



Course syllabus

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| Subject name | European Legal History |
| Field of study | History of Law |
| ECTS credits | 3 |
| Semester | 2 (Spring) |
| Language | English |
| Professor/s | Francisco Javier Andrés Santos |
| Department | Criminal Law, History and Legal Theory |
| Contact details (E-mail, telephone) | Francisco Javier Andrés Santos: fjandres@der.uva.es Tel: +34983184045 |

1. Description

The aim of the course is to provide an overview of European Legal History, so the student is able to acquire a basic understanding of the formation and historical evolution of the common European legal tradition from the Roman Antiquity to the modern European Union Law and reflect on the differences and similarities between the European systems of law. The course does not only focus on the private sphere of law, considering a broader political, constitutional and economical context.

2. Course learning objectives

Students should be able to:

1. Obtain a comprehensive overview of the different schools of legal thought and the traditional sources.
2. Critically analyze and reflect on European Legal History, its origins and development.
3. Understand the evolution of the different legal traditions in Europe, as well as the formation and evolution of a common European legal background, as a key social and cultural element of the European reality.
4. Compare and contrast different legal systems and identify their main characteristics.



3. Contents / Programme

List of topics:

Topic 1: Introduction and overview.

Topic 2: Roman Law in antiquity.

Topic 3. *Ius Commune*: Glossators and Commentators.

Topic 4: Canon Law scholarship.

Topic 5: The Common Law tradition: concepts and synthesis.

Topic 6: Humanism and Reformation: French Renaissance, Elegant Jurisprudence, reception of Roman Law in Germany.

Topic 7: Enlightenment and Codification: codification movement in Europe, German Historical School, Pandectism.

Topic 8: The Twentieth Century: Law in the Soviet and National Socialist regimes, European Communities after WWII.

4. Bibliography

Principal reference handbook:

ROBINSON, O.F.; FERGUS, T.D.; GORDON, W.M., *European Legal History*. Oxford University Press, 3rd ed., 2000.

Other reference works:

BELLOMO, M. *The Common Legal Past of Europe. 1000-1800*. The Catholic University of America Press, 1995.

GROSSI, P. *A History of European Law*. Wiley-Blackwell, 2010.

LESSAFER, R. *European Legal History*. Cambridge University Press, 2009.

STEIN, P. *Roman Law in European History*. Oxford University Press, 2000.

WATSON, A. *The Evolution of Western Private Law*. The Johns Hopkins University Press, 2001.



5. Workload distribution

| Activities | Hours |
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| Classroom-based activities (Lectures, seminars and practical sessions) | 60 |
| Online practical activities | 8 |
| Guided activities | 5 |
| Evaluation and exams | 2 |
| Total | 75 |

6. Assessment criteria

| TOOLS | % | OBSERVATIONS |
|--------------------|-----|---|
| Ongoing assessment | 40% | Class participation, practical exercises, case studies, online activities. |
| Final exam | 60% | Multiple-choice test, short questions, commentary of a legal text. A grade of, at least, 5 out of 10 (or an equivalent grade in a different numeric scale) is required. |