Course title: Introduction to Comparative Private Law
Language of instruction: English
Professor: Carlos Gomez
Professor’s contact and office hours: carlos.gomez@upf.edu (Office 40.102). Hours by appointment.
Course contact hours: 45
Recommended credit: 3 US credits-6 ECTS credits
Course prerequisites: There are no prerequisites for this course.

Language requirements: None

Course focus and approach: The course will introduce students to the main legal systems of the world, their historical origins and their relevant features. The reading assignments and the classroom discussions will illustrate different methods of legal thinking, which have promoted distinctive legal institutions for solving the problems that, in fact, are equivalent. The course seeks to analyze how different legal traditions have solved the problems related to the core topics of private law. A basic introduction to contracts, property, torts and family relations will be followed by a comparison of different legal approaches to these core topics.

In addition, the course will focus on the current trends of the harmonization process among different legal systems, indispensable in the globalized business world, as well as the evolution and interaction of different legal traditions.

Course description: The course will be structured in two different parts. The first part will introduce students to the different legal traditions from a comparative perspective. The second part of this course will focus on the study of some
central institutions in the Private Law, dealing with the differences among the legal traditions analyzed in the first part of the course.

**Learning objectives:** At the end of this course the students will be able to identify the main legal families in the world, their features and main differences as well as the structure of the main legal institutions of the Private law.

**Course workload:** The students are required to read a selection of texts and participate actively in the class. Students will have to prepare a final exam and will also conduct a research paper project on one of the topics covered by the course.

**Teaching methodology:** The course is structured in lectures.

**Assessment criteria:**
- Midterm paper: 30%
- Final paper: 40%
- Class participation: 30%

**Absence policy**

After the add/drop, all registrations are considered final and **LEGAL STUDIES PROGRAM Absence Policy** begins to apply. For the academic year 2014-2015, such policy is as follows:

Attending class is mandatory and will be monitored daily by professors. Missing classes will impact on the student’s final grade as follows:

<table>
<thead>
<tr>
<th>Absences</th>
<th>Penalization</th>
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<tr>
<td>Up to two (2) absences</td>
<td>No penalization</td>
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<tr>
<td>Three (3) absences</td>
<td>1 point subtracted from final grade (on a 10 point scale)</td>
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<th>Four (4) absences</th>
<th>2 points subtracted from final grade (on a 10 point scale)</th>
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<td>Five (5) absences or more</td>
<td>The student receives an INCOMPLETE (&quot;NO PRESENTAT&quot;) for the course</td>
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The PEHE/HESP attendance policy does not distinguish between justified or unjustified absences. The student is deemed responsible to manage his/her absences.

Emergency situations (hospitalization, family emergency...) will be analyzed on a case by case basis by the Director of the Education Abroad Program.

Classroom norms:
- No food or drink is permitted in class
- Students will have a ten-minute break after each one-hour session

Weekly schedule

<table>
<thead>
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<th>PART I</th>
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<tr>
<td>Comparative Legal Traditions</td>
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**WEEK 1**
Main Legal Families in the World. Why are we different?

**WEEK 2**
History, Culture, and Distribution of the Civil Law

**WEEK 3**
The Common Law Tradition

**WEEK 4**
The literature on legal origins and the wealth of nations
Part II
Law in action

**WEEK 5**
Why do people keep their promises? An overview on Contract law and remedies for breach of contract

**WEEK 6**
The effect of supervening circumstances from a comparative perspective.

**WEEK 7**
Tort law and insurance from a comparative perspective.

**WEEK 8**
Unjustified enrichment doctrines. A comparative analysis.

**WEEK 9**
Trusts: Their problems in Civil law jurisdictions.

**WEEK 10**
Comparative inheritance law. Wills and trusts from a comparative perspective.

**WEEK 11**
Property regimes and marital economy. A comparative approach.

Last revision: June 2016

**REQUIRED AND RECOMMENDED READINGS**

Course reading pack prepared by the professor and scheduled on a session basis.