



## Syllabus

Academic Year	2025/2026
Program	Global Law
Course	Comparative Private Law
Term	II semester
Year	2
SSD	IUS/02
Credits	8

INSTRUCTIONAL GOALS	The course is aimed at analyzing, from the private law point of view, the main legal systems of both civil and common law traditions. The objective consists in the understanding and evaluation, from a comparative perspective, of their main similarities and differences.
INTENDED LEARNING OUTCOMES  They describe what a learner is expected to know, understand and be able to demonstrate after completion of a learning path.	<p><b>Knowledge and understanding:</b> Students will learn the main features of Western civil law and common law legal systems, in order to understand and evaluate the similarities and differences, through an examination of the evolution and current shape of the sources of law and their criteria of interpretation, the judicial system and legal professions, and the main institutes.</p> <p><b>Applying knowledge and understanding:</b> Students will be able to apply the comparative method and solve legal problems by identifying, in different legal systems, the appropriate means of solution by comparing them (functional approach).</p> <p><b>Making judgements:</b> Through the knowledge and practical skills acquired, students will be able to critically evaluate different legal systems in their essential features, noting the pros and cons.</p> <p><b>Communication skills:</b> Students will be able to adequately use the technical legal vocabulary specific to comparative law as well as civil law and common law systems, being able to present their ideas, analyse and solve concrete issue either orally or in writing.</p> <p><b>Learning skills:</b> Students, thanks to the acquired knowledge, will develop skills of dialogue with jurists from other legal systems, and will be able to independently understand and interpret normative, doctrinal and judicial changes.</p>



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Pre-requisites	Knowledge of the basic concepts and institutes of civil law is required
Course content	<ul style="list-style-type: none"><li>• Introduction to comparative law.</li><li>• Functions, purposes and methods of comparative law.</li><li>• Classification of legal systems.</li><li>• Western legal tradition and the main civil law and common law systems: sources of law; models of legal reasoning; legal interpretation; education of the lawyer and the legal profession; judicial power and the organization of the courts; style of law; caselaw and doctrine; the relevance of case law precedents.</li><li>• Introduction to English common law</li><li>• Introduction to US common law</li><li>• Evolution and relevance of codification in French law</li><li>• Evolution and relevance of codification in Deutsch and Swiss law</li><li>• The main institutes of common law systems.</li><li>• The main institutes of civil law systems.</li></ul>
Reference Books	<ul style="list-style-type: none"><li>• J. Gordley, H. Jiang, A.T. Von Mehren (2021), An Introduction to the Comparative Study of Private Law: Readings, cases, materials (Cambridge University Press)</li><li>• Slides set of the course and other teaching materials (on Luiss Learn)</li></ul>
Teaching Methods	<ul style="list-style-type: none"><li>• Frontal lectures</li><li>• Case studies</li><li>• Class discussion</li></ul>
Assessment	<ul style="list-style-type: none"><li>• Mid-term written exam (40%)</li><li>• Written final exam (60%)</li></ul>

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