

Subject card

Subject name and code	Contemporary law families in a comparative law perspective - lecture, PG_00143046						
Field of study	Law						
Date of commencement of studies	October 2021	Academic year of realisation of subject			2024/2025		
Education level	uniform Master's studies	Subject group			Optional subject group		
Mode of study	part-time studies	Mode of delivery			at the university		
Year of study	4	Language of instruction			Polish polish		
Semester of study	7	ECTS credits			2.0		
Learning profile	academic	Assessment form			credit		
Conducting unit	Division of Roman Law -> Department of Civil Law -> Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Beata Kowalczyk				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	10.0	0.0	0.0	0.0	0.0	10
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	10		0.0		40.0	50
Subject objectives	Enable students to learn about law in extensive, transnational, regional, global and comparative perspectives. The issue of legal families reflects the spirit of the times at the turn of the 20th and 21st centuries and provides an opportunity to understand the processes of the various legal families like change, reception, unification, globalization and their implications for the practice performed by future lawyers. The course aims to facilitate respectful and open discussion of different legal systems and cultures. Students are expected to participate in discussions in a spirit of inquiry, respect and mutual learning.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_KO04] The graduate is ready to prepare own projects connected with the creation, application and interpretation of legal regulations, including projects co-financed by the European Union's funds	is ready to undertake the preparation of their own social projects, taking into account legal, economic and political aspects, including the preparation and implementation of projects co-financed from European Union funds	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK5] implementation of a problem task [SK8] observation of student's independent or team work
	[PRAWOJ5_WG06] He/she has systematic knowledge about the man as the subject establishing social structures and principles of their operation and about the man as the individual operating in these structures	Has a structured knowledge of man as an entity that constitutes social structures and the principles of their functioning	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task
	[PRAWOJ5_WG07] The graduate knows methods and tools, including techniques of data and information acquisition, as well as research methods appropriate for the field of study and the related disciplines	knows the methods and tools, including data and information acquisition techniques and research methods, appropriate to legal science and other related disciplines, including disciplines in other scientific fields	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task
	[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law	is ready to actively participate in groups, organizations and institutions that carry out professional activities related to law, at the same time he is able to communicate with people who are and are not specialists in the field of law	[SK2] presentation/project/paper/report [SK5] implementation of a problem task [SK8] observation of student's independent or team work
	[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	Has in-depth skills in observing and interpreting social phenomena, analyzes their connections with various areas of the branches of law and related sciences.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU8] observation of student's independent or team work
	[PRAWOJ5_UW01] He/she has advanced skills in observation and interpretation of social phenomena, analyzes their connections with various areas, activity of legal science and the related disciplines	has in-depth skills of observation and interpretation of social phenomena, analyzes their connections with various areas, branches of law and related sciences	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU5] implementation of a problem task [SU8] observation of student's independent or team work
	[PRAWOJ5_UW02] The graduate utilizes theoretical knowledge in legal science and the connected academic disciplines to analyze and interpret complex legal issues	is able to use and integrate theoretical knowledge from the field of law and related scientific disciplines in order to analyze and interpret complex legal problems	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU5] implementation of a problem task [SU8] observation of student's independent or team work
	[PRAWOJ5_WK10] He/she understands and knows the basic concepts and principles of industrial property protection and copyright law, as well as understands the need for proper protection of intellectual property and managing its resources	knows and understands the basic concepts of the various families of law, understands the differences between these families and the consequences thereof	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task
	[PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship.	has in-depth knowledge of the principles of creation and development of basic forms of individual entrepreneurship	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task
	[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics	Has a belief in the importance of behaving in an ethical and professional manner, acts in accordance with ethical principles	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK5] implementation of a problem task [SK8] observation of student's independent or team work

