

Teaching guide

IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Sciences		
Faculty/School:	Law, Business and Government		
Course:	HISTORY OF LAW IN THE WEST		
Type:	Basic Training	ECTS credits:	6
Year:	2	Code:	7229
Teaching period:	Fourth semester		
Subject:	History		
Module:	The Law and its Context		
Teaching type:	Classroom-based		
Language:	Spanish		
Total number of student study hours:	150		

SUBJECT DESCRIPTION

This course aims to address a vision of Law from the historical perspective and in relation to all the dimensions that shape the historical tradition of Western Civilization.

The subject of History of Law in the West is part of the module "Law and its Context". This module is basically introductory. The student learns basic legal concepts through the study and analysis of the historical, philosophical and anthropological context of the norm, in order to achieve a greater understanding and a better interpretation of the legal system.

The purpose of this course is for the student to understand the different legal norms, concepts and institutions based on the analysis of the historical context in which they arise and of the dominant currents of thought in each

era. In particular, it will be a matter of delving into the roots of our legal institutions, especially in Roman Law, and their recovery in the form of Common Law. In this way, based on the knowledge of Law in History, the student will deepen their understanding of the identity of Western Civilization.

With this course, students will achieve, at the same time, an understanding of the meaning and reason of history and will be able to recognize current reality based on its historical configuration. All this implies considering that it is not so much a matter of developing the subjects of the subject in depth, but rather structuring the entire historical process, so that students know where to place each of the problems and discover the usefulness of history for understanding reality.

It is increasingly necessary for students to always keep in mind a chronological scheme that allows them to place each question in the global process of history. At the same time, it is up to the teacher to maintain a permanent line of argument, a story, with which all problems related to law and justice are associated, in one way or another. It is not so much a matter of defining what this argument should be, but of affirming the need for an argument that, in its progressive complication, reveals that everything in history is interrelated.

GOAL

To provide a significant basis for students to learn law based on an understanding of the genesis and evolution of justice and the legal system within the context of the history of Western Civilization.

PRIOR KNOWLEDGE

None are required. Knowledge of the History of Thought and Roman Law is positively valued.

COURSE SYLLABUS

I. INTRODUCTION AND BACKGROUND 1. Formative Background of the Western Legal Tradition 1.1 Western Law and History 1.2 Roman Law 1.3 The Law of the Germanic Peoples 2. The Catholic Church and Law in the West 2.1 The Catholic Church and the Roman Empire 2.2 The Catholic Church and the Germanic Kingdoms 2.3 Canon Law II. THE SYSTEM OF EARLY MEDIEVAL LAW 3. Culture and Feudal Rights in the Early Medieval Legal System. 3.1 Medieval Culture and Law 3.2 The Early Medieval Legal System 3.3 Feudalism and Law 3.4 La Res Publica Christiana 4. Feudal law in the Hispanic kingdoms 4.1 The Visigothic heritage 4.2 Characteristics of the Law in the Hispanic kingdoms 4.3 The jurisdictions III. THE COMMON LAW SYSTEM 5. The formation of common law in the late Middle Ages 5.1 The legal renaissance of the 12th and 15th centuries 5.2 The Bologna school 5.3 The *Ius Commune* 5.4 The *Ius Commune* in Spain 6. The beginnings of modern culture and law in continental Europe in the 16th and 17th centuries 6.1 Economy, politics and modern culture 6.2 The crisis of common law 6.3 The *mos italicus* and the *mos gallicus* 6.4 Francisco de Vitoria and the school of Salamanca 6.5 Rationalist *iusnaturalism* and the *usus modernus pandectarum* 7. Indian Law 7.1 Conquest and Just Titles 7.2 The Laws of the Indies 7.3 Legal Institutions 8. The legal culture of the Enlightenment 8.1 The Old Regime 8.2 The Enlightenment and the Secularization of the West 8.3 The transformations of Criminal Law 8.4 The Common Law 8.5 Spain: the New Plan Decrees IV. THE SYSTEM OF CONSTITUTIONAL LAW 9. The West, democracy and constitutions in the 19th and 20th centuries 9.1 Constitutional Law and Democracy 9.2 The Age of Codifications 9.3 Law and the European Union 9.4 The Crisis of Modern Culture and Law 10. Law and Politics in Contemporary Spain 10.1 The Spanish Constitutions of the Nineteenth Century 10.2 The Spanish Constitutions of the Twentieth

