Contemporary Legal Systems

Code: 102294
ECTS Credits: 6

2024/2025

Degree	Type	Year
2500786 Law	OT	4

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Teachers

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Teaching groups languages

You can view this information at the end of this document.

Prerequisites

No prerequisite is necessary, although it is recommended to have a minimum level of English, videos will be screened in English, texts will be analyzed in this language, and will be scheduled conferences on the Common Law also in English. The vehicular language, in line with the students' international profile, will be Spanish.

The teaching of the subject will be taught taking into account the perspective of the Sustainable Development Goals.

Objectives and Contextualisation

The subject provides theoretical knowledge about the main legal systems of the world, especially those of the Common Law family. Experiences of legal pluralism will also be analyzed, in which different legal systems or conceptions of law come into contact
Analyze and compare the rights of women and minorities in various legal systems, specially from a civil rights perspective.
Get theoretical knowledge of the main legal systems of the world.
Make a comparison between these systems, applying the methodology of comparative law (analysis of legal institutions, system contextualization and comparison).
Understand the legal concepts of other legal systems.
Analyze cases of legal pluralism.
Demonstrate the acquisition of theoretical knowledge through written and oral reflection.

Competences

- Acquiring the basic knowledge from the several legal dogmas and presenting them in public.
- Applying ethical values and principles associated with the professional practice of law.
- Contextualizing the several forms of creation of law in its historical evolution and its current situation.
- Defending and promoting the essential values of the social and democratic State of Law.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
- Explaining the legislative reforms and jurisprudential changes.
- Identifying the underlying conflicts of interest in disputes and real cases.
- Identifying, assessing and putting into practice changes in jurisprudence.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Integrating the importance of Law as a regulatory system of social relations.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Mastering the computing techniques when it comes to obtaining legal information (legislation databases, jurisprudence, bibliography...) and in data communication.
- Memorising and utilising legal terminology.
- Present information in a way that is appropriate to the type of audience.
- Properly analysing the issues related to equality between men and women.
- Searching, interpreting and applying legal standards, arguing every case.
- Students must be capable of communicating their points of view in a compelling way.
- Students must be capable of demonstrating a critical awareness of the analysis of the legal system and development of legal dialectics.
- Students must be capable of demonstrating the unitary nature of the legal system and of the necessary interdisciplinary view of legal problems.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Students must be capable of producing initiative, creative and innovative knowledge, as well as new ideas.
- Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
- Students must prove they know and comprehend the main public and private institutions in its genesis and as a whole.
- Use different information and communication technologies.
- Working in multidisciplinary and interdisciplinary fields.
- Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Learning Outcomes

1. Analysing the evolution of the legal and social discrimination between men and woman throughout History.
2. Analysing the situation by comparing several collective agreements and watching the historical evolution of these situations.
3. Comparing the legal professions and their different professional regulation and ethics in Civil Law and Common Law.
4. Contextualizing the several forms of creation of law in Catalonia in its historical evolution and its current situation.
5. Critically distinguishing the Law in all its fields (legislation, implementation...) and comparing it with legal systems of other eras and other countries.
6. Defending and promoting the essential values of the Social and Democratic State of Law, specially as regards the plural nature of Spain and its legal system: knowing the origin and evolution of these rights and principles.

