

# COMPARATIVE LAW & COMMON LAW MASTER PROGRAMS

*The Master of Comparative Law and Common Law and the LLM in Anglo American Business law of Paris Cité University are designed to provide solid methodological foundations as well as a first approach of substantive and procedural rules of the common law tradition. They are particularly well-suited for jurists trained in civil law tradition who wish to understand the foundational elements of the common law tradition in a global context where jurist with civil law and common law backgrounds daily interact.*

*These programs intend to meet the training requirements of jurists and foreign students, wishing to better understand the globalization of exchanges, the international economic integration, and the specific legal needs related to these changes. By creating the best environment to develop professional networks, first links with international law firms or to deepen research projects, students will be more responsive to international challenges raised in today's legal context.*

*Thanks to their bijural environment, where both the civil law and the common law are taught, these programs are uniquely positioned not only to provide continental jurists with a foundational common law training, but also to assist them in developing an in-depth understanding of the methodological, legal, and cultural assumptions underlying common law jurist's modes of reasoning and attitudes. With a theoretical, critical, and pragmatic approach, the program includes various cross cultural and transdisciplinary educational methods including lectures, seminars, and factual and case law approach-based learning.*

*With more than 50 teachers in M1 and M2, academics and professional practitioners, our programs offer, with a total of more than 350 teaching hours in M2, a comprehensive and varied legal education paving the way for students to the practice of law as well as to careers where knowledge of the law is a major asset.*

*French and foreign students, international exchange programs students, as well as students of I.E.J, EFB and E.N.M., or professionals in long term education programs, are eligible and will be selected on the basis of their curriculum and their English proficiency.*

*Anthony Chamboredon*



# SEMINARS 2024-2025

## COMPARATIVE LAW AND RESEARCH METHODOLOGY: Anthony CHAMBOREDON

**Course Overview:** The course "Comparative Law and Common Law Research Methodology" offers an in-depth exploration of the frameworks and techniques used in comparative legal studies, focusing particularly on common law systems. By integrating theoretical perspectives with practical research skills, this course aims to equip students with the tools necessary to analyze, compare, and critically assess different legal systems. Emphasis will be placed on the research methodologies used in comparative law studies. Students will explore qualitative and quantitative methods, case law analysis, and the use of legal databases and resources. The course will also cover the ethical considerations and challenges involved in conducting comparative legal research. **Practical Applications:** Students will engage in practical exercises that involve comparing legal issues across different jurisdictions. They will learn how to formulate research questions, gather and analyze data, and present their findings in a coherent and persuasive manner.

**Course Structure:** The course will be structured around themes and combining lectures, discussions, and hands-on research projects.

Overview of **Comparative Law:** key concepts, history, and the role of comparative law in legal scholarship and practice. Exploration of the common law system, including judicial precedent, the role of judges, and the importance of case law. Examination of different legal traditions, including civil law, Islamic law, and indigenous legal systems, focusing on their methodologies and principles.

**Research Design and Methodology:** In-depth analysis of qualitative and quantitative research methods, including case studies, surveys, and empirical legal studies. **Data Collection Techniques:** Training on using legal databases, archives, and online resources effectively, as well as conducting interviews and field research.

**Analyzing Legal Texts:** Techniques for interpreting statutes, cases, and legal commentary across different jurisdictions. **Ethics in**

**Comparative Legal Research:** Discussion on the ethical implications and responsibilities of conducting research in different legal cultures.

**Presentation and Communication Skills:** Guidance on effectively presenting research findings, including writing research papers and delivering presentations.

**Assessment:** Students will be assessed through a combination of research papers, presentations, and participation in class discussions. A final project (written test in June) will require students to conduct a comparative analysis of a legal issue of their choice, applying the methodologies learned throughout the course.

**Overall objectives:** By the end of the course, students will have developed a comprehensive understanding of comparative law and the common law tradition. They will possess the research skills necessary to engage in meaningful comparative legal analysis, contributing to their academic and professional development in the field of law. This course aims to prepare students for careers in academia, legal practice, international law, and policy-making, fostering a nuanced understanding of global legal system.

