



### Course Descriptions (English Courses)

#### 1. Introduction to American Law

(Dr. Beke-Martos; Course ID 060300, October 24, 4-8 pm, HGB 50; October 25, 4-8 pm, HNC 30; October 26, 2 -8 pm, HZO 40; October 27, 4-8 pm, HGB 50; October 28, 4 -8 pm, HGB 50)

This course is a basic introduction to the law and legal system of the United States in English. It covers the basic characteristics of the common law system, the doctrine of stare decisis, sources of law in the United States, the U.S. court system (both state and federal), the jury system, parties to a lawsuit, basics of the adversary system of trial, pleadings and motions, pretrial discovery, the trial process, case briefs and citations. This course is a core course in the Certificate Program of the Legal Faculty. The course is though a lecture, some participation is expected.

Required reading: will be made available through Moodle.

#### 2. U.S. Constitutional Law: State & Governance:

(Dr. Beke-Martos; Course ID 060301, October 17+24+31, November 7+14+21, 4-8 pm, Online Audio Course – No attendance is required.)

This is an entry-level course on U.S. Constitutional Law. The course focuses on the text of the U.S. Constitution and its Amendments. Through grammatical and contextual analysis, students examine the structure and working of the American state and governance. Horizontal and vertical separation of powers and the basics of the common law legal system are also addressed and examined through documents and cases. This course is a core course in the Certificate Program of the Legal Faculty.

Required reading will be made available through Moodle.



### 3. Introduction to International Dispute Settlement

(Mr. Wuschka; Course ID 060305, November 25, 26 and December 9, 10, 2022, 9 am-4 pm, GD 1/148)

This course focuses on the procedural side of international law. In addition to general principles of international dispute settlement, students will be familiarized with various fora for the resolution of inter-state, investor-state and commercial disputes, including their rules of procedure. The institutions to be discussed are, inter alia, the International Court of Justice, the World Trade Organization's dispute settlement system, arbitral tribunals, as well as the currently hot-debated system for the settlement of investment disputes (e.g. ICSID).

The course is limited to 30 participants (SPB 4 students and interested others).

This course is an elective course in the Certificate Program of the Legal Faculty.

### 4. Normative Legal Philosophy

(Prof. Dr. Magen, Course ID 060003, Wednesday 12:15-1:45 pm, HGD 10)

Normative legal philosophy is concerned with the normative reasons that explain and justify the existence of legal orders and legal institutions like criminal law, contracts, torts, public goods, democracy, human rights, and anti-discrimination law. The lecture provides an introduction into basic approaches to ethics and draws on cases to discuss common theories put forward to justify or criticize different legal institutions.

For further information please contact the chair of Prof. Magen: [ls-magen@rub.de](mailto:ls-magen@rub.de)



##### 5. Law, Literature and Ethics. Reading Seminar for Lawyers

(Dr. Prochownik, Ms. Wolski, Course ID 060115, Monday, 4 pm-6 pm, Zoom Video Course)

This seminar aims to introduce students to the “Law and Literature” movement in contemporary legal scholarship.

In the first part of the course, we will discuss the main directions of this field of study: “Law in Literature” (which explores the phenomenon of law as well as issues of legal philosophy in literary texts) and “Law as Literature” (which aims to contribute to the study of law in the form of a literary text). We will also discuss some critical reactions regarding these projects. In this part, we will learn about and examine the views of significant figures in the legal and literary movements (e.g., Benjamin Cardozo, Jane Baron, Martha Nussbaum, Richard Weisberg, James Boyd White), including famous legal philosophers (e.g., Ronald Dworkin, Richard Posner). Finally, several influential scholars in this movement argue that great literature may teach lawyers important ethical lessons (e.g., concerning justice; Weisberg, Nussbaum). We will, therefore, discuss moral philosophical issues underlying this debate. In the second part of the seminar, we will adopt the perspective of “Law in Literature” and “Law as Literature” to literary and legal texts, respectively. We will assume the “Law in Literature” perspective and discuss a selection of literary texts - novels and short stories concerning legal, legal-philosophical and ethical questions (e.g., William Shakespeare, Albert Camus, Fyodor Dostoyevsky, Charles Dickens, Franz Kafka, Vladimir Nabokov, Bernhard Schlink, Harper Lee, Bernhard Schlink, Juli Zeh, Ferdinand von Schirach). Furthermore, we will adopt the “Law as Literature” perspective to examine a selection of recent (sometimes curious) court decisions. Students are required to read whole books or their fragments for these classes. We will finalize the seminar with a general discussion of whether and how works of literary fiction (such as those discussed in the seminar) can contribute to legal thought and practice, and the potential of literary analysis of legal texts for jurisprudence. The seminar will be held in English.