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[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	is ready to undertake professional challenges, undertakes effort and is characterized by perseverance in the implementation of individual as well as team activities in the field of law and related sciences	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK5] implementation of a problem task [SK8] observation of student's independent or team work
[PRAWOJ5_UW03] The graduate demonstrates deepened skills of using complex theoretical points of view to analyze, interpret and plan strategies of legal activities; solves concrete problems connected with the creation, application and interpretation of legal regulations, anticipates the course of their solution and predicts the effects of planned activities	is able to use complex theoretical approaches in order to analyze, interpret and design strategies for legal actions; is able to generate solutions to specific legal problems and forecast the course of their solution and predict the consequences of planned actions	[SU2] presentation/project/paper/report [SU5] implementation of a problem task [SU8] observation of student's independent or team work
[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	Able to use complex theoretical approaches to analyze, interpret, and design strategies for legal actions; can generate solutions to specific legal problems and forecast the course of their solution and predict the consequences of planned actions	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK8] observation of student's independent or team work
[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	Is aware of the need to expand professional competence and qualifications, as well as improve skills, is able to independently determine the directions of their own development and education in an extended and in-depth degree	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report [SK8] observation of student's independent or team work
[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	is able to cooperate in a team and is able to coordinate the work of the team when solving legal problems, interpreting legal acts, preparing a written or oral position on a case	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU8] observation of student's independent or team work
[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	has a structured knowledge of the types of legal relations and the regularities governing them, taking into account the characteristics of a particular family of law	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task
[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	has an in-depth ability to prepare oral presentations, in Polish and a foreign language, in the field of law and related sciences	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU5] implementation of a problem task [SU8] observation of student's independent or team work
[PRAWOJ5_WG09] He/she demonstrates deepened and systematic knowledge about the processes of changes of political systems and of individual authorities, as well as the consequences of these changes	Has in-depth and structured knowledge of the processes of change in systems of government and its various organs of power, as well as the consequences of these changes	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task
[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	Has a developed ability to understand and analyze social phenomena and use this analysis in professional work	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report [SU5] implementation of a problem task
[PRAWOJ5_WG04] He/she knows the system of Polish law, mutual connections within the system and connections of Polish law with the European Union law and international law	knows the system of Polish law, the interrelationships within this system and the interrelationships of Polish law with European Union law and international law	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report [SW5] implementation of a problem task

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[PRAWOJ5_WG03] He/she demonstrates deepened knowledge about the political system in Poland, about individual authorities with particular consideration of legislative authority and the judiciary,	has an in-depth knowledge of the system of government in Poland, the various organs of government, with particular emphasis on the legislative and judicial powers	[SW1] oral statement/ conversation/discussion [SW2] presentation/project/paper/ report [SW5] implementation of a problem task
[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	knows the terminology and concepts of law and related fields to an extended degree	[SW1] oral statement/ conversation/discussion [SW2] presentation/project/paper/ report [SW5] implementation of a problem task
[PRAWOJ5_WG01] The graduate demonstrates deepened and systematic knowledge about the character of legal science, its place in the system of sciences and mutual relations.	has in-depth and structured knowledge of the nature of legal sciences, their place in the system of sciences and their relationship to other sciences	[SW1] oral statement/ conversation/discussion [SW2] presentation/project/paper/ report [SW5] implementation of a problem task
[PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation	Has a structured knowledge of the various legal families.	[SW1] oral statement/ conversation/discussion [SW2] presentation/project/paper/ report [SW5] implementation of a problem task
[PRAWOJ5_WK13] He/she has advanced knowledge of the functioning of professional self-governments in legal professions, is familiar with the principles of judges' and prosecutors' professions, and has knowledge of the organization of the judiciary in Poland.	Has knowledge of the legal profession and the rules of its practice according to the family of law	[SW1] oral statement/ conversation/discussion [SW2] presentation/project/paper/ report [SW5] implementation of a problem task
[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	Knows the basic concepts and terms of the science of families of law especially in a private law context	[SU1] oral statement/conversation/ discussion [SU2] presentation/project/paper/ report [SU5] implementation of a problem task
[PRAWOJ5_UW06] The graduate is able to assess the usefulness of typical procedures and good practice in the implementation of tasks connected with various spheres connected with law and related fields	Knows and understands the processes of law reception, systematization and integration.	[SU1] oral statement/conversation/ discussion [SU2] presentation/project/paper/ report [SU5] implementation of a problem task
[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	Has a structured knowledge of the various legal families.	[SK2] presentation/project/paper/ report [SK5] implementation of a problem task [SK8] observation of student's independent or team work
[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	He has a structured knowledge of man as an entity that constitutes social structures and the rules of their functioning.	[SU2] presentation/project/paper/ report [SU5] implementation of a problem task [SU8] observation of student's independent or team work
[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	efficiently uses legal as well as professional rules and norms in undertaken professional activities	[SU2] presentation/project/paper/ report [SU5] implementation of a problem task [SU8] observation of student's independent or team work
[PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions	Has knowledge of health and safety at work in public administration institutions	[SW1] oral statement/ conversation/discussion [SW2] presentation/project/paper/ report [SW5] implementation of a problem task

