. Besides that, the students will have developed an appropriate technical language to discuss the rules and the reasons underpinning them.

***COURSE CONTENT***

The course is devoted to explore the rules governing the principles of Private Law shared by the main European legal systems, on:

* natural persons and non-profit bodies;
* obligations;
* contract law in general;
* European Contract Law, mostly on consumer contract law and Business to business contracts;
* tort law.

***READING LIST[[1]](#footnote-1)***

Iudica-Zatti, *Language and rules of Italian private law: an introduction*, Cedam, 2010, ch. 1-5, 7 par. 1, 8-16, 19. [*Acquista da VP*](https://librerie.unicatt.it/scheda-libro/paolo-zatti-giovanni-iudica/language-and-rules-of-italian-private-law-a-brief-texbook-9788813372613-686275.html)

Sirena, *Introduction to Private law*, Il Mulino, 2019, ch. 2, 4, 6, 7, 8, 11. [*Acquista da VP*](https://librerie.unicatt.it/scheda-libro/pietro-sirena/introduction-to-private-law-9788815290182-692510.html)

In addition: lecture notes, slides, cases and other resources provided by the instructor.

***TEACHING METHOD***

Frontal lessons.

Discussion of practical cases individually and in teams.

***ASSESSMENT METHOD AND CRITERIA***

Students will receive an individual evaluation at the end of the course, through a final exam, which will consist of an oral exam aimed at veryfing the knowledge of the fundamentals of Private Law and at testing the mastery of private law categories and the ability to solve basic practical cases.

For such purposes, the exam will start from general questions on the main legal issues – which are necessary to be known in order to pass the exam – and will continue inquiring issues in details: the level achieved by the student will determine his/her final grade mark.

More than a mnemonic knowledge, of course, the grade mark will be led by the comprehension of the grounds of each system of rules, and also by the ability to create a proper net among them.

*In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.*

*Office hours*

Prof. Daniela Frenda will receive her students every Friday from 3 to 5 p.m. in her office (n. 335, 3rd floor of building Gregorianum).

Prof. Andrea Casà will receive the students every Thursday from 2 to 3 p.m. in his room (3rd floor of building Gregorianum).

1. I testi indicati nella bibliografia sono acquistabili presso le librerie di Ateneo; è possibile acquistarli anche presso altri rivenditori. [↑](#footnote-ref-1)