

**Description (exam material)**

| <b>COMPARATIVE LAW</b>  |  |
|---|--|
| 1) Doctoral programme   | Public Law   |
| 2) Effective from   | March 1, 2020  |
| 3) Topics   |  |
| 1.  | <i>Comparative law and legal theory. Comparative law as an independent field of legal science.</i> |
| 2.  | <i>Modern theories of legal classification.</i>  |
| 3.  | <i>The comparative methodology</i>   |
| 4.  | <i>The role of legal comparisons in the course of legal harmonization</i>                          |
| 5.  | <i>The role of legal transplants on the development of law</i>                                     |
| 6.  | <i>The comparative analysis of judicial independence</i>   |
| 7.  | <i>Functionalism and comparative law</i>   |
| 8.  | <i>Comparative law and globalism</i>   |
| 4) Resource materials used in the examination   |  |
| <p>Obligatory readings:</p> <p>Mark Van Hoecke: Methodology of Comparative Legal Research, <i>Law and Method</i>, December 2015, p. 1-35. (<a href="http://www.lawandmethod.nl/tijdschrift/lawandmethod/2015/12/RENM-D-14-00001.pdf">http://www.lawandmethod.nl/tijdschrift/lawandmethod/2015/12/RENM-D-14-00001.pdf</a>)</p> <p>John C. Reitz: How to do Comparative Law, <i>The American Journal of Comparative Law</i>, 1998: p. 617-635.</p> <p>Jan M. Smits: Comparative Law and its Influence on National Legal Systems. In: Mathias Reimann &amp; Reinhard Zimmermann (eds): <i>The Oxford Handbook of Comparative Law</i>, Oxford, 2006: p. 477-512.</p> <p>Alternative readings:</p> <p>Vernon Valentine Palmer: From Leretholi to Lando: Some Examples of Comparative Law Methodology, <i>The American Journal of Comparative Law</i>, 2005: p. 261-290.</p> <p>O. Kahn-Freund: On Uses and Misuses of Comparative Law, <i>The Modern Law Review</i>, January 1975: p. 1-27.</p> <p>William Twining (2009): Globalization and Legal Scholarship. <i>Tilburg Law Lectures Series, Montesquieu Seminars Vol. 4.</i> pp. 17-51.</p> <p>Günter Frankenberg (1985): Critical Comparison: Re-thinking Comparative Law. <i>Harvard International Law Journal</i>. Vol. 26. Nr. 2. pp. 411-455.</p> |  |
| 5) Instructor responsible for the description of the exam material  | Attila Badó, Professor<br>Péter Mezei, Associate Professor   |