



## DEPARTMENT OF LAW

### **HRS150 Comparative Legal History, 15 higher education credits**

Komparativ rättshistoria, 15 högskolepoäng

*Second Cycle*

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#### **Confirmation**

This course syllabus was confirmed by Department of Law on 2013-05-15 and was last revised on 2014-12-15 to be valid from 2015-01-19, spring semester of 2015.

*Field of education:* Law 100%

*Department:* Department of Law

#### **Position in the educational system**

The course is part of the following programme: 1) Master of Laws

*Main field of studies*

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*Specialization*

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

#### **Entry requirements**

Students following a Swedish law programme leading up to a law degree must have completed 150 hec from semesters 1-5 of the law programme.

#### **Learning outcomes**

After the course completion the student is expected:

*Knowledge and understanding*

- to have an advanced knowledge of the historical development of law in Scandinavia, on the European continent, in England and in the United States.

- to have an advanced knowledge of the sources of law, the actors and the legal methodology in the aforementioned legal traditions.

*Skills and abilities*

- to be able to correctly and purposefully apply the historical and comparative legal method.
- to have an understanding for the communicative problems that can arise between lawyers from different legal systems.
- to be able to deliver legal analysis orally and in writing.

*Judgement and approach*

- to have a critical understanding of the peculiarities and characteristics of his or her own legal system.

**Course content**

The course begins with a discussion of the comparative legal method, its practical application in lawyers' every day life and its connection with the historical legal method. In particular, the course will critically discuss the classification of the world's legal systems in so-called legal families.

We will then explore the relationship between a country's general culture (philosophy, literature, politics, economy, etc.) and the development of the legal system. In particular, we will discuss theories formulated by Charles de Montesquieu, Friedrich Karl von Savigny, Alan Watson and Pierre Legrand.

The main part of the course will be devoted to a comparison between the main legal families of the Western legal tradition: common law, civil law and the Scandinavian legal family. In particular, we are going to discuss the following countries' national legal systems: France, Germany, England, USA and Sweden.

Our discussions are going to touch upon subjects such as the sources of law, the main actors of the legal system, the legal methodology and the legal institutions which characterize a particular legal system (such as judicial review in the United States).

**Form of teaching**

The teaching will take place in the form of lectures and seminars.

*Language of instruction:* English

**Assessment**

Grades will be assessed by evaluating individual performance during seminars and by a written paper that the students will deliver at the end of the course. The seminars and the paper are equally important in order to determine the final grade.

A student who has taken two examinations in a course or a part of a course without obtaining a pass grade is entitled to the nomination of another examiner, unless there are special reasons to the contrary. A written application should be sent to the Department.

**Grades**

The grading scale comprises: Passed with Distinction (AB), Passed with Credit (BA), Pass (B) and Fail (U).

**Course evaluation**

The Department of Law is under obligation to evaluate all of its courses. Course evaluation will be conducted and compiled in accordance with the current procedures at the Department of Law. All course evaluations of the courses on the Master of Laws programme are scrutinised by the Board of Education of the Department of Law. A student who assists with the compilation of the course evaluations is entitled to a certain remuneration and a certificate to this point.