



EMLE 2022-2023

INTRODUCTION TO LAW

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Erasmus University
Rotterdam

Credits: 2

Language: English

COURSE DESCRIPTION

This course aims to provide a general introduction to Law, introducing students to the ever-changing functions and shapes of the Law in our societies and presenting some of the key challenges experiencing the Law in the 21st century. The course seeks to (1) harmonize levels of understanding of Law among lawyers and economists, (2) facilitate a mutual understanding of basic legal concepts and doctrines among lawyers coming from various countries, (3) introduce both lawyers & economists to legal concepts and methods that are instrumental in the field of Law and Economics, and (4) to identify new issues that legal professionals may be facing today.



TOPICS/SESSION

1. Law in the 21st Century (part 1)

- Sketching the 21st century lawyer
- Legal traditions and their relevance for Law & economics
- Legal personality
- Legal sources
- Rules & standards

2. Law in the 21st Century (part 2)

- Legal reasoning and blurred cases
- Bridging the law in the books and the law in action – the importance of empirics
- is big data disrupting the law?

3. Introduction to contract & tort

- Contract: contractual freedom and its limits, formation, execution, breach and remedies, harmonization of contract law
- Tort: functions of tort law, evolution of liability regimes, standards of care, harmonization of tort law

4. Introduction to criminal law

- Guiding concepts of criminal law
- Goals and theories of punishments
- Elements of criminal liability
- Structure of criminal trials

5. Introduction to European Union Law

- Basic architecture of EU law
- Sources of EU law
- Impact of EU law on Member States and beyond
- Court of Justice of the European Union
- EU Better Regulation Agenda

6. The missing link - introduction to enforcement

- Public & private enforcement
- Enforcement models
- Collective enforcement of rights



ASSIGNMENTS AND EVALUATION OF LEARNING GOALS

The final evaluation will be composed of two parts:

- **65%: final examination**
- **35%: home assignment**

As part of the home assignment, students will have to provide written responses to several questions on either:

- Bradford A., *the Brussels Effect*, 2020 (available online via the EUR library)

Or

- Sandel M., *What money can't buy – the moral limits of markets*, 2012 (available in-print at EUR library)

More information will be communicated in class in due time.

There will also be a possibility for students to obtain up to 1 bonus point by presenting relevant case studies at the beginning of the class (further information will be communicated in due time).

Recommended readings

Books

A. Bradford A., *the Brussels Effect – How the European Union Rules the World*, 2020

M. Sandel, *Justice- What's the right things to do*, 2009 (chap.1 and 2)

M. Sandel, *What money can't buy – the moral limits of markets*, 2012

A. Winkler, *We the Corporations: how American businesses won their civil rights*, Liveright, 2017

H. Koziol, *Basic questions of tort law from a comparative perspective*, 2017

Articles

C. Busch, [Granular Legal Norms: Big Data and the Personalization of Private Law](#), in V. Mak, E. Tjong Tjin Tai and A. Berlee (eds), *Research Handbook on Data Science and Law*, Edward Elgar 2018 (available on SSRN)

R. Posner, [The decline of law as an autonomous discipline](#), (1987)

W. van Boom & al., [Empirical Legal Actions – Charting the terrain](#) (2018)