## 6. An Introduction to Comparative Constitutional Law

(Dr. Oliveira de Sousa, Course ID 060318, Thursday, 2-4 pm, GD 1/450)

This course provides an introduction to the overarching concepts of constitutional law in a comparative fashion. It draws on the political and legal systems of the United States, China, Brazil, the United Kingdom, France and Germany, in order to highlight differences and similarities across a diversity of constitutional traditions. During this course, you will become acquainted with the fundamental features of the systems of government referred above; acquire insights about recent philosophical discussions on judicial review and the different ways in which it can be designed; reflect on how features of the constitutional systems referred above may help to explain and understand current social phenomena (e.g. political polarization); and reflect on whether and how traditional concepts of constitutional law may be revised in order to cope with recent developments in the global and transnational arena. At the same time in which this course will draw on traditional doctrinal analyses of constitutional law, it will also draw on relevant side-literature, especially of constitutional theory and of political, social and legal philosophy.

During the seminar we will discuss and confront different accounts and responses to evil that come from moral philosophy and psychology, and legal philosophy (this will include discussion of classical and contemporary philosophical texts on the nature of evil, recent empirical findings on social and psychological factors involved in it, and legal philosophical questions about whether and what type of punishment it deserves).

The goal of the course is to acquaint the students with one of important problems of philosophy, science and daily life, but also to help them strengthen their critical thinking, writing and argumentative skills.



## 7. Law, Sustainability and Climate Change

(Dr. Oliveira de Sousa, Course ID 060317, Thursday, 10 am-noon, Zoom Video Course)

The topic of sustainability and climate change is here to stay. Despite the fact that citizens in many countries declare that combating climate change should be a top priority in politics and that they are willing to make changes in their individual lifestyles and behavior, many citizens keep reverting to their old, non-climate friendly habits (e.g. driving emissions-intensive cars, flying for holidays and so on). They do not promote any substantive changes in their behavior, even if they recognize a need to do so. This behavioral problem, which is widely attested in behavioral economics and sustainability research literature, poses the question of what might be possible to do to promote a long-standing change in behavior toward climate-friendlier and more sustainable standards and practices.

This course will provide you with a critical reflection of the role of law broadly understood – of legal instruments and institutions – in the fight against climate change. In order to do this, it will provide you with an overview of the different legal instruments that have been adopted by legal systems worldwide (in Germany or otherwise) for incentivizing emissions reductions. It will also discuss the main challenges – from the point of view of behavioral studies – of changing behavior through law.

This course has a strong inter-disciplinary character. Active participation and discussion are expected.

## 8. International Legal Dialogue

(Prof. Dr. Windel, Course ID 060173, course dates and times have to be announced, FS 3/314)

The class is intended to provide a platform for an international community of teachers and students to exchange views in an open discourse on legal issues brought about by globalization. Students will act actively and independently throughout the whole process, gaining their own direct



access to international dimensions of law. A moderated colloquium, including presentations by foreign guest lecturers serves as an external framework. Participation requires an individual application and admission. The course involves giving a presentation in German or English on a topic of choice. 9 credit points are awarded upon finishing the course. Participation is mandatory.

The class is also recognized as an elective course for the Certificate Anglo-American Law & Language of the Faculty of Law.

### 9. History of Indian Law

(Prof. Dr. Singh, Course ID 060314, Monday, 3.45-5.15 pm, GD 1/450)

Beginning from 1774, Indian law is a product of British law making in India after the Mutiny of 1857. This course will look at the establishment of British law (or law by the British in India). It began with courts in the Presidency towns, Calcutta, Bombay and Madras. Common law came to govern the lives of Indians while the British left personal law untouched. The history of Indian law is the British experiment with India's governance first with common law and the passing of Acts (e.g., Contract Act, 1872), for commercial and criminal law. The principles of common law built the bridge between Mughal laws and the new statutory law for the governance of the Indian colony. A number of laws were settled in common law during land and property litigations going all the way up to the Privy Council, in England, at the cost of native money. This is a basic course on the history of Indian law between 1774 and 1950, the year India gave to itself a constitution. Students will be asked to read cases and articles in advance and discuss in the class.