7. Defining how the legal concepts and the action of the institutions are managed and operated within the concrete cultural models, which make those understandable.
8. Defining the basic rules of interpretation of Case Law and European Continental Law.
9. Defining the current reality of the two large types of Civil Law and Common Law in Europe and global projection.
10. Defining the functions and the legal and social importance of the legal professions in Catalonia throughout History.
11. Defining the main historical, public, and private institutions of Catalonia both in its genesis and as a whole.
12. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
13. Describing the basic substantial and procedural terminology, as well as the forensic techniques and tactics of the common law and of other foreign legal systems through the analysis of the legal language, used in films that will always be watched in original version.
14. Describing the general principles that are the basis of the main Eastern and Western legal systems.
15. Describing the historical evolution of the several creation forms of Law in Europe.
16. Describing the legal, political and social value of the legal doctrine in the Catalan civil law throughout History.
17. Developing a mastering of the computing resources that allow to obtain fundamental information about foreign law, the judicial system and the institutions of other countries.
18. Distinguishing the cultural-legal diversity of the Spanish and European surroundings though the knowledge of its historical processes.
19. Distinguishing the historical interpretation rules in common law, European continental law and in other legal cultures.
20. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
21. Enhancing the culture of the jurist, not only as erudition or legal finesse but also as an essential element for the professional practice in complex, flexible and multicultural contexts such as today's.
22. Enumerating the currents of thought that inspire the historical-legal institutions.
23. Explaining the high critical content about law, institutions and jurists provided by an artistic mean such as the cinema.
24. Explaining the historical evolution and legal regulation of the applicable standard.
25. Explaining the influence and effect of the doctrine throughout the historical evolution of the different legal systems.
26. Identifying a historical-comparative perspective of the main challenges of Law in the current world.
27. Identifying and assessing the jurisprudential changes.
28. Identifying and knowing the main basic principles of law and of the historical institutions of Catalonia.
29. Identifying the motivation of legislative intervention.
30. Identifying the value of the doctrine and legal science in the several world legal systems.
31. Interpreting the complex and not always discernible relationships between Law and its contexts thanks to the potentiality of the cinematographic language.
32. Interpreting the dialectics between unity and plurality in Law. Accepting the interdisciplinarity as conception and instrument of Law.
33. Interpreting the social events as mechanisms that affect rules and current legal institutions.
34. Interpreting the underlying conflicts of interest in law suits and real cases throughout History, specially as regards political and social conflicts.
35. Knowing the foundations of the legal areas of industrial relations in the specific scenario of Francoism and the Spanish transition to democracy.
36. Knowing the mechanisms that must be applied in every situation.
37. Managing bibliographic and documentary resources: databases, browsing, etc.
38. Naming the reciprocal conditioning between Law and society (Law as the expression of the social mentality of every period, but at the same time influencing it and resisting to change when mentality changes).
39. Present information in a way that is appropriate to the type of audience.
40. Recognising the space between the promulgation of the standard and its effective implementation.
41. Setting the basic terminology of Law and historical institutions in Catalonia.
42. Students must be capable of communicating their points of view in a compelling way.
43. Students must be capable of learning autonomously and having an entrepreneurial spirit.

44. Students must be capable of producing initiative, creative and innovative knowledge, as well as new ideas.
45. Students must be effective in a changing environment and when facing new tasks, responsibilities or people.
46. Use different information and communication technologies.
47. Using basic terminology in Comparative Law, specially the fundamental concepts of Common Law.
48. Using computing techniques in order to acquire, manage, and present knowledge.
49. Using, analysing, and interpreting the images and audiovisual means.
50. Verifying the distance between the historic moments of the standard approval and its implementation.
51. Working in multidisciplinary and interdisciplinary fields.
52. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Content

SYLLABUS

LESSON 1: COMPARATIVE LAW AND LEGAL FAMILIES

Introduction to Comparative Law

Historical evolution and future projection of Comparative Law

The legal systems

The legal families of the world

LESSON 2: THE ROMAN-GERMAN OR CONTINENTAL FAMILY

Origin: Roman Law

Evolution of Law in the s. XVII to XIX

The codification

Characteristics of continental law

LESSON 3: UNOFFICAL LAW AND DECOLONISATION

Introduction to South's epistemologies and the legal field

The Law as a Tool of Power: A Brief Historical Reconstruction

Legal pluralism and its theories

Culturally motivated crimes: comparison between the Italian and US systems

LESSON 4: THE COMMON LAW FAMILY

Historical evolution of the Common Law

Fundamental characteristics of Common Law

The constitutional bodies in the United Kingdom

The legal professions

LESSON 5: THE LEGAL SYSTEM OF THE UNITED STATES OF AMERICA

Historical evolution and federalism

The sources of Law

The constitutional framework of the United States

The legal professions

The fight against inequalities in the US (race, gender, sex, etc.)