## CONSTITUTIONAL LAW – Forrest HANSEN (BYU): *Introduction (12 hours)*

This module allows students to explore and understand the system of public law in the United Kingdom at a time of major constitutional change. How are ministers held to account? What is the role of the courts? Has the United Kingdom developed its own system of administrative law? The role of the courts since the implementation of the Human Rights Act 1998, the introduction of devolution to Scotland, Wales, Northern Ireland and London with changes to the structure of regional local government is considered. Reform of the House of Lords and the role of Parliament is addressed. The law of the European Union and the sovereignty of the United Kingdom are also discussed as is the relationship between local and central government is considered. Mechanisms for citizens' grievances such as the ombudsman are examined. The powers of the police and the security of the state are studied. Topics covered include constitutional law, judicial review, human rights, the rule of law, Parliament and Lords reform, ministerial accountability and the role of Parliament. Also included are the following subject areas such as devolution, sovereignty, the European Union, police powers, the ombudsman and citizens grievances are explained in their legal, social and economic context.

Course content:

- The nature of public law in the United Kingdom;
- The new culture of human rights and how this is reconciled with parliamentary sovereignty;
- The role of administrative law;
- The nature of government and modes of accountability;
- The law on remedies and on judicial review.

## CONTRACT LAW I – *Contract Law introduction (12 hours)*

Contracts are at the very core of English law. Throughout this class, classical notions of contract law will be explored (formation, content and end of contracts, as well as damages and remedies). Contemporary issues will also be addressed through the lenses of consumer rights, misrepresentation or sale of goods special legislation.

**Course Overview:** This introductory course provides foreign students with a comprehensive understanding of English contract law, a fundamental aspect of the UK legal system. It is designed to equip students with the essential principles and concepts of contract law, enabling them to engage with legal texts, analyze contractual agreements, and understand the implications of legal obligations in a global context.

**Course Objectives:** By the end of the course, students will be able to:

1. Grasp the foundational principles of contract law, including offer, acceptance, consideration, and intention to create legal relations.
2. Identify and differentiate between various types of contracts, including bilateral and unilateral contracts, and express and implied contracts.
3. Analyze the essential elements that constitute a valid contract and recognize the common grounds for contractual disputes.
4. Understand the principles surrounding the enforceability of contracts, including capacity, legality, and the impact of misrepresentation or duress.
5. Evaluate the remedies available for breach of contract, including damages, specific performance, and rescission.

**Course Structure:** The course is divided into several modules, each focusing on key aspects of contract law:

1. **Introduction to Contract Law:**
  - Overview of the legal framework governing contracts in England.
  - Importance of contract law in business and personal transactions.
2. **Fundamental Principles:**
  - Detailed exploration of the elements of a contract: offer, acceptance, consideration, and intention.
  - Case studies to illustrate how these principles apply in real-life scenarios.
3. **Types of Contracts:**
  - Examination of various contract types and their characteristics.
  - Discussion on oral vs. written contracts and the significance of formalities.
4. **Contractual Capacity and Legality:**
  - Analysis of who can enter into a contract, including minors and individuals with mental capacity issues.
  - Understanding the requirement that contracts must be legal and not against public policy.
5. **Defenses to Contract Enforcement:**
  - Exploration of factors that can render a contract void or voidable, such as misrepresentation, undue influence, and duress.
  - Case law examples to highlight these defenses in practice.
6. **Breach of Contract and Remedies:**
  - Definition and types of breach of contract.
  - Overview of available remedies, including expectations, reliance, and restitution damages.
  - Discussion on the principle of mitigation and its significance in claims for damages.

**Learning Methods:** The course employs a variety of teaching methods to enhance student engagement and understanding:

- **Lectures:** Delivered by experienced legal professionals, covering theoretical frameworks and practical applications.
- **Case Studies:** Analysis of landmark cases to illustrate the application of contract law principles.
- **Group Discussions:** Facilitated debates on contemporary issues related to contract law, encouraging critical thinking.
- **Workshops:** Practical exercises that involve drafting contracts and identifying potential pitfalls.

**Assessment:** Students will be assessed through a combination of coursework and examinations, focusing on their ability to apply legal principles to hypothetical scenarios. This approach ensures that students not only learn the theory but also develop practical skills relevant to contract law. A written test is organised the last day of the seminar.