#### 10. Introduction to Indian Constitutional Law and Comparative Constitutional Law

(Prof. Dr. Singh, Course ID 060315, Tuesday, 10 am-noon, GD 1/450)

Between 1947 and 1950, a constituent assembly sat to draft India's constitution. Resulting into the world's largest written constitution, the Constitution of India is an ambitious and enduring constitution of the world. Its preamble sets out the goal and the Indian Supreme Court has from time to time offered landmark interpretation to ensure that the constitution is understood in its most contemporary sense. From the doctrine of basic structure to borrowing from other constitutions, the Indian constitutional law is comparative in so far as it looks to other common law jurisdictions -- the United States and the United Kingdom -- for answers. Under Article 372, the Indian constitution declared all colonial laws laid in independent India unless repealed by the competent legislature. This course will look into the birth of the Indian constitution and the role of comparative law in India. Students will be asked to read cases and articles in advance and discuss in the class.

#### 11. Common Law and India's Religious Traditions

(Prof. Dr. Singh, Course ID 060316, Monday, noon-2 pm, GD 1/478)

The British rule of India did not interfere with the religious law of the Indians. While adjudicating personal law matters, the Indian courts applied the law of the respective communities. This made interpretation a difficult exercise since British judges were applying local laws. This hermeneutic exercise yielded precedents for future cases. Not interfering with local personal laws was a way for the British to maintain peace and order on a sensitive matter. This course will look into the relationship between common law and the adjudication of personal law in India. Students will be asked to read cases and articles in advance and discuss in the class.



## 12. Law & Global Challenges

(Prof. Dr. Kaltenborn, Course ID 060306, Tuesday, noon – 2 pm, GD 04/143)

This course focuses on global challenges in light of public international law. Maintaining peace, fighting terrorism, climate change, human rights, refugee crises, rule of law, world trade, international organizations are just a few of the topics up for discussion.

For further information please contact the chair of Prof. Kaltenborn: [ls-kaltenborn@rub.de](mailto:ls-kaltenborn@rub.de)

## 13. U.K. Company Law

(Dr. Janßen, Course ID 060302, November 18+19, December 2+3, 9 am-4 pm, GD 1/148)

This course will provide an introduction to the general principles of UK Company Law. The main focus lies on the legal nature of a company, the distribution of powers within a company, directors' duties and shareholder powers. Specific topics covered include the purpose of the company, separate legal personality, legal capital, the doctrine of ultra vires and liability for corporate actors. Additionally, students will explore structures and processes the law provides to ensure the functioning of a company. Students will be expected to participate in class discussions. Also the preparation of cases and readings (to be provided) is pivotal and students may be asked to present results of the latter to foster an atmosphere predominant in Law Schools in the UK.





#### 14. International Environmental Law in the Anthropocene

(Prof. Scholtz; Course ID 060309, October 11, 13, 17, 19, 2022 online, 6-7.30 pm, October 21, 2022 in person, 9 am-4.30 pm, October 22, 2022 in person, 9 am-2.45 pm, GD 1/148)

The module illuminates the response of International Environmental Law (IEL) to global environmental degradation and introduces students to key aspects, such as sustainable development, actors in IEL as well as the importance of soft law norms. An analysis of the normative framework enables students to critically assess the treaty regimes that regulate climate change, the loss of biodiversity, the sharing of freshwater resources, protection of marine resources and trade in hazardous substances. The module also explores the relationship between IEL and human rights, security, and animal welfare. The purpose of the module is to equip students with the necessary insight, knowledge, and skills to work in and with this fascinating, interesting, and highly relevant field of Law.

#### 15. U.S. Intellectual Property Law

(Mr. Hanrahan, Course ID 060304, Tuesday, 4-6 pm, Zoom Video Course)

This course will provide students with a basic and fundamental overview of major areas of intellectual property law in the United States. We will cover topics related to United States patents, trademarks, copyrights, and trade secrets, as well as how each of these different areas are interrelated to one another. We will not only discuss how to obtain intellectual property rights, but also how and when to enforce those rights against an infringer. The course will reference current United States laws, cases, as well as rules and procedures enforced by the U.S. Patent and Trademark Office and U.S. Copyright Office. Some participation is expected during the lectures.



