
Comparative Law and Rights (7872-01) (Class # 17711)

Spring Semester 2025; Wednesday 4-6:30 P.M. (Chase 110)
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WebEx Personal Room: <uconn-cmr.webex.com/meet/aro02001>
Office Hours: Wednesday, 2-4 P.M. & by Appointment
Readings: LATIN AMERICAN LAW (3rd Edition) (Foundation Press) (201

SYLLABUS

Description, Aspirations

The course will pursue narrow, generic objectives but rather fluid discussions on the topics at stake. It will deal—historically, sociologically—with the vindication of national, international entitlements in public, civil, procedural, and commercial law for a comparison of Latin American besides Continental European experiences to those of the United States. We will reflect upon the relationship of legal institutions to social change in modern atop “anterior” historical contexts.

With the instructor’s guidance, registrants like auditors will find their own way toward a mastery of the fields under the microscope. They will contemplate the multiple paths from rights—in particular, those in focus during each session—to justice. Participants will study the gamut of materials—from adjudicative, onto constitutional, via statutory, through regulatory, to scholarly—for a development of their own perspective. They will familiarize themselves with the principal concepts in use by specialists, amid active nonspecialists, within the regions traversed.

Readings (Outline)

Students should review the readings with care for a subsequent exchange around an answer to any emergent question. They should learn the contrastive analysis of arguments, constructs, cases, constitutions, codes, statutes.

INTRODUCTION

Chap. I - The Civil Law Tradition as Context (January 22)
Chap. II - Latin American Law at Its Origins (January 29)
Right to Indigenous Autonomy

CONSTITUTIONAL LAW

Chap. III - Constitution as Catharsis (February 05)
Rights to Democracy, Judicial Review, Social Justice, Legality
Chap. IV - Basic Constitutional Principles (February 12)
Rights to Constitutionality, Abortion, Speech, Response
Chap. V - Vindicating Constitutional Rights (February 19)
Rights to Judicial Recourse, Free Association and Press, Unionization, Property
Chap. VI - Second and Third Generation Rights (February 26)
Rights to Health, Information

CIVIL LAW

Chap. VII - Civil Codification: Then and Now (March 5)

Rights Within the Civil Code

Chap. VIII - Interpreting the Code: Lessons from Puerto Rico (March 12)

Rights to Self-Determination

Chap. IX - Updating the Civil Code: Confronting Codified Sexism (March 26)

Right to Sexual Equality

Chap. X - Civil Law Remedies: Moral Damages (April 2)

Right to Moral Damages, Privacy, Honor, Self-Image

CIVIL PROCEDURE

Chap. XI - Histories and Visions of Procedure (April 9)

Procedural Rights

Chap. XII - Procedural Systems and Underlying Principles (April 16)

Right to Due Process

Chap. XIII - Collective-Rights Suits in Brazil and Beyond (April 23)

Collective Rights

BUSINESS LAW

Chap. XIV - Corporations and Corporate Groups (April 30)

Rights to Limited Liability and of Corporate Employees Alongside Constituencies

Grading

For the most part, the grade will rest on a three-hour, open-book, in-person final exam toward the end of the semester. It may climb up a notch (never down) on the basis of oral participation.