LESSON 6: LAW IN EASTERN ASIA.

The legal system of China

The role of women in China: historical inequalities and current situation

The legal system of Japan

Gender differences in Japan

LESSON 7: LAW IN AFRICA.

Evolution history: Africa and colonial imperialism

The export of European law in North Africa: a case of legal pluralism

Central Africa and the influence of European rights

Law in Africa

Legal pluralism and women's right in sub-Saharan Africa

LESSON 8: RELIGIOUS LAWS

Islamic Law

The rights of women in the Islamic world

Hindu Law

Jewish Law

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
CLASSROOM ACTIVITIES	22	0.88	42, 10, 8, 14, 13, 5, 19, 41, 20, 37, 31, 39, 52, 47
PROFESSORS EXPLAINATION	22	0.88	3, 7, 9, 8, 14, 13, 17, 18, 19, 38, 25, 41, 30, 26, 21, 47
Type: Supervised			
Tutorials	4.5	0.18	6, 3, 7, 9, 8, 14, 15, 13, 17, 19, 38, 25, 41, 30, 27, 29, 26, 21, 47, 50
Type: Autonomous			

EXAM PREPARATION	20	0.8	3, 7, 9, 8, 14, 15, 13, 17, 5, 18, 19, 38, 25, 41, 30, 26, 21, 47, 48
INFORMATION SEARCH	26	1.04	3, 7, 9, 8, 14, 15, 13, 17, 5, 19, 38, 25, 41, 30, 26, 21, 47, 48
ORGANIZATION OF MATERIALS	10.5	0.42	9, 5, 18, 46, 48
PERSONAL STUDY	45	1.8	3, 7, 9, 8, 14, 15, 13, 17, 5, 18, 19, 38, 25, 41, 30, 26, 21, 47, 48

Statement

Teaching will be in class (face to face), in a seminar methodology: through materials: cases, jurisprudence and legislation, by a socratic dialogue, students will get simultaneously theorical and practical knowledge. The course consists of 15 weeks, the last week will only have 2 hours of teaching.

The center of the learning process is the work of the student, the task of professors is help him (1) by providing information and showing him the sources where he can get information (2) directing student steps so that the learning process can be carried out effectively.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Assessment

Continous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
CLASSROOM DEBATES	20	0	0	6, 1, 2, 3, 42, 4, 35, 36, 7, 9, 10, 11, 8, 45, 12, 16, 14, 15, 13, 17, 5, 18, 19, 38, 22, 23, 25, 24, 41, 20, 37, 30, 28, 27, 29, 26, 34, 33, 32, 31, 39, 40, 21, 43, 44, 52, 51, 46, 47, 48, 49, 50
CONTINUOUS EVALUATION ACTIVITIES	30%	0	0	6, 1, 2, 3, 4, 35, 36, 7, 9, 10, 8, 12, 16, 14, 15, 13, 17, 5, 18, 19, 38, 22, 23, 25, 24, 41, 20, 37, 30, 28, 27, 29, 26, 34, 33, 32, 40, 21, 46, 47, 48, 49, 50
COURSEWORK ON A TOPIC OR LESSON RELATED WITH SYLLABUS	50%	0	0	3, 42, 35, 7, 9, 10, 8, 12, 14, 15, 13, 17, 5, 18, 19, 38, 25, 41, 20, 37, 30, 27, 26, 32, 21, 43, 46, 47, 48

Scheduled evaluation process and activities

The fundamental axis of the evaluation of this subject is the work of the student inside and out of the classroom with the realization of the work of course and of the continous evaluation activities, the participation in debates, the common discussion of texts, oral defense of work, etc. The characteristics of the subject make the class a place open to analysis and debate, in which through the reading of texts the basic concepts of the different legal systems can be assimilated. To evaluate this objective, the evaluation activities are divided into three types:

a) Debates in the classroom (20% of the evaluation)

