

# universität freiburg



## **Faculty of Law Course Catalogue Winter Semester 2023/24**

**Albert-Ludwigs-Universität Freiburg**



## Winter Semester 2023/24: Law (October 16<sup>th</sup> 2023 - Feb 10<sup>th</sup> 2024)

### Lectures

Modules (course code)	Teaching	ECTS
Introduction to German Law: Civil Law (02LE37V-FRS901)	1 hour per week	3 att.+exam
- Tutorial - Introduction to German Law: Civil Law (02LE37Ü-FRS901)	1 hour per week	2 att.+exam
Introduction to German Law: Public Law (02LE37V-FRS903)	1 hour per week	3 att.+exam
- Tutorial - Introduction to German Law: Public Law (02LE37Ü-FRS903)	1 hour per week	2 att.+exam
Introduction to German Law: Criminal Law (02LE37V-FRS902)	1 hour per week	3 att.+exam
- Tutorial – Introduction to German Law: Criminal Law (02LE37Ü-FRS902) –	1 hour per week	2 att.+exam
Introduction to International Arbitration and the CISG (02LE37K-ZIR015a)	1 hour per week	2 att.+exam
Introduction to Chinese Law (02LE37V-FRS501)	2 hours per week	2 attendance/ 4 att. + exam
English Legal Terminology (02LE37V-FRS001)	2 hours per week	4 att + exam
Continental Traditions in Jurisprudence (02LE37V-FRS106) <b>Probably not available winter term 23/24!</b>	2 hours per week	6 att + exam
<b>Total: up to</b>		<b>25 att.+exam</b>

### Seminars

Modules	Teaching	ECTS
Comparative Constitutional Law	Seminar (2 hours per week)	10
<b>Total</b>		<b>10</b>

### Moot Court

Modules	Teaching	ECTS
Willem C. Vis Moot-Court	Competition (simulated trial)	12-18 *
Philipp C. Jessup Moot-Court	Competition (simulated trial)	12-18*
ICC Moot-Court	Competition (simulated trial)	12-18*
ECHR Moot-Court	Competition (simulated trial)	12-18*

\*compulsory individual guidance

### Others

Modules	Teaching	ECTS
Visiting a Federal or European institution + Preparation		1

ECTS explanation: The reception of ECTS is always connected to the submission of a certain performance. Within the "kleine Studienleistung", this can be a minutes or a presentation in addition to the regular physical participation. Please get in contact directly with the professor at the beginning of the course.

Regarding the "große Studienleistung", regular participation is always followed by an examination (written or oral).

You can always obtain either the minor academic achievement or the major academic achievement for a course, but never both at the same time.

## Introduction to German Law

- **Lectures (3 x 3 ECTS) + Tutorial (3 x 2 ECTS)**

This course is an introduction into the three pillars of the German Law: Public Law, Private Law and Criminal Law. You will learn about the substantive law, discuss problems and get to know how German lawyers approach legal issues. The course is taught in German and English. Students may change between the courses during the semester. The three fields of law will be taught separately and each finish with an exam. LL.M.-students are obliged to attend the lectures and pass the exam in Public Law and Private Law. Criminal Law is optional for LL.M.-students. The course will start with an Introduction to the German Legal Culture that is relevant for all three fields.

The tutorials are designed to deepen your understanding in German legal methodology, to review the content of the lectures and to answer questions. Participation in the tutorial is optional but strongly recommended as lecture and tutorial complement each other.

Assessment (Lectures): Attendance and passing the written exam

Assessment (Tutorials): Attendance and handing in one essay

## Introduction to International Arbitration Law

- **Lecture (2 ECTS)**

The lecture is held as a block course on two days in the morning and in the afternoon.

The number of international arbitrations is steadily increasing. In parts of today's economic life, arbitration has largely supplanted state court proceedings. This applies among other things for company purchases, plant construction and for foreign investments. The lecture gives an overview of the meaning, advantages and disadvantages as well as the practical flow of international arbitration. Issues of applicable procedural and substantive law, the effectiveness of arbitration agreements and the enforcement of arbitration awards are discussed. The references of arbitration law to private international law and civil procedure law are presented.

