

Introduction to German Law

Reading – textbooks in English language: Robbers, Introduction to German Law, Nomos 5th edition 2012; Foster, Nigel, German Legal System and laws, Oxford 2010, 4th edition, May 2010; Introduction to German law; Mathias Reimann/Joachim Zekoll, Beck/Kluwer Law Internat. 2005

Legal texts:

http://www.gesetze-im-internet.de/Teilliste_translations.html

Compulsory for the Course:

Basic law (Grundgesetz, [GG](#))

German Civil Code (Bürgerliches Gesetzbuch, [BGB](#))

(German Criminal Code (Strafgesetzbuch, [StGB](#)))

I. Introduction

- In brief: roots, influence and history
- Civil-Law/Continental Law – features
- The lecture: overview of the German basic law (Grundgesetz) and private law
- Methodology: the “Gutachten-Stil”

II. German Law – Overview (Basic Law and Private Law)

1. The German Basic Law

- a. History
- b. Structure, constitutional principles (art 20 GG) and constitutional institutions (Verfassungsorgane);
- c. Overview of the catalogue of fundamental rights
- d. The system of constitutional claims (“complaints”)

2. [German Private Law](#) - German Civil Code

- a. Structure
- b. Principles
 - i. Private autonomy and freedom of contract
 - ii. Principle of abstraction
 - iii. Possession and ownership
 - iv. Verpflichtungs- und Verfügungsgeschäfte: Two different categories of legal transactions
- c. Focus:
 - i. General part
 - ii. Law of obligations
 - iii. Property law

III. Methodology - Exercises and Cases

1. [Methodology](#)
2. Methodological exercises 1 (Gutachtenstil)
3. Methodological exercises 2 (System of German Civil Law)