

# History of Catalan Law (12535)

Option

Academic year: 1

Term: 1

Degree awarded: Degree in Law

Number of ECTS credits 4

Student hours: 100

Fields of study: History of Law and Institutions (Department of Law)

## Syllabus

The aim of this subject is to introduce students to the historical private, criminal and procedural laws in Catalonia. These branches of the legal system - together with commercial law - were the only ones remaining in force after the publication of the *Nova Planta* Decree (1716) which abolished Catalan public law and its institutions.

The historical legitimacy contributed by the conservation of Catalan private law in particular, together with a strong political will among the constituents of the 1978 Spanish Constitution, form the basis of current legislative powers in the matter. This is therefore an essential and highly significant course for the education of lawyers who are to practice their profession in Catalonia.

The course is optional and provides students with knowledge complementing the basics acquired on the core History of Law course.

In common with other legal history courses History of Catalan Law offers students chronological references, conceptual foundations, background terminology, knowledge of the sources of law and the ability to develop critical analyses in the form of text commentaries. These not only provide information about their own legal past but at the same time enable students to acquire a better understanding of the present in an area – the law - which is eminently dynamic and subject to the march of time and the evolution of society.

Students are immersed in two different contexts: procedural and criminal law on one hand, and private law on the other, both requiring a notable effort to understand and interpret the contemporary texts and documents studied and commented on. The overall aim is to foster the broadening of students' horizons to include issues pertaining to one of the many branches making up current law, using the historical conception of law as the starting point. A further aim is to promote the enhancement of students' abilities to understand and comment on texts written in other historical periods and improve their knowledge of the language and, more specifically, of legal and historical terminology.

Students also learn to value their own community's historical vicissitudes and to understand the reasons for the complex legal-political definition and evolution which have resulted in the configuration of these branches of the legal system.

Students are advised to acquire a basic grounding in the general history of the Crown of Aragon, especially of Catalonia within the contexts of Spain and Europe in the XI –

XVIII centuries, as well as of Spain in the XVIII-XIX centuries. Solid language skills in Spanish and Catalan are also necessary.