#### 16. Jessup Moot Court

(Mr. Potthast, Mr. Hoang, Course ID 060330, Thursday, 2-6 pm; GD 04/143)

Among the many different competitions, the Philip C. Jessup Moot Court stands out as the most traditional, largest and best known by far. The "lawyers" represent states in a fictitious trial before the International Court of Justice's bench of judges. More than 500 universities from more than 80 countries around the world participate. Students from all over the world work on the same international case. Thematically, the focus is on current issues of international law. This year's topics will include the interpretation of a peace treaty, deadly attacks in allegedly occupied territory, unilateral economic sanctions, and the legal consequences of failing to dispose of hazardous waste properly. In February the national competition takes place. The best teams will fly to Washington in March to represent Germany in the international rounds.



### Kursbeschreibung (Türkische Veranstaltung)

#### 1. Einführung in das Türkische Strafrecht (Türk Ceza Hukukuna Giriş)

(Jun.-Prof. Dr. Özeydin; Veranstaltungs-Nr. 060303, 02.11.+23.11.+14.12+17.12.2022, 13-18 Uhr, Zoom Video Course)

Die Vorlesung „Türk Ceza Hukukuna Giriş/Einführung in das türkische Strafrecht“ wird auf Türkisch gehalten. Neben der Vermittlung der strafrechtlichen Rechtsterminologie werden auch inhaltliche Themen, etwa die Definition und die Grundprinzipien des türkischen Strafrechts, die objektiven und subjektiven Tatbestandsvoraussetzungen einer Straftat und die Rechtswidrigkeit, behandelt. Daneben wird auch auf Kriminologie, Viktimologie, Strafvollzugsrecht und Strafverfahrensrecht eingegangen. Dabei werden Bezüge zum deutschen Recht hergestellt: Während das türkische Strafrecht früher zunächst vom französischen und dann vom italienischen Strafrecht inspiriert wurde, ist das türkische Strafgesetzbuch in 2005 unter dem starken Einfluss des deutschen Strafgesetzbuches reformiert worden.

Das theoretische Wissen wird an Hand von praktischen Übungen konkretisiert.



### Kursbeschreibung (italienische Veranstaltung)

1. Einführung in die italienische Rechtssprache (Introduzione alla lingua giuridica italiana)

(Frau Campolucci; Veranstaltungs-Nr. 060320, Montag, 16-18 Uhr, GD 1/389)

Questo corso è rivolto agli studenti di Giurisprudenza con conoscenze della lingua italiana. L'obiettivo principale è quello di impartire conoscenze linguistiche legali di base con l'aiuto di testi giuridici italiani. La presenza è obbligatoria.



### Kursbeschreibung (deutsche Veranstaltung)

#### 1. Einführung in das deutsche Recht

(Herr Potthast; Veranstaltungs-Nr. 060009, 04.-07.10.2022, 9-16 Uhr, GD 2/460)

Die Vorlesung richtet sich vor allem an Studierende, die an einer ausländischen Hochschule bereits juristische Vorlesungen besucht haben. In der Vorlesung wird zunächst ein grober Überblick über das deutsche Rechtssystem sowie das deutsche Rechtsstudium gegeben. In einer weiteren Einheit wird die Entwicklung des deutschen Rechts dargestellt. Sodann schließen sich jeweils eine Einheit zum Privatrecht, zum Strafrecht und zum Öffentlichen Recht an. Nach der Vorlesung sollen die Studierenden einen ersten Überblick über das deutsche Rechtssystem haben. Das in dieser Vorlesung gewonnene Wissen soll die Grundlage für den Besuch weiterer juristischer Vorlesungen bilden.



### Kursbeschreibungen (französische Veranstaltungen)

#### 1. Introduction au droit constitutionnel français

(Dr. Jeannot, MCF, Veranstaltungs-Nr. 060631, Mo 10.10 von 15-18 Uhr (GD E2/450), Di 11.10. von 16-18 Uhr (GD E2/450), Mi 12.10 von 9-12 und 14-16 Uhr (GD E2/450), Do 13.10 von 10-12 Uhr (GD/478), in Präsenz und als Videokonferenz) – weitere 12 Stunden werden voraussichtlich in Dezember durchgeführt. Daten werden später bekanntgegeben.