#### **TORT LAW I** – Emmanuelle LEMAIRE (ESSEX Law school) *Introduction (12 hours)*

This introductory course on the comparative common law of Tort provides a basis for more detailed study of this dynamic subject within the common law world. The course covers a range of topics, and includes discussion of:

- The conceptual and functional boundaries of Tort
- The aims of Tort law
- The history and evolution of Tort in the UK
- The influence of judicial policy on the development of Tort
- Transplanting Tort across the common law world
- Human Rights and Tort
- Deeper comparative analysis of selected areas of Tort – including the law of negligence focusing on professional liability, psychiatric injury and the “compensation culture”

Materials: - V. Harpwood. *Modern Tort Law* 2008, London, Taylor and Francis  
- *Cases and Materials on Tort*, Steele, 2008 OUP

#### **PROPERTY I** – Pierre Philippe FRANC: *Introduction (12 hours)*

The course aims to provide students with some of the basic concepts of property law. These key concepts are not only important to property law itself but also to understandings in related fields such as succession, taxation, water law, native title, trusts and equity, for example. The course explores the concept of the fragmentation of proprietary interests and discusses how interests may be divided spatially according to the doctrine of tenure, and temporally, according to the doctrine of estates. The course also aims to provide students with an overview of the creation, transfer and acquisition of various types of property interests.

Reading materials : [http://www.droit.univ-paris5.fr/?id\\_article=172&id\\_rubrique=108](http://www.droit.univ-paris5.fr/?id_article=172&id_rubrique=108)

## TRUSTS AND EQUITY – Polina CAZALS - *Introduction (12 hours)*

This course will follow the following scheme:

- Examination of the history of the relationship between law and equity and the historical origins of the trust, including observations on the social significance of the trust.
- Explanation of the modern relationship between law and equity and the co-existence of legal and equitable ownership in the trust.
- A comparison between the trust and other legal ideas, such as gift and contract, with some observations on equivalents of the trust in Non-English jurisdictions.
- Demonstration as to how a trust is created by express intent
- Demonstration as to how trusts may arise unintentionally
- Examination of the relevance of public interests to private trusts
- Consideration of the fiduciary principle
- Identification of the obligations of trusteeship, with particular attention to the duty of careful investment
- Explanation of trustee liability for breach of trust and third party liability for receiving trust property and assisting in breach of trust, including discussion of how misapplied funds are traced.

**Reading materials :** (2006) *Trusts and Equity*, (2d edn) Oxford University Press  
<http://www.oup.com/uk/catalogue/?ci=9780199285327>  
Sample chapter [http://www.oup.com/uk/orc/bin/9780199285327/watt\\_tande\\_ch12.pdf](http://www.oup.com/uk/orc/bin/9780199285327/watt_tande_ch12.pdf)

## RESTITUTION – Eoin O'DELL (TRINITY COLLEGE DUBLIN)

In the Common Law world, after Contract and Tort, the Law of Restitution for Unjust (or Unjustified) Enrichment is emerging as the third head of the private law of obligations; it is concerned with those actions which have as their aim the reversal of an unjust or unjustified enrichment. The course therefore considers the common law principle against unjust enrichment.

Hour 1. Introduction (pp1-11), the General Approach to Unjustified Enrichment (pp31-34), the grounds for restitution (pp252-254), and the principle of subsidiarity (p425)

Hour 2. Enrichment (pp104-114) at the expense of the plaintiff (impoverishment) (pp171-174) and the causal connection between the parties (p208)

Hour 3. Grounds for restitution 1: Mistake (pp255-269)

Hour 4. Grounds for restitution 2: Duress (pp270-281) and Public Authorities (pp320-321)

Hour 5. Grounds for restitution 3: Legal Compulsion (pp282-284), Practical Compulsion (pp322-327) and Risk (pp490-492)

Hour 6. Grounds for restitution 4: Failure of Consideration (pp296-318)

Hour 7. Restitution for wrongs (pp524-538)

**Reading materials :** <http://www.ucc.ie/law/restitution/>, Beatson and Schrage (eds) *Cases, Materials And Texts On Unjustified Enrichment* (Ius Commune Casebooks for the Common Law of Europe) Hart Publishing : Oxford, 2003.

## FAMILY LAW – Laure de SAIN PERN (PARIS CITE)

Ireland is a Common Law jurisdiction broadly similar to England. Irish Family law is regulated by common law principles, statutory laws and more importantly, constitutional laws. The *Irish Constitution* has a major influence on how family law is judicially interpreted. The superior courts in Ireland have developed sophisticated legal principles in the context of marriage law and child law. Such judicial activism is the hallmark of a common law regime. This course aims to provide students with an understanding of the academic and legal principles which underpin Irish Family Law. The course will also focus on specific Cases.

