



COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

GUÍA DOCENTE

2024 - 2025

FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura	
Nombre completo	Introduction to Civil Law
Código	E000012215
Nivel	Intercambio
Cuatrimestre	Semestral
Créditos	3,0 ECTS
Carácter	Obligatoria (Grado)
Departamento / Área	Facultad de Derecho
Responsable	Prof. Dr. Juan Antonio Pérez Rivarés
Horario	Wednesdays (18:30 - 20:30)
Horario de tutorías	Upon arrangement
Descriptor	The aim of this course is to bring the student closer to Spanish civil law by presenting some basic notions of the several areas encompassed in this legal branch. The exploration of specific, noteworthy aspects of Spanish civil law allows the student to get a panorama view, and this first approach will make it possible for them to successfully go deeper afterwards.

Datos del profesorado

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

Aportación al perfil profesional de la titulación

The aim of this course is to bring the student closer to civil law system compared to common law by presenting some basic notions between both legal systems

Competencias - Objetivos

Competencias

The aim of this course is to bring the student closer to civil law system compared to common law by presenting some basic notions between both legal systems

BLOQUES TEMÁTICOS Y CONTENIDOS

Contenidos – Bloques Temáticos

1. History of the two legal traditions

2. Different branches in the civil law tradition



3. Rule of law.

4. The process of codification. The importance of Civil Code.

5. The sources of Law.

6. The three powers in the Civil Law tradition.

7. The autonomy of the will in the Civil Law tradition.

METODOLOGÍA DOCENTE

Aspectos metodológicos generales de la asignatura

- **Lectures:** The professor presents systematically the contents indicated above under twelve different headings. The approach will be a combination of a theoretical, dogmatical method and a practical one. Specific everyday examples will be offered to illustrate the topics problems, and students will be invited to give their own opinions and insights on the matter, including explanations regarding the legal system they are used to. Active participation is constantly promoted. Due to the nature of the course and the number of ECTS assigned, lectures will necessarily remain on a general level, even if particular sub-topics are to be paid attention. The idea is to provide students some basic tools, so they get acquainted with Spanish civil law.

- **Commentary on legal rulings or academic papers:** The professor may pick judgments or legal journal articles to illustrate some of the topics covered in the course. The students will be invited to explore their content and discuss them in class.

- **Dissertation:** 30% of the final grade will depend on the assessment of a short dissertation (9 to 12 pages) the student must write. After the first six lessons of the course, the student will have to pick one of the issues covered and present the similarities and differences of the Spanish legal system with regard to their own country's one.

EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

70% — Exam. Multiple choice test. A test consisting of multiple-choice questions will allow to determine whether the student is familiarized with the main features of Spanish civil law explored in the course.

30% — Drafting a dissertation. Students must draft a short dissertation (9 to 12 pages) on one of the issues covered in the first six lessons of the course, comparing the Spanish regime with the one of their own forum. Originality, clarity, quality of the presentation, and the proper use of bibliography and/or legal rulings to illustrate the points raised, will be the main factors considered.

BIBLIOGRAFÍA Y RECURSOS

Bibliografía Básica

Bersier, N., Bezemek, C. & Shauer, F. (2022). *Common Law-Civil Law: The Great Divide?* New York: Springer.

Lundmark, T. (2012). *Charting the Divide Between Common and Civil Law*. Oxford: Oxford University Press.



COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

GUÍA DOCENTE

2024 - 2025

Merryman, J.H. & Pérez-Perdomo, R. (2018). The Civil Law Tradition. An Introduction to the Legal Systems of Europe and Latin America. Stanford: Stanford University Press.