

LEGAL LANGUAGE

RECOMMENDED READINGS

FALL–WINTER 2019

ABBREVIATIONS

- **ITL**: Introduction to Law and Legal Language, ed. by M. Pichlak, <https://prawo.uni.wroc.pl/node/26622>
- **Merryman**: John H. Merryman, The Civil Law Tradition. Introduction to the Legal Systems of Western Europe and Latin America, 3rd ed., Stanford University Press 2007

ESSENTIAL READING FOR THE WHOLE COURSE

R. Youngs, *English, French & German Comparative Law*, 3rd ed., Routledge 2014, Chapters 1 – 3.

RECOMMENDED READING FOR PARTICULAR TOPICS

THE CONCEPT OF LAW. LAW IN THE SOCIETY AND SOCIAL FUNCTIONS OF LAW.

BASIC:

- ITL, Chapter 1

ADDITIONAL:

- K. Tuori, Modern Law and its Problems, in: K. Tuori, Critical Legal Positivism, Ashgate 2002
- J. Raz, The Functions of Law, in: J. Raz, The Authority of Law. Essays on Law and Morality, Clarendon Press 1979

LEGAL CULTURES AND LEGAL SYSTEMS OF THE WORLD. COMMON LAW AND CIVIL LAW.

BASIC:

- Merryman, Chapter I

ADDITIONAL:

- Merryman, Chapters II, III
- Barbara Dölemeyer, Legal Families <http://ieg-ego.eu/en/threads/crossroads/legal-families#LegalFamilyLegalSystem>

- J. Huusa, The Future of Legal Families,
<http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935352.001.0001/oxfordhb-9780199935352-e-26?rskey=WgUEKU&result=9>
- H. Koetz, K. Zweigert, An Introduction to Comparative Law, Vol. 1-2, Amsterdam 1977

LEGAL SYSTEM. MAIN BRANCHES OF LAW

BASIC:

- ITL, Chapter 7

ADDITIONAL:

- Merryman, Chapter XIV
- International Law and Municipal Law, in: Encyclopaedia Britannica,
<https://www.britannica.com/topic/international-law/International-law-and-municipal-law>
- R. Michaels, J. Pauwelyn, Conflict of Norms or Conflict of Laws?,
http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2933&context=faculty_scholarship

SOURCES OF LAW AND FORMS OF LAW CREATING.

BASIC:

- ITL, Chapter 10

ADDITIONAL:

- Merryman, Chapters IV, V

LEGAL RULES AND PRINCIPLES

BASIC:

- ITL, Chapter 5
- M. Kohen, B. Schramm, General Principles of Law (Introduction)
<http://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0063.xml>

ADDITIONAL:

- R. Dworkin, Taking Rights Seriously, Harvard University Press 1977, Chapter 2 (The Model of Rights II)

SYSTEMS OF JUDICIARY AND STRUCTURE OF LEGAL PROCEEDINGS

BASIC:

- Merryman, Chapter XIII

ADDITIONAL

- Merryman, Chapters VI, XV, XVI, and XVII

INTERPRETING STATUTES

BASIC:

- ITL, Chapter 8

ADDITIONAL:

- Merryman, Chapters VII, VIII
- Wikipedia, *Statutory interpretation*, https://en.wikipedia.org/wiki/Statutory_interpretation
- K. Lenaerts, J.A. Gutierrez-Fons, *To say what the law of the EU is : methods of interpretation and the European Court of Justice*, European University Institute 2013, <http://cadmus.eui.eu/handle/1814/28339>

INTERPRETING PRECEDENTS

ADDITIONAL:

- G. Lamond, *Precedent and Analogy in Legal Reasoning*, Stanford Encyclopaedia of Philosophy, plato.stanford.edu/entries/legal-reas-prec/
- S. Hanson, *Legal Method & Reasoning*, 2nd ed., Cavendish Publ. 2013, Chapter
- K. Langenbucher, *Argument by Analogy in European Law*, Cambridge Law Journal 1998, 57(3), pp. 481-521

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If you are interested in any of the additional positions which are unavailable in the Internet or the Faculty library, please contact me directly.