



JUR-8013

| | Course information |
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| Course name – English | Comparative Criminal Law |
| Course code | JUR 8013 |
| Number of credits | The scope of the course is 3 credits, which equates to a workload of 75-90 hours. This includes preparation for (work on literature and other types of expected preparation) and participation in the teaching, as well as any supplementary work. |
| Type of course | Open for students admitted to a PhD programme in Law. |
| First term for instruction | 2024 Autumn |
| Language | English |
| Required prerequisite knowledge | This course is aimed at students admitted to the PhD programme in Law. Application code: 9301. |
| Course content | <p>Comparative law research aims to identify modern trends legal systems and to look for convergences and divergences. A meaningful implementation of elements of foreign legal systems at the national level and the smooth realization of the objectives of international and supranational justice require a mutual understanding between legal systems that adhere to different traditions in their normative foundations.</p> <p>The first part of the PhD course on comparative criminal law will provide an introduction on general socio-legal and legal theoretical observations on criminal law and its role in democratic societies.</p> <p>The second part of the PhD course on comparative criminal law will be dedicated to comparative criminal law not only as a research method within legal scholarship in crime control and criminal law - but it will focus also on “comparative criminal law” as a central research object itself. Therefore, the PhD course will discuss a universally valid meta structure of criminal law as the basis for a</p> |



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| | <p>worldwide, systematic and functional comparison of criminal law. This comparative meta structure – which stands above the national legal systems - will be presented and applied for the systematic analysis of national criminal law, the comparative analysis of the solution models existing worldwide, the determination of general legal principles and for the development of international criminal law doctrine.</p> <p>The third part focuses on the methodological questions of basic comparative research in the field of crime control/criminal justice. This part will address the general problem of defining the aims and methods of a comparative research project in the field of criminal justice and crime control and will continue to explore the research method of functional comparison and its application to the analysis of judgments rendered by supranational and international courts. The PhD course will discuss the possible construction and application of ideal types for the purposes of analysis and comparison, using the examples of criminal prosecution and procedure.</p> |
| Learning outcomes* | <p>Knowledge</p> <p>Having actively participated and submitted all deliverables, the PhD student shall have acquired:</p> <ul style="list-style-type: none"> • advanced knowledge of the methods of comparative criminal law; • advanced knowledge of the basic comparative meta-structure of criminal law; • advanced knowledge of the different methods and approaches in creating a structure / meta-structure for a comparative criminal law study; • knowledge of the different design/structure of national criminal justice systems; • knowledge of the role of the national states within the system of international criminal justice; • knowledge of socio-legal observations of the role of criminal law within democratic societies; • knowledge of the general comparative structure of the Norwegian/Nordic criminal law systems; • knowledge of the use of new technologies within comparative criminal law. <p>Skills</p> <p>Having passed the course, the student is able to:</p> |



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| | <ul style="list-style-type: none"> • have a thorough grasp of the rationale of criminal law; • identify and analyse challenges of a theoretical and practical nature regarding the legal response to criminality; • independently and critically compare, interpret and apply relevant sources of criminal law; • use English terminology applicable to this field of law. <p>General Competence:</p> <p>Having passed the course, the student can:</p> <ul style="list-style-type: none"> • apply the knowledge and skills obtained in the field of comparative criminal law to new legal situations, tasks, and projects, where relevant; • analyse different criminal justice systems, argue for different potential solutions, and arrive at a reasoned balancing of relevant legal arguments; • communicate his or her reasoning in the field of criminal law in a clear and precise manner, orally and in writing, to the academic community and the general public; • identify, reflect and compare social and ethical dilemmas that may arise in the different systems of criminal justice and deal with these in a responsible and comprehensive manner; • master the English language and terminology in this field of law. |
| Teaching, working methods, structure | <p>The PhD course will be a three-day event with obligatory in-class attendance. The course will be structured into two main parts. The first day will consist of three teaching units that mirror the above-mentioned content of the PhD course. Within the second and third day the PhD students will give their obligatory oral presentation of their papers which will be followed by a discussion that will be chaired by another predetermined PhD student.</p> <p>The invited PhD students are obliged to read in advance the distributed literature and must prepare a draft paper (between 6000-8000 words) on a topic related to comparative criminal law. This paper can either be a part (chapter) of the PhD thesis or a planned stand-alone publication. It is planned to publish the delivered papers – in case they reach the necessary quality standards – within an edited volume or on the UiT webpage (blog).</p> |



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| | <p>Active participation is required, meaning that all students must present and discuss their own projects, but also have to comment on the projects of others.</p> <p>Furthermore, the course will provide one-on-one breakout session on the last day. Within the breakout sessions the students will have the chance to discuss specific problems and/or new ideas with the course lecturers.</p> |
| Examination and assessment | There is no formal examination in this course. To put this into context, after completing the required courses, the students must submit one or more works that will be assessed for the PhD degree in Law by an assessment committee appointed by the faculty. |
| Grading system | Passed/Failed |

***Learning outcomes:** The national qualification framework for higher education describes the knowledge, skills, and general competence that all candidates are expected to have when completing the level of education. The framework is linked to the study program level. Subjects must be seen in the context of the study program they are part of, and the course structure must be assessed regarding the total learning outcome the program is to provide. The subject supervisor must therefore be able to justify how the subject is relevant and how it contributes in relation to the study programme's overall learning outcomes. More information on the qualification framework:

[DESCRIPTIONS OF LEVELS 1 to 7 – \(structured by level\) \(regjeringen.no\)](https://regjeringen.no)