**The course adopts the following scheme:**

1. The nature and scope of Irish Family Law,
2. The Family, Marriage and the Constitution
3. Formalities and capacity of marriage. Nullity of marriage law
4. Breakdown of marriages: Judicial Separation Decree. 6 options
5. Divorce Law. 'No-Clean break' model. Assets, property and finance
6. Child Law. Private Law Aspects. (i) Guardianship (ii) Custody (iii) Access
7. Child Care Law. Public Law aspects
8. Non-Marital Families: recognition/non-recognition principles

**Reading materials :** <http://www.ucc.ie/law> Click at 'Law on line at UCC'.

### **CRIMINAL LAW** – Audrey GUINCHARD (ESSEX UNIVERSITY): *Introduction*

The English Criminal Law course will combine study of the basic principles of English criminal law with in-depth analysis of a range of significant crimes and defences, both common law and statutory. The course will start with examination of the two elements of a crime according to traditional academic analysis, actus reus and mens rea. Strict liability, where mens rea is not required for one or more elements of the crime, vicarious liability, where one individual may be liable for another's acts or omissions, and criminal liability of corporations will be briefly examined. The course will then focus in detail on specific crimes which are significant because of their seriousness (murder and defences specific to murder, involuntary manslaughter, rape) or frequency of commission (offences against the person, criminal damage, theft and theft-related offences). Finally, the course will examine a range of general defences (infancy, insanity, non-insane automatism, self-defence, mistake, duress and necessity). On successful completion of the course, students will have gained knowledge of the basic principles of English criminal law and of a range of crimes and defences, and the ability to apply knowledge to factual scenarios in a problem-solving context.

#### **Course content:**

- Introduction
- Actus Reus: conduct and circumstances, liability for omissions, the voluntary nature of the actus reus and automatism, causation
- Mens Rea: the different types of mens rea, intention, recklessness, negligence, and knowledge
- Strict liability, vicarious liability, liability of corporations
- Offences against the person: fatal offences (murder and related defences of provocation and diminished responsibility, involuntary manslaughter), non-fatal offences, and sexual offences
- Offences against Property: criminal damage, theft, robbery, burglary, deception offences
- General defences: infancy, insanity, self-defence, mistake, duress, and necessity

### **CONTRACT LAW II** – Laura NAPOLI COORDES (ASU), *Comparative Contract Law*

Professor Calleros will lead the class in examining (1) selected differences between U.S. and French contract laws, (2) the choice-of-law rules that may be employed to resolve conflicts in the absence of international law, and (3) the extent to which the U.N. Convention on Contracts for the International Sale of Goods successfully resolves conflicts by providing a unifying sales code that borrows from both civil law and common law traditions.

**Reading materials :** <http://homepage.law.asu.edu/~charlesc/Conferences.htm>

### **PROPERTY II** – Ziad LOUFTI, *Intellectual Property – Copyright*

How do artists and thinkers lay claim to their works of original creation? How does the legal system encourage or discourage creative innovation, and when do those incentives have a tangible effect on creativity in the marketplace? How does the legal system handle claims of creative infringement and what does it mean to infringe the copyright of another? This short intensive course in copyright law will help students to explore these and other questions. The course will begin by establishing the basic rules of copyright, the nature and duration of copyrights and the policy supporting copyright creation. The course will then go on to explore how and when copyright infringement is determined. The course will focus on understanding arguments that support a finding of copyright infringement and the policy rationale that justify such findings. In developing a foundation in the basics of copyright law, students will be exposed to the American case-law method, and will develop a working understanding of how copyright claims are argued under the American common law system.

The course will use real examples of findings of infringement and failed infringement claims. The course will use examples from popular culture to help students develop an understanding of when and why infringements claims are typically brought before American courts. To that end, the course will allow students to examine music samples, paintings, and other creative works, in addition to the case-law and other materials on which the course will rely.

By the end of the course, students should be able to define the basic rules for the establishment of copyright and the test for copyright infringement. Students should also be able to make legal arguments on both sides of a copyright infringement claim, and should be familiar with both the law and the adversarial method used to argue such issues in the common law courts of the United States.

The final examination will ask students to apply their knowledge of copyright law and the common law system of argument to a novel fact pattern. The exam will draw on the course examples and the structure of arguments used in the American adversarial tradition. Using a novel set of facts, students will be asked to apply what they have learned, arguing both for and against the establishment of copyright and the claim of copyright infringement. By the end of the course, students should have a working knowledge of copyright basics such that they are able to make these and other arguments; students should also have the skills they need to be able to follow each of their arguments to its logical end-point in before reaching a set of well-developed and thoroughly supported

### **BUSINESS LAW I – Yasmine SADECK, (NAB) : *Corporate Law***

This course is designed to introduce students to theories and concepts associated with the main aspects of company law as it applies in the United States and in other common law countries. The objective of this course is to provide a theoretical foundation for the main legal theories of company law as well as the relevant pragmatic skills required to practice general company law at an international law firm.

