Introduction to Common Law Legal Systems (Master Year 1 / Fall)

Master in International and European Business Law / Faculty of Social Sciences, Economics and Law

Introduction

The seminars of two hours each are an introduction to the legal systems of the common law world. A significant part will be focused on the United Kingdom, with a particular emphasis on the English & Wales legal system. The objective is to highlight the key features of the legal system, from a comparative point of view, both as an example of a common law legal family (compared with the US and Australia) and in contrast to a civil law legal system such as France. This in-depth introduction will give a solid foundation to introduce the US and Australia federal systems. Particular attention will be given to the concept of the Commonwealth and the diminishing role of the Privy Council (including with regards to New Zealand).
Seminar 1 – Introduction to the UK legal systems; evolution of the principle of separation of powers, including the case Miller 2.
Seminars 2 & 3 – Concepts of 'common law' – Equity – the doctrine of precedent from a historical and comparative perspective – Introduction to legal research in the UK
Seminars 4 & 5 – Statute law and statutory instruments; relationship between parliament and judiciary, notably the rules of interpretation – introduction to legal research in the UK
Seminar 6 - The international sources of law; Brexit;
Seminars 7 & 8 –short overview of the Trust (to be contrasted with English contract law; aspects of Equity) ; presentation of assignment (presentation and essay).
Seminar 9 – overview of the US legal system (especially of the US Supreme Court)
Seminar 10 – Overview of Australia – New Zealand – as part of the commonwealth - role of Privy Council; aboriginal law

Objectives

Once you have successfully completed the module, you will be able to:
1. demonstrate your knowledge and understanding of the nature of the institutions of the English legal system, the sources of law, and the roles of actors within the system;
2. demonstrate your knowledge and understanding of the nature of the institutions of the US and Australian federal systems, their sources of law, and the roles of actors within their systems, including in contrast to the English legal system;
3. demonstrate your knowledge and understanding of the similarities and differences between the common law systems, including the concept of the Commonwealth;
4. read, analyse and employ legal cases and statutes;
5. answer a small essay question;
6. communicate research findings in a chosen format (oral); and
7. undertake team work.

Duration

1 semester

Teaching languages

- English

Conditions of submission

If you need more information about this course, kindly send an email to: incomingdri@icp.fr

Admission

Prerequisite

Prerequisites training

None.

Program

Methods of Instruction

Before class: Short readings
During class: Presentation of basic elements on each topic by the teacher and discussion in class.

Assessment and Final Grade

Oral examination: 30%
Comparative law essay (2000 words): 70%

Course Requirements

For students of the Catholic Institute of Paris, to be enrolled in the Master on International and European Business Law
Exchange students admitted by the Catholic University of Paris may also attend this course.