Assessment: Attendance and passing the written exam optionally in English or German

## Introduction to Chinese Law

- **Lecture (4/2 ECTS)**

Starting from a brief presentation of the Chinese Law History and Law Culture this course gives a short overview on the basics of Chinese Administrative, Constitutional and Civil law. A



focus will be set on Civil- and Business law. Legal knowledge is not necessary but recommended.

Assessment: Attendance (and passing the written exam.)

## English Legal Terminology

- **Lecture (4 ECTS)**

The lecture serves to impart knowledge of the English legal language. In terms of content, an overview of all important areas of English law is given.

First the institutional circumstances (court structure, etc.), the emergence of the English legal system with its peculiarities, the usual methods of interpreting laws and the methods of applying case law are discussed. Furthermore, individual legal areas of English civil law, criminal law and public law are dealt with.

Assessment: Attendance and passing the oral exam

## Comparative Constitutional Law

- **Seminar (10 ECTS)**

The participants meet once a week for two hours to discuss the weekly readings focused intensely on the history and theory of the functionalist method. The attendance is an opportunity to master the skills of writing and presenting research proposals, which will be of particular importance for anyone going on to do postgraduate study, as well as those seeking to work at law firms.

Assessment: Attendance, submit a research paper (75% of the final grade) and hold an oral presentation (25% of the final grade)

## Continental Traditions in Jurisprudence

- **Lecture (6 ECTS)**

In this lecture we will give a first grounding in the history of the continental European tradition of legal philosophy as distinct from, but connected to, Anglo-Scandinavian thinkers. We will try to make the case for continental traditions and show that they follow significantly different strategies than those employed in the common law world. The focus of these lectures will, however, not be on recreating the past, but on discussing current problems (as they can be framed by traditional approaches). We will look at specific topics and work out, together with the participants, how the efforts and failures of important legal thinkers may help us in better understanding some re-current problems of legal theory and law. First, we will provide a grounding in the continental debates on traditional questions of jurisprudence by trying to chart some of the historical discursive options, e.g. in the confront of the following themes: the role of morals and/or justice in law, the question of authority, the possibility of an ultimate foundation of law, the viability of legal scholarship (so called legal science). Second, however, we will focus on the idea of a structural analysis of legal orders, as the more recent continental debate has shown more fruitful results in the daily application of theory to actual problems of the law, for example: conflicts of norms, legal errors, legal gaps, legal

interpretation and decision-making, structures of the legal process, connections between “material” and “procedural” law.

By engaging in discussion with traditional ways of understanding legal phenomena in their context and in their relation to concrete problems of law, participants should be enabled to start seeing the structural problems of legal theory and argue their theoretical case, rather than learn a series of facts about past legal philosophers. Participants will be encouraged to analyze the theoretical dimensions of seemingly simple legal problems. The chosen approach will emphasize the connections between the so called material and procedural law, in order to unveil the law as a continuous, complex process that re-reads reality and schematizes its own interpretations about it in a particular structured way.

## Moot Courts (14-18 ECTS, compulsory individual guidance)

Detailed information on the candidacy, course and content as well as reports based on the experience of previous participants of the respective Moot Courts can be found on the university webpages:

Willem C. Vis Moot-Court:

<https://www.jura.uni-freiburg.de/de/zusatzprogramme/moot-courts/vis-moot/vis-moot-freiburg>

Philipp C. Jessup Moot-Court:

<https://www.jessup.uni-freiburg.de/>

ECHR Moot-Court:

<https://www.jura.uni-freiburg.de/de/institute/rphil/rtheo/emrkmoot>

ICC Moot-Court:

<https://www.jura.uni-freiburg.de/de/institute/perron/icc>

For an overall view on the **full Course Catalogue** of the Faculty of Law including courses taught in German language, please follow the instructions under:

<https://www.jura.uni-freiburg.de/de/internationales/schluesselinformationen/vorlesungsverzeichnis>



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## Office Hours

Ms Susanne Hofmann: Mon+ Wed 10-12 am  
Ms Simone Bemann: Thurs 10-12 am  
Ms Charlotte Willmann: Fri 10-12 am

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### **Publisher**

Albert-Ludwigs-Universität  
Freiburg

### **Editorial Stuff**

Faculty of Law Freiburg

### **Photos**

Medienzentrum Universität  
Freiburg