Dans le cours, les étudiants apprennent l'architecture constitutionnelle, le droit constitutionnel et le système de la Ve République. Ils sont également capables d'identifier et de hiérarchiser les sources du droit français et le fonctionnement des institutions judiciaires françaises. Grâce à ce cours, les étudiants obtiennent :

- ◇ la capacité à décrire l'architecture de la hiérarchie française des normes
- ◇ les connaissances des institutions politiques et administratives françaises et des institutions judiciaires françaises de V<sup>e</sup> République
- ◇ la compréhension du positionnement du Conseil constitutionnel dans les institutions françaises de la V<sup>e</sup> République
- ◇ une bonne compréhension du droit constitutionnel français depuis la V<sup>e</sup> République
- ◇ les connaissances approfondies du système de la V<sup>e</sup> République
- ◇ la capacité d'identification et de hiérarchisation des sources du droit français
- ◇ la bonne connaissance de l'importance de ces sources dans le fonctionnement des institutions judiciaires françaises.
- ◇ les connaissances et la compréhension de la notion d'État, de la théorie de l'État, de la notion de la souveraineté d'État, de la notion de la démocratie et de sa mise en pratique sous la V<sup>e</sup> République
- ◇ les connaissances de l'histoire des institutions, du régime politique et des partis politique de la V<sup>e</sup> République.

Pour toute information supplémentaire, veuillez contacter M. Lefort: [dfbm@rub.de](mailto:dfbm@rub.de)



## 2. Französische Rechtsterminologie

(Dr. Kouassi, Veranstaltungs-Nr. 060602, Mi 02.11. 10-12 und 14-16 Uhr; Di 08.11. 15-17 Uhr; Mi 09.11. 10-12 und 14-16 Uhr; Di 15.11. 15-17 Uhr; Mi 16.11. 10-12 und 14-16 Uhr; Di 22.11. 15-17 Uhr; Mi 23.11. 10-12 und 16-18 Uhr; Di 29.11. 15-17 Uhr als Videokonferenz)

Sur la base des textes juridiques, les étudiants découvrent et s'approprient les terminologies juridiques françaises. Ensuite, à travers des exposés, ils travaillent la locution juridique et les expressions orales du droit français.

Grâce à ce cours, les étudiants obtiennent :

- ◇ la capacité à rattacher une terminologie juridique au droit français d'une manière générale et plus particulièrement à chacun des trois ordres de juridiction français (ordre constitutionnel, ordre commun et ordre administratif)
- ◇ la découverte des textes juridiques, du vocabulaire et des terminologies juridiques françaises
- ◇ les connaissances du vocabulaire juridique français
- ◇ la bonne appropriation et utilisation des terminologies juridiques françaises
- ◇ la capacité à s'exprimer oralement en droit français
- ◇ les connaissances et la familiarisation aux locutions juridiques et expressions orales du droit français
- ◇ les connaissances de l'architecture juridictionnelle française
- ◇ les connaissances du vocabulaire et des terminologies juridiques spécifiques à chaque ordre de juridiction français
- ◇ la bonne connaissance des subtilités et de la particularité de la procédure juridique française devant chaque degré de juridiction (Tribunal d'Instance, de Grande Instance, Cour d'appel, Cour de cassation....)
- ◇ la capacité à rattacher des terminologies spécifiques à chaque degré de juridiction français.

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### 3. Droit Administratif Français

(Dr. Mozol, MCF, Veranstaltungs-Nr. 060632, Mo 17.10 16-20 Uhr (Zoom); Mi 19.10 13:45-15:45 Uhr (Zoom); Mo 07.11. 16-20 Uhr (Zoom); Mo 21.11. 16-20 Uhr (Zoom); Mi 23.11. 13:45-15:45 Uhr (Zoom); Mo 28.11. 16-20 Uhr (Zoom); Mo 05.12. 16-20 Uhr (Zoom) als Videokonferenz)

Dans le cours, les étudiants apprennent les sources de la légalité du droit administratif, le contentieux administratif, les actes administratifs et l'action administrative.

Grâce à ce cours, les étudiants obtiennent :

- ◇ la capacité à définir le droit administratif ainsi que l'administration
- ◇ les connaissances des missions de l'action administrative, à savoir le service public et la police administrative
- ◇ les connaissances des procédés de l'action administrative, notamment l'acte administratif unilatéral et le contrat administratif
- ◇ les connaissances et la compréhension du fonctionnement du contrôle de l'administration ; le recours pour excès de pouvoir et le recours de pleine juridiction ou plein contentieux

Pour toute information supplémentaire, veuillez bien contacter M. Lefort: [dfbm@rub.de](mailto:dfbm@rub.de)