



## Course Syllabus

<b>Course Code</b>	<b>Course Title</b>	<b>ECTS Credits</b>
LAW-365	Comparative Law	6
<b>Prerequisites</b>	<b>Department</b>	<b>Semester</b>
None	Law	Fall
<b>Type of Course</b>	<b>Field</b>	<b>Language of Instruction</b>
Elective	Comparative Law/Legal Theory	English
<b>Level of Course</b>	<b>Lecturer(s)</b>	<b>Year of Study</b>
1 <sup>st</sup> Cycle	Dr. Dimitrios Koukiadis	2 <sup>nd</sup>
<b>Mode of Delivery</b>	<b>Work Placement</b>	<b>Corequisites</b>
Conventional	-	None

### Course Objectives:

The core objectives of the course are:

- Transition from a simple study of one or more foreign legal systems to a deeper comparison among laws, legal systems, legal cultures.
- Familiarity with the Comparative Method based on a) comparability, b) ways of approaching a foreign legal system, c) criteria of generating legal rules.
- Possibility of evaluating the advantages and disadvantages of one or more legal systems.
- Possibility of a dogmatic/legislative/functional harmonization/unification of foreign legal rules/laws.
- Acquaintance with the categorization of national legal systems.
- Discussing and analyzing of the “gap” between positive law, natural law, self-regulation, private law-making.
- Evaluation of the co-existence and interoperability among the local-, national-, supranational-, transnational-, international-, global law-making.
- Illustrating the blurring of the boundaries between private and public law.
- Comparative study of protection of fundamental rights such as freedom of expression, privacy, personal data in a global, digital environment.

### Learning Outcomes:

After completion of the course students are expected to be able to:

- Develop familiarity with the comparative method as a method of approaching and examining a foreign legal system.
- Interpret the production of laws/norms in a foreign legal environment.
- Critically assess the process of harmonization of national laws among Member States of EU, and between the EU, USA, and China.
- Explain the difference between convergence, harmonization, unification of laws of different national legal traditions.
- Evaluate the different methods of approaching law and jurisprudence in a comparative framework.
- Test and weigh the ongoing, global debate between “law in the books” and “law in action”.
- Judge and measure the existing legal and normative order in a “globalized”, “fragmented”, “decentralized”, “self-regulatory” digital environment.

### Course Content:

1. The comparative method of cultivating law, the nature of comparative law and its goals.
2. Comparative law as method and as science.
3. Differences between “micro-comparison” and “macro-comparison” as versions of comparative method.
4. Categorisation of legal systems.
5. Meaning and importance of legal transplants.
6. Dominating legal systems: Germany, France, USA, UK, EU.
7. Identity of EU law as a global law: possible or not?
8. Comparative Human Rights law.
9. Models of law-making: positive law, natural law, self-regulation, system theory, economic analysis of law.
10. Comparative Constitutional law.
11. The EU and its Member States: Comparative law in action.
12. Problems and perspectives of legal harmonization process.

**Learning Activities and Teaching Methods:**

Interactive lectures, written examinations, papers' presentations, forum discussions

**Assessment Methods:**

Final Examination, Mid-term Examination, Class Participation

**Required Textbooks / Readings:**

<b>Title</b>	<b>Author(s)</b>	<b>Publisher</b>	<b>Year</b>	<b>ISBN</b>
<i>Comparative Law</i>	Mathias Siems	Cambridge University Press	2022	
<i>An Introduction to Comparative Law</i>	K.Zweigert, H.Kötz	Oxford University Press	1998	
<i>European Union Private Law</i>	Ch. Twigg-Flesner	Cambridge University Press	2010	
<i>The Oxford Handbook of Comparative Law</i>	Mathias Reimann, Reinhard Zimmermann (eds.)	Oxford University Press	2008	
<i>European Comparative Company Law</i>	M. Andenas - F. Woolridge	Cambridge University Press	2009	
<i>Legal Traditions of the World: Sustainable Diversity in Law</i>	H.Patrick Glenn	Oxford University Press	2014	
<i>Epistemology and Methodology of Comparative Law</i>	M. Van Hoecke (ed.)	Hart Publ.	2004	

<i>Elgar Encyclopedia of Comparative Law</i>	Jan M. Smits (ed.)	Edward Elgar Publ.	2014	
<i>Human Rights Law in Europe</i>	K. Dzehtsiarou et al. (eds.)	Routledge	2014	
<i>Adapting Legal Cultures</i>	David Nelken, Johannes Feest (eds.)	Hart Publ.	2001	
<i>Comparative Constitutional Law</i>	T. Ginsburg - R. Dixon	Edward Elgar Publ.	2013	
<i>The Cambridge Companion to Comparative Law</i>	Mauro Bussani, Ugo Mattei (eds.)	Cambridge University Press	2012	
<i>The Oxford Handbook of Comparative Constitutional Law</i>	M. Rosenfeld - A. Sajo	Oxford University Press	2013	
<i>Law and Religion in Europe: A Comparative Introduction</i>	N. Doe	Oxford University Press	2011	
<i>European Law in the Past and the Future</i>	R.C. Van Caenegem	Cambridge University Press	2002	
<i>Comparative Law: A Handbook</i>	D. Nelken - E. Oruku (eds.)	Hart Publ.	2007	
<i>Comparative Law in a Changing World</i>	P. DeCruz	Routledge Publ.	2006	