The course offers students an introduction to legal comparison, to its nature and goals in connection with the contemporary globalization processes, with particular reference to the interaction of law and culture in Europe. Through this course, students will be exposed to the historical evolution and the main features of the civil law tradition in comparison with the common law tradition, with inevitable references to other legal worlds which have emerged as key actors in the global context. The analysis will touch on some issues that show the convergence of legal systems and traditions favored by the globalization process. However, it will also consider those peculiar features of a given legal culture that may resist this homogenization process. Besides the formative period of the civil law and the common law in England, the course will deal with such topics as legal education, legal professions and courts; constitutions and judicial review of legislation; the role of legislation, case law and doctrine as sources of law; the weight of judicial precedents, and some selected key issues such as laws regulating the termination of pregnancy. Reference will also be made to the making of a European law.


**Students will be assessed as follows:**
- Regular attendance, active participation and in class contributions will count towards 25% of the final grade.
- A mid-term reaction paper, to be drafted in the course of class VII (open books), will count towards 35% of the final grade. This paper must be approximately 8-10 double spaced pages in length, and should address the predominant themes of the first part of the course as discussed in the readings and in class.
- A final written examination, in class and open books, will be worth 40%. The examination will be in the form of 3 questions to be answered by 3 short essays.

**Syllabus**

I) Reasons for comparing legal traditions. Goals and methods of comparative Law

II) Legal families around the world

III) The civil law tradition: history, culture and distribution

IV) The civil law tradition: courts and legal actors

V) The civil law tradition: sources of law

VI) The common law tradition in England: History, culture and distribution

VII) Midterm Evaluation

VIII) The common law tradition in England: Courts and legal actors

IX) The common law tradition in England: Sources of law

X) The common law in the United States: The Federal Constitution
XI) The Common law in the United States: Courts and sources of law

XII) Comparing systems of constitutional justice: US v. Europe

XIII) Comparing systems of constitutional justice: the example of the abortion cases

XIV) Common law and civil law: two different traditions within the western legal culture?

XV) Final Exam and Discussion Wrap Up