Course Descriptions (English Courses)

1. **U.S. Constitutional Law II: Fundamental Rights**
   (Mr. Diekjobst; Course ID 060301, October 2+4+5+6, 2023, 9 am-4 pm, HGD 10)

   This course is an introduction to certain fundamental rights of the American legal system through the Bill of Rights and the adjudication of the United States Supreme Court. Students will be taught how to read and brief cases through selected excerpts of landmark decisions. Issues include judicial review, the right to privacy, the right to freedom of expression, the death penalty, the right to choose, as well as same-sex marriage. This course is a core course for the Certificate Program of the Legal Faculty. Though the course is a lecture, some participation is expected.


2. **Introduction to International Dispute Settlement**
   (Mr. Wuschka; Course ID 060305, November, 09+16, 2023, 10 am – noon, 2 pm – 6 pm, HGB 30, November 17, 2023, noon – 5 pm, HGB 50, November 20, 2023, 9 am - 2 pm, HGB 50 and 2 pm – 4 pm, HGB 20)

   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.
3. **Normative Legal Philosophy**

(Prof. Dr. Magen, Course ID 060003, Tuesday 8:15-9:45 pm, HZO 90)

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

4. **International Legal Dialogue**

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

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.
5. **UK Constitutional Law**  
(Mr. Provan, Course ID 060314, Monday, 2 pm - 4 pm, GD 1/148)

As one of the only countries in the world without a codified constitution, the UK has a long and rich history of constitutional development dating back hundreds of years. This first part of this course will cover a historical overview of UK constitutional law leading to contemporary lawmaking procedures, voting systems, and the constitutional restraints on legislation and governance. The second part will look at different layers of UK legal authority, first looking inward to devolution and then outward to the UK’s relationship with international law.

6. **International Dimensions of Law**  
(Dr. Thiede; Course ID 060307, Thursday, 2-4 p.m., Podcasts)

Aims & Intended Outcomes: As indicated by its title, this course will focus on an introduction to Comparative Law, Conflict of Laws, European Law and Public International Law (with a focus on all questions of the law applicable (choice of law) in cases with a foreign element). Participants should obtain basic knowledge in Comparative Law, Conflict of Laws, European Law and Public International Law, understanding of problems in mentioned areas of law and (some) competence in questions of the law applicable in cases with a foreign element. Previous knowledge expected: Instruction and assessment will be exclusively in English, and participants should have an appropriate level of linguistic competence.
7. International Environmental Law in the Anthropocene
(Prof. Scholtz; Course ID 060309, October 17, 2023, in person, noon-5 pm, October 18, 2023, in person, 9 am-2 pm, GD 1/148, October 23+30, November 13+20, 2023, online, 6-8 pm)

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.

(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.
9. **Introduction to the South African Legal System**

(Prof. Moshikaro; Course ID 060321, November 27+28+29+30, 2023, 9 am-4 pm, BF EG/04+BF EG/03 only on November, 29)

The aims of this course are to serve as an introduction to the structure of the South African legal system as a mixed legal system. Mainly it will serve to introduce students to the various aspects of a legal system with both Civilian and Common Law influences accompanied by a modern focus on Human Rights and the Rule of Law.

This course will begin with an overview on the historical influences of the Roman-Dutch and English traditions on South African law. This will mostly focus on the historical evolution of South African law in the colonial period.

The second aspect of the course will focus on the impact of the Apartheid era and its relationship to the principle of the rule of law. This will analyse how the Apartheid state attempted to make sense of the rule of law against the backdrop of continued resistance to and arbitrary application of a racialised legal system.

The last aspect of the course will look at the South African legal system under a regime of human rights and its post-Apartheid context. We will focus here on whether and if these developments are properly compatible with the Roman Dutch and English of natural law rights and common law rights which persist today and thus create a coherent legal system.
10. South African Constitutional Law – A Source for Progress in a Divided Country?

(Prof. Moshikaro; Course ID 060315, November 13+14+15+16, 2023, 9 am-4 pm, BF EG/04, UFO 01/07 only on November, 15)

This course aims to analyse the often repeated claim that South Africa's Constitutional regime is one of the most enlightened and progressive in the world. The course will assess current debates in South African and international discourse analysing the constitutional and human rights regime in South Africa and present emerging challenges to this particular proposition of South African progressivism.

This course is in three parts. The first part of the course will begin by analysing the history of South Africa's constitution-drafting process and its dominant theory of constitutional interpretation. The second part will assess how the SA Constitution has aimed to address its divided history through measures such as affirmative action. The aim here is to paint a picture for students as to some of the reasons for dissatisfaction with these measures and the responses to the emerging scepticism about their efficacy. The last part will address challenges to the current South African legal order from traditions which reject or are sceptical of this Constitution's apparent enlightened and reconciliatory approach to racial and economic division.

11. Socio-Economic Rights in a Structurally Unequal Country

(Prof. Moshikaro; Course ID 060316, November 20+21+22+23, 2023, 9 am-4 pm, UFO 01/07)

The aim of this course is to assess the attempt made by the South African Constitution to address socio-economic inequality and the efficacy of the measures against South Africa's colonial past. The aim is to assess first the role played by rights to housing or property and against expropriation and how these have been developed in the South African courts in light of the extreme levels of inequality present in South African society.
The second aim of the course is to assess the connection between rampant corruption and the attempt by courts to address this challenge understood as a challenge that threatens to increase socio-economic inequality and prevent any improvement of the conditions of the poor in a post-colonial context.

12. Justice, Psychology and Legal Doctrine. A Legal Experimental Case Study
(Prof. Dr. Magen, Course ID 060115, October 18, 2023, November 15, 2023, December 6, 2023, January 10, 2024, 2:15-8:00 pm, GD 2/460)

Traditionally, legal ideas such as the concept of crime, or the concept of tort, or the concept of unjust enrichment are considered artificial technical inventions by lawyers. However, there is some empirical evidence that in fact legal thinking does not only consist of cultural artifacts, but also is heavily constraint and guided by our mental mechanisms of moral reasoning. Interestingly, those patterns in fact were already described by the philosopher Aristotle. Today they are investigated in modern psychological science under the heading of equity theory. Interestingly, similar patterns also underly fundamental legal concepts like the concept of a contract or the concept of a tort, as some preliminary evidence shows.

For further information please contact the chair of Prof. Magen: ls-magen@rub.de

13. Experimental Legal Philosophy: Selected Experiments
(Prof. Dr. Magen, Course ID 060116, November 8+29, 2023, December 20, 2023, January 24, 2024, 2:15-8:00 pm, GD 2/460)

Traditionally, philosophy is a discipline whose primary method is armchair reasoning about highly abstract thought experiments without considering empirical evidence. As an alternative method, the experimental legal philosophy-movement started to investigate philosophical
questions with empirical methods, mostly by investigating laypeople and experts on their intuitions and opinions. Recently, this movement has reached legal philosophy. Now experimental legal philosophers started to investigate legal philosophical concepts and philosophical problems like the validity of unjust law, or the concept of legislative intent.

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Kursbeschreibung (türkische Veranstaltung)

1. Einführung in das türkische Strafrecht (Türk Ceza Hukukuna Giriş)
(Jun.-Prof. Dr. Özaydin; Veranstaltungs-Nr. 060303, 01.12.-15.12.2023+19.01.+20.01.2024, per Zoom, 13-18 Uhr)

Das theoretische Wissen wird anhand 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 Knippertz; Veranstaltungs-Nr. 060009, 02.-06.10.2023, 9-16 Uhr, GD 2/460, Klausur 10.10.2023 von 12-14 Uhr, HGD 10)