This series of seminars will attempt to present the practitioners' perspective on the similarities and differences between common law and civil law transactions by giving students the opportunity to practice drafting client memorandums on company law and corporate governance.

The class will be divided into three main sections:

1. Introduction to Company Law:
  - Forms of business organizations;
  - Aspects of incorporation including separate corporate personality and the concept of limited liability;
  - Main types of transactional activity.
2. Corporate Governance:
  - Corporate bodies;
  - Duties of directors;
  - Shareholder derivative suits.
3. Corporate Social Responsibility:
  - New emerging corporate structures in the US and Europe;
  - Comparing CSR policies in private and public companies.

### **BUSINESS LAW II – Patrick DUPUIS (SKADDEN): *M&A***

Practitioners in the so-called Mergers and Acquisitions field often comment on the increasing uniformisation, across borders and across legal systems, of the way in which business combination transactions are structured and documented.

The need to provide global market players (corporations, investment banks) with the transaction structures and contractual mechanisms they have become familiar with over the years and which have come to be expected as part of a "sophisticated" market practice, is often singled out as the reason for this undeniable trend.

A closer analysis of the agreements used to bring these transactions to fruition reveals however that certain important differences continue to exist in practice between civil and common law jurisdictions, as well as within common law jurisdictions themselves, as a reflection of enduring legal as well as cultural differences.

This series of seminars will attempt to present the practitioners' perspective on such similarities and differences, essentially by analysing and comparing "real life" agreements covering similar transactions (e.g. share purchase agreements, joint venture agreements, shareholders agreements) drafted by practitioners of different legal backgrounds

### **BUSINESS LAW III – Stephen DALE (ROOSEVELT EXPERTISE): *Comparative tax systems, UK/US/France***

#### **Comparative Tax systems - UK/France - Indirect Taxes:**

Evolution of the main indirect taxes, Value Added Tax and Excise duties in both countries, impact of the entry of the UK into the EU, compared to France's founding status; the role of the European Union and the "direct effect" of EU directives on national legislation.

Gradual shift of the tax burden from direct to indirect taxes, types of taxation being introduced and the governmental policies behind their introduction - whether this be from a "social" perspective or a "business friendly" perspective, and how each state has dealt differently with these issues.

#### **Comparative Tax systems - UK/France - Corporate Taxes:**

The course will consider the basis of the UK corporate tax system to include an analysis of how corporate tax is managed in the UK, tax administration, timing of tax payments, the Tax Avoidance Disclosure regime and the basic requirements for corporate tax grouping in each case contrasting with the French system. We will then consider some specific elements of UK case law and how these impact on the UK tax system, in particular the claiming of tax allowances for capital expenditure. Finally, we will look at some of the topical aspects in the UK, including the CFC legislation, financing and the deductibility of interest, and stamp duty and stamp duty land tax as well as rates of tax and tax policy in general.

#### **Comparative Tax Systems - US/France - Corporate and Individual Taxes:**

The course will consider the basis of the US corporate tax system to include an analysis of how corporate tax is managed in the US, tax administration, timing of tax payments. State taxation and the US approach to International Taxation will also be addressed. We will also cover the basics of Individual Taxation of US citizens abroad as well as Alien taxation. Finally, we will examine the basics of US Estate and Gift Taxation. The course will include a brief description of the US common law system.



**BUSINESS LAW IV – KENTIN HERRUEL & ALEXANDRA VAN DER MUELEN (Freshfields) *International Arbitration, A.D.R. and Conflict of laws***

This series of seminars will be split into two parts. The first part will provide a practitioner's perspective on four processes by which international legal disputes are adjudicated, those being proceedings before the International Court of Justice, inter-state arbitral proceedings, investment treaty arbitration and international commercial arbitration. Selected cases adjudicated by each process will be discussed. The second part of the series will address two issues that cut across these dispute settlement processes. The first issue will be how an international tribunal dealing with one area of international law, should deal with overlapping rules coming from another area of law. For example, how should an investment arbitration tribunal deal with issues of human rights law that affect the issues in dispute? The second will be an analysis of intertemporal issues in public international law. For example, as new norms of international law emerge, should existing treaties be interpreted consistently with those new norms?

