



LUND
UNIVERSITY

Faculty of Law

JRHN11, Comparative European Legal History, 15 credits

Comparative European Legal History, 15 högskolepoäng

Second Cycle / Avancerad nivå

Confirmation

The course syllabus is an old version, confirmed by Educational Committee of the Law Faculty Board on 2007-08-22 and was last revised on 2012-03-07. . The revised syllabus applied from 2012-03-07. , spring semester 2012.

General Information

The course 'Comparative European Legal History' is an optional course within the programme leading to a Swedish professional Law degree.

The course is open to students on the 7th or 8th term of the curriculum for the professional Degree Master of Laws programme, to students participating in international exchange programmes with the Faculty of Law and it can also be studied as a single subject course.

Lectures and course materials are in English.

The duration of the course is 10 weeks of full-time study.

Main field of studies

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Specialization

A1N, Second cycle, has only first-cycle course/s as entry requirements

Course goal

In this course the participants will gain insight into themes such as the Commune, federalism, judiciaries, human rights, legal science and codifications, law and politics, from a European dimension. The course will rely on recent discourse in legal history, on the role of comparative law and of legal cultures.

To pass the examination, the student shall be able to demonstrate knowledge and competences as outlined below:

Knowledge and understanding

The student shall be able to demonstrate knowledge and understanding of

- the cultures and history of the major legal systems of Europe
- the development of legal science and legal education
- constitutional ideas; their manifestations and interaction with human rights
- the various institutional developments within criminal law; civil law and procedural law

The student shall be able to demonstrate in-depth knowledge of the historical roots of the ideas that have led to the establishment of the European Union, its legal structure and its institution

Skills and abilities

The student shall be able to demonstrate skills and abilities in

- commenting critically on and analysing various historical legal sources and identifying examples in European legal history of the interaction between different legal systems
- demonstrating a level of proficiency; both orally and in writing; in recounting; explaining and discussing the knowledge he/she has acquired from different perspectives
- using the concept of legal culture as a theoretical and methodological basis for analysing the development of law in Europe

Evaluation ability and approach

The students shall be able to demonstrate an understanding of both the development of European legal history and the impact on it of contemporary legal discussions.

Course content

The course is divided in two parts. The first part (5 weeks) includes lectures and seminars. This part of the course ends with three projects where the students study special topics in depth followed by a written examination. The second part (5 weeks) includes an essay which is presented and discussed orally at an examination seminar.

Course implementation

Knowledge, understanding and skills are attained by.

- attendance at course lectures.
- participation in three group projects with oral and written presentations.
- individual, independent work on an essay and the scrutinising of an essay of a fellow student.

Teaching is provided in the form of lectures, project seminars and individual tuition.

Course examination

The examination consists of a written open-book examination, oral and written project presentation and an essay of 20 pages. There is a final seminar, where each essay will be scrutinized by a fellow student (opponent).

Grading scale

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade Pass (B). Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. Grading is done primarily using Qualitative and Quantitative criteria. The Qualitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use her/his knowledge to make a well structured critical and analytical argument and put it in a proper context.

B - Basic command

The student shall be able to demonstrate knowledge and understanding of

- The cultures and history of the major legal systems of Europe
- The development of legal science and legal education
- Constitutional ideas, their manifestations and interaction with human rights
- The various institutional developments within criminal law, civil law and procedural law.

The student shall be able to demonstrate in-depth knowledge of the historical roots of the ideas that have led to the establishment of the European Union, its legal culture and its institutions.

The student shall be able to demonstrate skills and abilities in

- commenting critically on and analyzing various historical legal sources and identifying examples in European legal history of the interaction between legal systems
- Demonstrating a level of proficiency, both orally and in writing, in recounting explaining and discussing the knowledge she/he has acquired from different perspectives
- using the concept of legal culture as a theoretical and methodological basis for analyzing the development of law in Europe.

The student shall be able to demonstrate an understanding of both the development of European legal history and the impact on it of contemporary legal discussion.

BA – Advanced command

The student shall be able to demonstrate good knowledge and good understanding of

- The cultures and history of the major legal systems of Europe
- The development of legal science and legal education
- Constitutional ideas, their manifestations and interaction with human rights
- The various institutional developments within criminal law, civil law and procedural law.

The student shall be able to demonstrate good in-depth knowledge of the historical roots of the ideas that have led to the establishment of the European Union, its legal culture and its institutions.

The student shall be able to demonstrate good skills and abilities in

- commenting critically on and analyzing various historical legal sources and identifying examples in European legal history of the interaction between legal systems
- Demonstrating a level of proficiency, both orally and in writing, in recounting explaining and discussing the knowledge she/he has acquired from different perspectives
- using the concept of legal culture as a theoretical and methodological basis for analyzing the development of law in Europe.

The student shall be able to demonstrate a good understanding of both the development of European legal history and the impact on it of contemporary legal discussion.

AB – Mastery

The student shall be able to demonstrate very good knowledge and very good understanding of

- The cultures and history of the major legal systems of Europe
- The development of legal science and legal education
- Constitutional ideas, their manifestations and interaction with human rights
- The various institutional developments within criminal law, civil law and procedural law.

The student shall be able to demonstrate very good in-depth knowledge of the historical roots of the ideas that have led to the establishment of the European Union, its legal culture and its institutions.

The student shall be able to demonstrate very good skills and abilities in

- commenting critically on and analyzing various historical legal sources and identifying examples in European legal history of the interaction between legal systems
- Demonstrating a level of proficiency, both orally and in writing, in recounting explaining and discussing the knowledge she/he has acquired from different perspectives
- using the concept of legal culture as a theoretical and methodological basis for analyzing the development of law in Europe.

The student shall be able to demonstrate a very good understanding of both the development of European legal history and the impact on it of contemporary legal discussion.

Entry requirements

For students studying for the professional Degree of Master of Laws, the admission requirements are those for studying on the 7th or 8th term as stated in the Curriculum for the Law Study Programme.

Admission requirements for international exchange students are relevant undergraduate studies corresponding to three years at a university level.

When the course is offered as a single subject course, the admission requirements are 120 higher education credits (120 ECTS) in law, the social sciences or the humanities.