The subject has a methodological orientation in the seminar, therefore, discussion and participation in the classroom is essential. In this sense, debates, readings, viewing of documentaries related to the syllabus of the subject will be organized, which will have to be worked and discussed in class, either individually or in groups. For this reason, maximum attendance is recommended, as otherwise the pedagogical objectives of the subject are lost.

b) Continuous evaluation activities (30% of the evaluation)

In order to develop in a practical way some subjects of the syllabus, three practices of continuous evaluation will be carried out with a value of 30% on the final qualification. Each practice will therefore have a value of 10%. In carrying out these activities it is important to do research, delve into the subjects, look for quality information.

c) Course work (50% of the evaluation)

The main objective of the elaboration of the course work is to deepen in concrete legal system or to compare law and institutions, and to acquire a wider knowledge. This work aims to be a rigorous research on the subject of study, therefore it will have to be planned from the beginning of the course, and will involve a follow-up by the teacher of its development, and of the phases. For this reason, it is mandatory to set with the teacher in the first two weeks of the course the topic to be developed. The following deliveries are set out below

i) The first deadline consist of realizing and presenting the following tasks.

- Approach to the problem under study.
- Set work goals.
- Temporary work planning.

ii) The second deadline consists of selecting the information and managing the bibliography.

- Information search
- Elaboration of records of the bibliography with synthesis of the content.
- The student will have to present a document indicating the sources of information consulted and will elaborate a minimum of 10 records of the bibliography consulted in accordance with the rule on how to cite the sources of information. In addition, the student must submit a summary of the contents of each of the records.

iii) The third deadline consists of presenting a document:

- Complete memory index.
- Draft of the work.

iv) The fourth deadline consists of presenting the work completely completed.

Partialsubmissions are essential for the development of the work, the teacher will rely on them to make comments and assess whether progress is being made properly. Failure to present the partial assignments is a serious alteration of the objectives of the course work, which are progressive and cumulative, and prevents the teacher from supervising the activity. Consequently, it will lead to the impossibility of continuing with the course work.

In order to elaborate the Course Work, the guidelines and criteria of the Final Degree Project of Law must be followed, with the exception of the extension.

v) Requirements to be evaluated.

Students will be evaluable as long as they have carried out a set of activities whose weight is equivalent to a minimum of 2/3 of the total grade for the subject. If the value of the activities carried out does not reach this threshold, the subject teacher may consider the student as non-evaluable.

RE-EVALUATION

The re-evaluation of the subject will be done by offering students the opportunity to re-evaluate the course practices not passed, or improve the course work that all students must do. Only those students who have taken the ordinary assessment will be able to access the re-evaluation. To access the re-evaluation, at least the coursework and the continous evaluation activities must have been adone. The minimum grade to access is 3,5 points in the continuous assessment.

Not evaluable: The same non-evaluable criteria will be applied as for continuous evaluation.

Fraudulent conduct

A student who copies or attempts to copy an exam will have a 0 on the exam. A student who submits a practice in which there is plagiarism will get a 0 and receive a warning. In case of repetition of the behavior, the student will suspend the subject.

d) Single assessment.

Those students who take advantage of the single evaluation system, with the prior approval of the faculty, will have to carry out the following activities to be delivered at the end of the course.

1. Course work according to the list of course topics that will be provided at the beginning of the course (50%).

2. Presentation of an oral presentation according to the list of course topics that will be provided at the beginning of the course (20%).

3. Presentation and resolution of three practical cases that the teaching staff will facilitate at the beginning of the course (30%).

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Software

none in particular

Language list

Name	Group	Language	Semester	Turn
(PAUL) Classroom practices	1	Spanish	first semester	morning-mixed
(TE) Theory	1	Spanish	first semester	morning-mixed