**BUSINESS LAW V – Robert FLANIGAN (Mayer & Brown): *Bank & Finance, Capital markets comparisons***

The "Bank & Finance: Capital Markets Comparisons" course provides a comprehensive overview of the banking and finance sectors, with a particular emphasis on the distinctions and interactions between various capital markets worldwide. As globalization continues to reshape financial landscapes, understanding these differences is crucial for aspiring finance professionals.

The course begins by introducing the foundational concepts of banking and finance, including the roles of banks, financial institutions, and capital markets in the economy. Students will explore the functions of financial intermediaries, the significance of credit creation, and the regulatory frameworks that govern these entities. A solid grounding in these principles sets the stage for deeper analysis of capital markets.

In subsequent modules, the course delves into the various types of capital markets—equity, debt, derivatives, and foreign exchange—and their unique characteristics. Students will learn about market participants, including institutional investors, hedge funds, and retail investors, and how their behaviors influence market dynamics. The course emphasizes the importance of market efficiency, liquidity, and risk management in capital markets.

One of the key components of the course is the comparative analysis of capital markets across different regions, such as North America, Europe, Asia, and emerging markets. Through case studies and real-world examples, students will assess how cultural, regulatory, and economic factors impact market structures and investment strategies. The course also highlights the implications of technological advancements, such as fintech and blockchain, on the evolution of capital markets.

Students will engage in hands-on projects, simulating trading scenarios and analyzing market data to develop practical skills in financial analysis and investment decision-making. Discussions on current events and trends in global finance will foster critical thinking and adaptability in a rapidly changing environment.

By the end of the course, participants will possess a nuanced understanding of the interconnectedness of banking and capital markets, the ability to analyze and compare different market systems, and the skills necessary to navigate the complexities of global finance. Whether pursuing careers in investment banking, asset management, or corporate finance, students will be well-equipped to tackle the challenges and opportunities in today's dynamic financial landscape.

This course ultimately aims to empower students with the knowledge and analytical skills to succeed in a competitive industry, encouraging a global perspective that is essential for future leaders in finance.

**COMPARATIVE LAW I – Mitchel LASSER (CORNELL): *Judicial systems in Common law countries***

This 12-hour course explores the intricate workings of judicial systems within common law jurisdictions. Students will delve into the historical evolution of common law, examining its foundational principles and how they shape contemporary judicial practices.

The course covers key topics such as the role of precedent, the relationship between courts and legislatures, and the functions of various court levels, from trial courts to supreme courts. Special attention will be given to comparative aspects, allowing students to analyze differences and similarities among common law countries, including the United States, Canada, the United Kingdom, and Australia.

Through a combination of lectures, case studies, and discussions, participants will critically engage with judicial decisions and their socio-political implications. The course aims to equip students with a nuanced understanding of how judicial systems operate, the challenges they face, and their impact on the rule of law. By the end, students will be well-prepared to assess the dynamics of legal systems and their broader implications for governance and society.



### COMPARATIVE LAW II – Scott VEITCH (University of Hong Kong): *Scots law, English Law: How United a Kingdom?*

This module of 12 hours will give an insight into the present situation of the Scots law tradition compared to that of England. It will contextualise the evolution of these common law traditions as they simultaneously face fragmentation (towards devolved, local laws) and uniformisation (towards global laws). How can we best characterise a small jurisdiction such as Scots law in that perspective? Is it distinctive, and if so how and according to what specific influences? Or does it merely reflect and embody broader changes and social forces in Europe or globally?

These seminars use a comparison of the Scots and English traditions to reflect on these comparative questions, questions that are of more general jurisprudential interest and concern. They do so through a number of key case studies drawn from public and private law, and through institutional differences studied in the context of a fragmented unitary state.

### COMPARATIVE LAW III – Juanita PIENNAR (STELLENBOCH University, South Africa): *South Africa Law introduction*

The Law of South Africa has a 'hybrid' or 'mixed' legal system, made of the interweaving of a number of distinct legal traditions: a civil law system inherited from its Dutch colonisers, a common law system from its English colonisers, and indigenous law, often termed African customary law. These traditions have had a complex interrelationship, with the English influence most apparent in procedural aspects of the legal system and methods of adjudication, and the Roman-Dutch influence most visible in its substantive private law. [1] As a general rule, South Africa follows English Law in the areas of Procedural Law, the Law of Contracts and the Law of Evidence, while Roman-Dutch Common Law is followed in the South African Law of Delict (tort), Law of Persons, Law of Things, Family Law etc. Today, another strand has been added to this weave: the Constitution.