EDUCATION ACTIVITIES

The teaching methodology will be at the service of the student's active learning. For this reason, those formulas that promote the student's autonomous and collaborative learning, such as flipped learning and gamification, will prevail, although without ruling out face-to-face teaching as an effective formula for coordinating work and consolidating and reinforcing content. Training activities, as well as the distribution of working hours, may be modified and adapted according to the different scenarios established following the instructions of the health authorities. Broadly speaking, the organizational modalities of teaching will be:

1. Face-to-face teaching:
 - 1.1 Expository classes. The total duration of each of them will be one and a half hours distributed over 45 minutes of teacher presentation and 45 minutes of questions and discussion.
 - 1.2 Practical classes with the group. The duration of each of them will be 90 minutes. The modalities of practical classes will be based on active learning methodologies. They will mainly be: a) Exhibition of works b) Comments on texts c) Practical classes of historical-legal cases (Case Method) d) Debates f) Activities with new multimedia applications (Kahoot, Surycata, etc.)
 - 1.3 Group tutoring: There will be tutorials according to the needs of each group and each work work. The maximum number of groups for each of the compulsory works will be 6.
 - 1.4 Individual tutoring: They will be carried out according to the students' request and at the predetermined time for this purpose.
 - 1.5 Indicative evaluations and exams: These may be tests or content development. They will contribute not only to the assessment of the student's performance but also to the orientation of the student towards the achievement of the objectives.
2. Non-face-to-face teaching-learning

The center of this learning process will be the Virtual Classroom. It will consist of:

 - 2.1 Preparation of mandatory individual works: -Comments in the Virtual Classroom to notes -Questionnaires in the Virtual Classroom -Comments in the Virtual Classroom to text readings
 - 2.2 Preparation of mandatory group work: -Compulsory group work will be of a variety of subjects. It will be ensured that some of them are in coordination with other subjects of the semester, especially Administrative Law I and/or Real Estate Rights.
 - 2.3 Self-employment Individual study supported by Virtual Classroom resources for learning: -Notes of the subject - Power Point of the subject -Texts -Bibliographies -Links to web pages

DISTRIBUTION OF WORK TIME

TEACHER-LED TRAINING ACTIVITIES	INDIVIDUAL WORK
60 Horas	90 Horas

SKILLS

Basic Skills

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess

skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study.

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

To be familiar with the substantive content of legal disciplines and all supplementary fields.

General Skills

To be familiar with the substantive content of legal disciplines and all supplementary fields.

Specific skills

Critically judge the different answers that man has given to the great questions throughout history.

Understand the different forms of creation of law in their historical evolution and in their current reality

Analyze the historical, social, economic, political, philosophical, ethical, cultural and religious context of the different legal, economic and social institutions.

Critically judge the form and content of texts and documents of university complexity as well as of cultural, literary and scientific works.

LEARNING RESULTS

The student assesses the concept of justice in the context of the different stages of the History of Law in the Western

The student understands the fundamental characteristics of law in the West in its three major stages

The student distinguishes the cultural, social, and political context of the different legal institutions in their historical stages

The student critically judges major judicial processes in history

The student knows the contributions of Roman Civilization, the Catholic Church, Germanic cultures and the Spanish legal tradition to the History of Law in the West