Subject contents	Lecture 1: Introduction to comparative law and legal families- The importance of comparative law- Introduction to families of law: Continental law , Anglo-American law (common law), law of socialist countries and law of religious- Continental law system- Historical development and influences- Main principles of continental law- Overview of modern civil law practices and jurisdictions Lecture 2: Common law system- Historical development and influences- Main principles of common law- Overview of contemporary practices and jurisdictions of the common law system Lecture 3: System of law of socialist countries- Historical development and influences- The main principles of the law of socialist countries- Overview of contemporary practices and jurisdictions of the law of socialist countries Lecture 4: Systems of religious law- Overview of major systems of religious law: Islamic law, Jewish law, Hindu law and Canon law - Historical development and influences- Main principles and contemporary practices Lecture 5: Evolution of legal families- Changes in legal families in response to social, economic and political changes - The role of technology and globalization- Future perspectives Comparative law in practice- The role of comparative law in policy-making, legal reform and judicial decision-making - Comparative law in legal education- Review and summary of the course, open discussion		
Prerequisites and co-requisites	introduction to jurisprudence		
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
		51.0%	50.0%
		51.0%	50.0%
Recommended reading	Basic literature	R.Tokarczyk, Współczesne kultury prawne Główne kultury prawne współczesnego świata, red. B. Banaszak., Warszawa 1995 K.Zweigert, H.Kotz, An Introduction to Comparative Law, 3rd ed., Oxford 1995 H.Patrick Glenn, Legal Traditions of the World, Oxford: Oxford University Press, 2010 (4th edition) J.Kurczewski, Prawo prymitywne. Zjawiska prawne w społeczeństwach przedpaństwowych, Warszawa 1973.	
	Supplementary literature	John EC Brierley and Roderick Macdonald, Quebec Civil Law: An Introduction to Quebec Private Law, Toronto, Emond Montgomery Publications Limited, 1993, pages 6-32 A.T. Kronman, Precedent and Tradition (1990) 99 Yale L.J. 1029 at 1034-1039, 1043 Georges Horowitz, Letter and Spirit of the Law et Preliminary Notions in The Spirit of Jewish Law: A Brief Account and Rabbinical Jurisprudence with a Special Note on Jewish Law and the State of Israel, New York, Bloch Publishing Company, 1993 at 1-17. Vrinda Narain, Gender and Community : Muslim Womens Rights in India, Toronto, U. Toronto Press, 2001 aux pp. 13-24. HP Glenn, Legal Traditions of the World, Rozdz. 8 Werner Menski, Postmodern Hindu Law Harry Arthurs, Law and Learning in an Era of Globalization (2009) 10 German law Journal 629-639	
	eResources addresses		
Example issues/ example questions/ tasks being completed	Analyze and present selected systems of law in terms of same-sex marriage.		
Work placement	Not applicable		

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