

COURSE DESCRIPTION

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| University: Comenius University in Bratislava | |
| Faculty: Faculty of Law | |
| Course ID: PraF.KPDPK/ENm17-3103/17 | Course title: History of Private Law |
| Educational activities: Type of activities: lecture / seminar Number of hours: per week: 1 / 2 per level/semester: 14 / 28 Form of the course: on-site learning | |
| Number of credits: 2 | |
| Recommended semester: 1. | |
| Educational level: II. | |
| Prerequisites: | |
| Course requirements: Continuous evaluation during the semester will account for 20% of the final grade and final oral examination will account for 80% of the final grade. Continuous evaluation: 20 % will be awarded to students based on their preparation for particular seminars and will also take into account active participation during seminars, solution of assigned case studies and preparation of assigned legal analysis. Final evaluation: 80% will be awarded based on successful completion of oral exam that will consist of solving a moot case and oral discussion on the factual and legal issues raised by the case. Classification scale: A / 1 = 91 - 100%; B / 1.5 = 81-90%; C / 2 = 73-80%; D / 2.5 = 66-72%; E / 3 = 61-65%; FX = 0-60%. During the exam, students can use all available sources of legal information, mainly legislation, commentaries, case-law, legal treatises, and legal information systems. | |
| Learning outcomes: The objective of the course is to introduce the students to the historical development of private law in major European jurisdictions. By tracking the development of various institutes of law of persons, family, things, obligations and inheritance in Pre-Roman jurisdictions, ancient Rome, feudal states and modern European states the students will have the opportunity to discover the underlying historical reasons of common and distinct features of legal institutes under examination. Specific attention will be given to ius commune which served as a unifying factor of private law in civil law countries up to the 18th and 19th century, the separate development of common law in England and the possible harmonisation of private law within the European Union. | |
| Class syllabus: 1. Introduction to History of Private Law – Basic Concepts, Periods and Terminology 2. Private Law of Early Oriental Despocies 3. Private Law of Ancient Greece 4. General Overview of Development of Roman Private Law from Pre-Classical to Justinian’s Period 5. General Overview of Feudal Private Law 6. Ius Commune and its Reception in Europe 7. Civil Codes of 1st Generation – General Overview 8. Civil Codes of 2nd Generation - General Overview 9. Development of Common Law in England 10. Institutes of Law of Things in Historical Perspective 11. Institutes of Law of Obligations in Historical Perspective | |

12. Development of Commercial and Corporate Law 13. Codification of Private Law in the European Union 14. Repetition and Final Examination

Recommended literature:

ROBINSON, O.F. - FERGUS, T.D.- GORDON, W.H.: European Legal History: Sources and Institutions. London Butterworth, 2000.

GLYN WATKIN, T.: An Historical Introduction to Modern Civil Law. Aldershot : Ashgate, 1999.

BAKER, J.H.: An Introduction to English Legal History. London: Butterworths, 2002. ISBN 0406930538.

Languages necessary to complete the course:

Notes:

Past grade distribution

Total number of evaluated students: 0

| A | ABS | B | C | D | E | FX |
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| 0,0 | 0,0 | 0,0 | 0,0 | 0,0 | 0,0 | 0,0 |

Lecturers: Mgr. Matej Mlkvy, PhD., LL.M., Mgr. Zuzana Illyova, PhD.

Last change: 21.01.2018

Approved by: