

Comparative Private Law – syllabus + information on assessment

2025/2026, summer semester

02/18/2026: *Course orientation*

Students are provided with general information on the course, syllabus, intended learning outcomes, the assessment and attendance policy. Formation of study groups.

02/25/2026: *Comparative law and comparative methods*

What is comparative law, cultural and functional comparison, what are elements of comparison, micro- and macro-comparison.

03/04/2026: *Legal Families*

Legal culture, legal family, legal system. Convergences and divergences among legal systems, formation of legal families. Different approaches to the distinction of legal families. Mixed legal systems: customary legal systems and religious legal systems.

03/11/2026: *Legal systems*

Legal system of Canada, Germany, China, Afghanistan and South Africa. Critical and comparative analysis of the legal systems and of different factors influencing the jurisdiction (economy, history, political system, religion and traditions, system of government, etc.).

03/18/2026: *Law of persons in comparative perspective*

This session introduces the foundational concepts of legal personality across major legal traditions. Topics include natural and juridical persons, legal capacity, personality rights. The class will explore divergences in doctrinal structure and underlying philosophical foundations of personhood in private law.

03/25/2026: *Family law in comparative perspective*

This session examines the regulation of marriage, civil partnerships, cohabitation, parental responsibility, and maintenance obligations in comparative context. Special attention will be paid to the interaction between cultural norms, constitutional principles, and international human rights standards. Comparative analysis will highlight differences in matrimonial property regimes, divorce models (fault vs. no-fault).

04/01/2026: *Inheritance law in comparative perspective*

This session analyses succession law across jurisdictions, including testate and intestate succession, forced heirship, testamentary freedom, and family protection mechanisms. The session will address trusts and equivalents, and the administration of estates. Comparative tensions between autonomy and family solidarity will be critically evaluated.

04/08/2026: *Comparative contractual law*

This session explores formation, validity, interpretation, performance, breach, and remedies in contract law. It compares doctrinal structures in civil law and common law systems, including consideration, causa, good faith, and pre-contractual liability. Students will also examine harmonization efforts (e.g., soft law instruments and international model rules).

04/15/2026: *Comparative commercial law*

This session focuses on commercial transactions and business organizations in comparative perspective. Topics include company formation, corporate governance, partnerships, commercial representation. Emphasis will be placed on functional equivalence across systems and the influence of economic policy on private commercial regulation.

04/22/2026: *Law of torts and Delicts in comparative perspective*

This session compares liability systems governing civil wrongs, including fault-based liability, strict liability, causation, damages, and defences. It examines doctrinal distinctions between tort (common law) and delict (civil law), and considers policy debates regarding compensation.

04/29/2026: *Copyright in comparative perspective*

This session examines the protection of literary and artistic works across jurisdictions, focusing on authors' rights versus copyright traditions. Topics include subject matter, originality standards, moral rights, economic rights, limitations and exceptions, duration of protection, and digital enforcement. The session will address international harmonization through multilateral treaties and the impact of technological change.

05/06/2026: *Labour law in comparative perspective*

This session explores the regulation of employment relationships, including formation and termination of employment contracts, employee protections, collective bargaining, trade unions, and social security coordination. The comparative analysis will address differences between liberal market economies and coordinated market economies.

05/13/2026: *Finalization of group projects + preparation of presentations*

This workshop session is dedicated to the consolidation of comparative research projects. Students will refine arguments, integrate comparative methodology, and receive feedback on draft presentations.

05/20/2026: *Final exam*

The final exam will assess students' ability to apply comparative methodology, critically analyse doctrinal differences across legal systems, and synthesize course themes. The assessment will test both conceptual understanding and the ability to construct well-reasoned comparative arguments. It will consist of oral presentation and discussion on projects (practical part) as well as one theoretical question (theoretical part).

Facilitators: Terézia Švedová, Frederika Vešelényiová

Assessment information

20 % will be awarded based on continuous assessment: 10 % for group assignments elaborated in the class + keeping of individual reflective journal + 10 % for a written end-of-semester group project.

80 % will be awarded based on final exam.