LEARNING APPRAISAL SYSTEM

The evaluation system for the subject of History of Law in the West will be one of continuous evaluation. Thanks to this, we can have both a summative evaluation and a formative evaluation. The evaluation of the knowledge of the final exam will correspond to 60% of the final grade. The remaining 40% will correspond to carrying out work, carrying out self-evaluation questionnaires, attending and participating in programmed activities. Those students with academic exemption will carry out substitute activities to be determined by teacher 1. Final evaluation in the ordinary call. It will be as follows: 1.a. Knowledge assessment will be carried out through a final written exam. It will represent a percentage of the rating of 60%. It will consist of a test-type questionnaire on the contents indicated in the syllabus, a short answer question and some development questions. The exam will assess knowledge, understanding and analysis of institutions, sources and historical legal context in accordance with the proposed learning outcomes. In order to average with the rest of the evaluations, the student must have achieved a minimum grade of 5. Otherwise, the final grade will be that of this final exam. 1.b. Evaluation of competencies through participatory work and activities - Individual and group work. Effort, the development of competencies such as the management of information on the network and the capacity for expression and, finally, the understanding and analysis of the studied reality will be valued. It will account for 30% of the final grade. - Attendance and participation in the classroom and in the virtual classroom. Attendance as well as attention and oral expression skills will be valued. With regard to the virtual classroom, participation in forums, readings, questionnaires, etc. will be valued. It will represent 10% of the final grade. 1.3. Other situations - Students with an academic waiver may average the final exam with other work and activities according to the teacher's discretion. The teacher will determine the types of work. The percentage will be 70% for the final exam and 30% for the papers. In order to be able to average the final grade, the final exam score cannot be lower than 5. - Second enrollment students may choose the ordinary system or the student system with academic exemption prior notice to the teacher at the beginning of the semester. - Students without academic exemption who never attend class or participate in ordinary work and activities will take the same exam as the rest of the students but will not be able to score more than 6.9. - UFV students on exchange stays will take the alternative evaluation system for repeat students or students with a waiver. It is their responsibility to know the system. 2. Final evaluation in the extraordinary call. As it will be, a recovery evaluation, it will consist of an exam similar to the ordinary call and an evaluation of works and activities previously indicated by the teacher according to the student's situation. In any case, this evaluation of works will not exceed 30% of the final grade. Also, if the final score of the exam is lower than 4, you will not be able to average with the rest of the evaluations. Students are required to observe the elementary and basic rules of authenticity and originality in any training activity or evaluation test. When a student has or makes use of illegitimate means in holding an evaluation test, incurs plagiarism, or is unduly attributed the authorship of academic works required for the evaluation, he will be sanctioned in accordance with the provisions of the University's Evaluation Regulations and Coexistence Regulations.

ETHICAL AND RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE

1.- The use of any Artificial Intelligence (AI) system or service shall be determined by the lecturer, and may only be used in the manner and under the conditions indicated by them. In all cases, its use must comply with the following

principles:

- a) The use of AI systems or services must be accompanied by critical reflection on the part of the student regarding their impact and/or limitations in the development of the assigned task or project.
- b) The selection of AI systems or services must be justified, explaining their advantages over other tools or methods of obtaining information. The chosen model and the version of AI used must be described in as much detail as possible.
- c) The student must appropriately cite the use of AI systems or services, specifying the parts of the work where they were used and describing the creative process followed. The use of citation formats and usage examples may be consulted on the Library website(https://www.ufv.es/gestion-de-la-informacion_biblioteca/).
- d) The results obtained through AI systems or services must always be verified. As the author, the student is responsible for their work and for the legitimacy of the sources used.

2.- In all cases, the use of AI systems or services must always respect the principles of responsible and ethical use upheld by the university, as outlined in the [Guide for the Responsible Use of Artificial Intelligence in Studies at UFV](#). Additionally, the lecturer may request other types of individual commitments from the student when deemed necessary.

3.- Without prejudice to the above, in cases of doubt regarding the ethical and responsible use of any AI system or service, the lecturer may require an oral presentation of any assignment or partial submission. This oral evaluation shall take precedence over any other form of assessment outlined in the Teaching Guide. In this oral defense, the student must demonstrate knowledge of the subject, justify their decisions, and explain the development of their work.

BIBLIOGRAPHY AND OTHER RESOURCES

Basic

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