### LEGAL ENGLISH WRITING/SPEAKING PRACTICE & MOOT COURT – Nada ABOUELSEUD (90 hours)

Legal English practice and Moot court courses during the second year of the Master program are scheduled to fit in the law seminars. In the weeks preceding each teaching module, the English courses introduce, practice and revise the specific legal vocabulary relevant to that module, and offer participants an opportunity to discuss recent current affairs events and topical issues related to the field of law in question. The courses are devised to give participants a maximum of opportunities to practice their speaking skills, and there is a high degree of emphasis on performance in tasks analogous to real-life situations encountered by legal practitioners: debates, negotiation, presentation of information on the law, legal arguments, explanation and clarification of laws, and interview practice. The aim of the courses is therefore to prepare participants to follow closely and participate actively in the law seminars of the Masters programme, and to consolidate the language skills necessary to practice law in an English speaking context.

*"The Monroe E Price Media Law Moot Court Competition is an international annual event, enriching law students' legal knowledge of IP laws and enhancing their professional legal skills. This Moot Court Competition fosters interest in freedom of expression and the role of media and information technologies worldwide, it focuses on promoting human rights experiences and career development for IP students. It challenges students to research and argue cutting-edge media and ICT law issues. Each year, the competition includes regional and international rounds with participants from diverse countries. For the last four years, the Northern Europe Regional Rounds have been hosted by Université Paris Cité in collaboration with The Bonavero Institute of Oxford University."*



## **TEACHING STAFF\***



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\* Contract Law II



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\*Arbitrage international (en français) cours mutualisé



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\* Property Law II – Intellectual property



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PROVISORY SCHEDULE 2024-2025*		
<b>Program presentation</b> <b>Seminars Beginning</b> <b>Awarding ceremony</b> <b>Seminar Ending</b> <b>Final written exam</b> <b>Research or Report Submission</b>		Tuesday 24 September 2024 (6:30 p.m.) Thursday 26 September 2024 Wednesday 20 November 2024 Saturday 31 <sup>st</sup> June 2025 Wednesday 25 June 2025 Monday 1 <sup>st</sup> September 2025
<b>HOURS SLOTS*</b>		Monday: 6:30 pm to 9 pm      Thursday: 6:30 pm to 9 pm Tuesday: 6:30 pm to 9 pm      Friday: 6:30 pm to 9 pm Wednesday: 6:30 pm to 9 pm      Saturday: 9 am to 1 pm
<b>ROOMS</b>		<b>Salle Deruel/ 1<sup>st</sup> Semester &amp; Salle Louis Cartou/2<sup>d</sup> Semester</b>
<b>September</b>	<b>Tuesday 24</b>  <b>Thursday 26</b>	<b>Programme presentation</b> - Anthony CHAMBOREDON, (Paris Cité)  Seminar 1 – <b>COMPARATIVE LAW AND COMMON LAW</b> – <i>Research methodology</i> Anthony CHAMBOREDON, (Paris Cité)
<b>October</b>	Monday 21 Tuesday 22 Wednesday 23 Thursday 24 Saturday 26	Seminar 2 – <b>CRIMINAL LAW</b> Audrey GUINCHARD, Essex University (UK)
<b>November</b>	<b>Tuesday 7</b> <b>Thursday 14</b>  Monday 18 Tuesday 19 <b>Wednesday 20</b> Thursday 21 Saturday 23  Monday 25 Tuesday 26 Wednesday 27 Thursday 28 Saturday 30	Seminar 1 – <b>COMPARATIVE LAW AND COMMON LAW</b> – <i>Research methodology</i> Anthony CHAMBOREDON (Paris Cité)  Seminar 3 – <b>FAMILY LAW</b> Laure de SAINT PERN, Paris-Cité <b>AWARDING DEGREES CEREMONY</b>  Seminar 4 – <b>PROPERTY LAW I</b> – <i>Introduction</i> Pierre Philippe FRANC, avocat Paris/Bruxelles
<b>December</b>	Monday 2 Tuesday 3 Wednesday 4 Thursday 5 Saturday 7  Monday 09 Tuesday 10 Wednesday 11 Thursday 12 Saturday 14	Seminar 5 – <b>TORT LAW I</b> – <i>Introduction</i> Emmanuelle LEMAIRE, Essex University (UK)  Seminar 6 – <b>COMPARATIVE LAW I</b> – <i>Judicial decision making</i> Mitchel LASSER, CORNELL University (USA)



