**Single-cycle master's Degree course in Law**

**Denomination teaching**: Theory of goods and collective properties

Scientific field: IUS/01

Training credits: 6
Hours: 45
Year: 4°

First Semester

Academic year: 2021/2022

**Professors**

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Students’ reception office hours: on Wednesday at 9.30 a.m., in Room number 13 of the Department of Law, Economy and Sociology

**Program**

* Goods. Introductory notions: goods and things in the Civil Code and in Civil law. Public, private and common goods.
* The property. The property in Italian legal sources. The constitutional system of property (concerning, in particular, its social function and free accessibility). The different forms of property
* The common goods. The regimes to which they belong and the sustainable use of natural resources.
* Civic uses.
* Water as a common good.

**Organization of the course**

* Lectures, Seminars

**Mode of delivery**

* The course is developed through lectures followed by classroom discussions on doctrinal and jurisprudential materials in constant interaction with students**.**

**Prerequisites to the course**

* Are required the essential notions concerning the basic institutions of private law

**Description, training goals and expected learning outcomes**

* The course, moving from the general theory of property and goods, aims to provide students with the opportunity to develop critical analysis concerning sustainable use of common resources and to provide them with instruments to address the new issues raised by the complex issue of the ‘Common Goods’

**Estimation of the hourly commitment required for individual study of the programme**

* 105 hours of individual study

**Mode of attendance**

* Optional.

**Support activities**

* Seminars and mentoring

**Methods and learning evaluation criteria**

The exam consists of an oral interview aimed at verifying the degree of assimilation and understanding of the program carried out in class and contained in the suggested textbooks.

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|  | **Knowledge and understanding of the topic** | **Ability to analyse and synthesize** | **Use of references** |
| Unsuitable | Important deficiencies.Significant inaccuracies | Irrelevant. Frequent generalizations. Inability to synthesize | Completely inappropriate |
| 18-20 | At threshold level. Obvious imperfections  | Just enough  | Just appropriate |
| 21-23 | Routine knowledge | Skill of correct analysis and synthesis. Logical and coherent argument | Use of standard references |
| 24-26 | Good knowledge | Good topic and synthesis skills. Arguments correctly expressed  | Use of standard references  |
| 27-29 | More than good knowledge | Considerable analytical and synthesis skills | Deepening of topics |
| 30-30L | Excellent knowledge | Excellent analytical and synthesis skills | Excellent deepening of topics |

**Textbooks**

- P. Perlingieri, *Il diritto civile nella legalità costituzionale secondo il sistema italo-comunitario delle fonti*, Napoli, 2006, pp. 872-906 (chapter concerning the property)

- Carapezza Figlia G., *Proprietà e funzione sociale. La problematica dei beni comuni nella giurisprudenza delle Sezioni unite*, note at Cass., Sez. un., 14 febbraio 2011, n. 3665, in *Rassegna di diritto civile*, 2012, pp. 524-548.

- S. Rodotà, *Il terribile diritto. Studi sulla proprietà privata e i beni comuni*, Il Mulino, Bologna, 2013, pp. 459-497

- U. Mattei, *Beni comuni. Un manifesto*, Laterza, Roma-Bari (recent edition).

**Suggested reading**

- V. Donato e G. Romano, (a cura di) *Contributi allo studio delle proprietà collettive. La giurisprudenza del Commissariato per gli usi civici della Calabria*, ESI, Napoli, 2014