

Construction of legal concepts

Academic Year: (2021 / 2022)

Review date: 04-06-2021

Department assigned to the subject: Private Law Department

Coordinating teacher: CARRASCO GARCIA, MARIA CONSUELO

Type: Electives ECTS Credits : 3.0

Year : Semester :

OBJECTIVES

I. Specific competences:

- Domain of the basic legal terminology and understanding of the historical genesis of most of the juridical concepts, so much of the environment of the Public Law as of the Private Law: Roman Law as the European jurists' basic language
- Acquisition of a habitus as long as technique for the juridical reasoning
- Training to approach the study of the compared Law, for being the Roman Law the base of the European continental civil legal systems
- Training for the acquisition of new knowledge as the changing current society demands , for being this question a matter that allows the student to capture the historical character of all Law: Roman Law as a factor that contributes to endow of the versatility that the century XXI demand in different environments of the life

II. Generic competences:

- Analysis and synthesis capacity
- Training for the work in team
- Acquisition of abilities for the oral and written communication
- Appropriate use of the new technologies

DESCRIPTION OF CONTENTS: PROGRAMME

- Introduction to the subject and presentation
- 'Lex publica' in Roman law and in currently law: The sources of law
- 'Lex privata' in Roman law and in currently law: The concept of contract
- Concept of family: Types of persons according their familiar situation
- Concept of marriage: Requirements and types. Dissolution of the marriage (divorce)
- Succession law: Concept of inheritance and heir (civil inheritance and 'pretoria' inheritance)
- Testamentary or voluntary succession: the will. Legal succession (succession 'ab intestato')
- Concept of legacy and testamentary trust

LEARNING ACTIVITIES AND METHODOLOGY

Problem based learning (PBL)

ASSESSMENT SYSTEM

The mark obtained by the student shall take into account: a continuous evaluation, with a value of 50% of the final mark, and an exam at the end of the sessions, which shall entail the 50% left.

The mentioned continuous evaluation shall be made taking into account the work of the student during the course, among other things, through the comment of literary and legal texts, watching and commenting films, and the making of written papers and oral statements, whether individually or in groups.

The final exam (50% of the mark) shall consist of questions made to grade the student's understanding of the theory lessons, as well as his capacity to proceed to the application in practice of the knowledge acquired.

* To pass the exam it shall be necessary to obtain a minimum of 2.5 points.

% end-of-term-examination:	50
% of continuous assessment (assignments, laboratory, practicals...):	50

BASIC BIBLIOGRAPHY

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BASIC ELECTRONIC RESOURCES

- Cuerpo de Derecho civil romano . Tomo I: Instituciones y Digesto: <https://biblio.juridicas.unam.mx/bjv/detalle-libro/600-cuerpo-del-derecho-civil-romano-t-i-instituta-digesto>
- Cuerpo de Derecho civil romano . Tomo II: Digesto: <https://biblio.juridicas.unam.mx/bjv/detalle-libro/601-cuerpo-del-derecho-civil-romano-t-ii-digesto>
- Cuerpo de Derecho civil romano . Tomo III: Digesto: <https://biblio.juridicas.unam.mx/bjv/detalle-libro/602-cuerpo-del-derecho-civil-romano-t-iii-digesto>
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- Cuerpo de Derecho civil romano . Tomo V: Código: <https://biblio.juridicas.unam.mx/bjv/detalle-libro/604-cuerpo-del-derecho-civil-romano-t-v-codigo>
- Cuerpo de Derecho civil romano . Tomo VI: Código + Novelas: <http://> <https://biblio.juridicas.unam.mx/bjv/detalle-libro/605-cuerpo-del-derecho-civil-romano-t-vi-codigo-novelas>
- Instituciones de Gayo . Instituciones: <https://textos.pucp.edu.pe/pdf/4885.pdf>