January	Monday 6 Tuesday 7 Wednesday 8 Thursday 09 Saturday 11	Seminar 7 – <b>BUSINESS LAW I – Corporate law</b> Yasmine SADEK,
	Monday 13 Tuesday 14 Wednesday 15 Thursday 16 Saturday 18	Seminar 8 – <b>BUSINESS LAW IV – Bank and Finance</b> Robert FLANIGAN, Mayer Brown LLP London
	Monday 20 Tuesday 21 Wednesday 22 Thursday 23 Saturday 25	Seminar 9 – <b>BUSINESS LAW III – Tax Systems – UK Tax system</b> Stephen DALE, Roosevelt Expertise Paris
	Monday 27 Tuesday 28 Wednesday 29 Thursday 30 Saturday 1 <sup>st</sup> Feb.	Seminar 10 – <b>CONSTITUTIONAL LAW – Introduction</b> Forrest HANSEN, Brigham Young University, Utah, USA
February	Monday 3 Tuesday 4 Wednesday 5 Thursday 6 Saturday 8	Seminar 11 – <b>BUSINESS LAW V – International dispute settlement</b> Patrick DUPUY, Skadden LLP Paris
	Monday 17 Tuesday 18 Wednesday 19 Thursday 20 Saturday 21	Seminar 12 – <b>RESTITUTION AND EQUITY</b> Eoin O'DELL (Trinity College Dublin)
March	Monday 3 Tuesday 4 Wednesday 5 Thursday 6 Saturday 8	Seminar 13 – <b>BUSINESS LAW II – Mergers &amp; Acquisitions</b> Alexandra VAN DER MEULEN (Counsel), Freshfields Paris Quentin HERRUEL (Associate), Freshfields Paris
	<b>Tuesday 18</b>	Seminar 1 – <b>COMPARATIVE LAW and COMMON LAW – Research methodology</b> Anthony CHAMBOREDON (Paris Cité)
April	Monday 1 Tuesday 2 Wednesday 3 Thursday 4 Saturday 6	Seminar 14 – <b>TRUSTS IN DOMESTIC AND INTERNATIONAL LAW</b> Polina CAZALS – Paris Cité
	Monday 28 Tuesday 29 Wednesday 30 Friday 2 May Saturday 3 May	Seminar 15 – <b>PROPERTY II – Intellectual Property</b> Zyad LOUTFI, New York Bar
May	Monday 5 Tuesday 6 Wednesday 7 Friday 9 Saturday 10	Seminar 16 – <b>COMPARATIVE LAW IV – CANADIAN LAW</b> David GILLES, Sherbrooke University (Canada)
	Monday 12 Tuesday 13 Wednesday 14 Thursday 15 Saturday 17	Seminar 17 – <b>COMPARATIVE LAW II – SCOTTISH LAW</b> Scott VEITCH, Hong Kong University (China)

<b>May</b>	Monday 26 Tuesday 27 Wednesday 28 Friday 30 Saturday 31	Seminar 18 – <b>COMPARATIVE LAW III – SOUTH AFRICAN LAW</b> Juanita PIENAAR, Stellenbosch University (South Africa)
<b>June</b>	Monday 2 Tuesday 3 Wednesday 4 Thursday 5 Saturday 7  <b>Monday 30</b>	Seminar 19 – <b>CONTRACT II – US CONTRACT LAW</b> Laura NAPOLI COORDES, Arizona State University (USA)  Seminar 1 – <b>COMPARATIVE LAW AND COMMON LAW - Research methodology</b> Anthony CHAMBOREDON, Paris cité <b>“June Pape”: Final written Exam (5 hours)</b>
<b>September</b>	<b>Monday 1st</b>	<b>RESEARCH PAPER OR INTERNSHIP REPORT SUBMISSION</b>
<b>Second semester</b>	Every Monday from 11 am to 1pm	Seminar 20 – <b>ARBITRAGE INTERNE ET INTERNATIONAL</b> – <u>Cours mutualisé (en Français)</u> Pierre BERLIOZ, Paris-Cité
<b>All year long</b>	Fridays	<b>LEGAL WRITING, ADVOCACY SKILLS &amp; MOOT COURT (90 hours)</b> Nada ABOUELSEoud - Paris Cité

- \* These are the general slots where each seminar of twelve hours is freely scheduled.
- \* This document is purely indicative and not contractual
- \* As most of the teaching staff is coming from overseas, this schedule is provisory and may be modified, so get regularly informed!