

## Business Law

### Module 1 [Introduction to Law, Branches of Law]

*The Module is aimed at providing the students with the recap/ revision/ systematization of their understanding of the basic notions of the law and related dilemmas. In particular, the Module will place the law within the context of related concepts (social norms/ ethics-morals/ religion), will dwell on major legal systems present (and “practiced”) in the world currently, will outline the major “branches” of the national law and will overview the basics of the judicial system and judicial decision-making.*

#### Basic notions:

Law (the definition)

Sources of law

Social norms

Religious norms

Ethical norms/ morals

Differences/ Similarities/ Interactions between ethical norms (morals)/ social norms/ religious norms/ law

State and its power: division into branches, checks and balances

Involvement of each of the “Branches” in the law making

Branches of law

Legal System

Civil Law System

Common Law System

Differences between the two

Current realities and overlaps between the two

Religious Legal Systems

US Jury [Voir Dire; Jury verdict; JNOV – Judgment Notwithstanding the verdict]

Jury and Social Networking

Jury outside of the US

Precedent

*Stare Decisis*

*Obiter Dictum*

*Ratio Decidendi*

Court decision (judgment)

Branches of Law and their basic classifications

#### General Reference Materials:

Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.:

<http://thelawdictionary.org/#ixzz2dKQavCad> (

Comparison between Civil and Common Law systems (handout)

Branches of law (handout)

Court system – General overview (handout)

### Case Law and Case Summaries

Susan FERLITO and FRANK J. Ferlito, Plaintiffs-Appellants, v. JOHNSON & JOHNSON, Defendant-Appellee, *No. 91-2063*, United States Court of Appeals, Sixth Circuit, *Dec. 22, 1992*. <https://bulk.resource.org/courts.gov/c/F2/983/983.F2d.1066.91-2063.html>

### Research Papers, Articles and Book Chapters

Basu, Kaushik, *Social Norms And The Law*. The New Palgrave Dictionary of Economics and the Law, (Peter Newman, ed.), May 1998. Available at SSRN: <http://ssrn.com/abstract=42840> or <http://dx.doi.org/10.2139/ssrn.42840>

Dube, Dr. Dipa, *Some Reflections on Interplay of Law and Morality in Contemporary India* (January 29, 2008). Available at SSRN: <http://ssrn.com/abstract=1088298> or <http://dx.doi.org/10.2139/ssrn.1088298>

Kerr, Orin S., *How to Read a Legal Opinion: A Guide for New Law Students*. The GREEN BAG, An Entertaining Journal of Law, Vol 11, No. 1, p. 51, Autumn 2007; GWU Legal Studies Research Paper No. 414; GWU Law School Public Law Research Paper No. 414. Available at SSRN: <http://ssrn.com/abstract=1160925>

Pecorino, Philip A, *Introduction to Philosophy*, Chapter 8, *Mores, Law, Morality and Ethics*, [http://www.qcc.cuny.edu/socialsciences/pppecorino/INTRO\\_TEXT/Chapter%208%20Ethics/Mores\\_Law\\_Morality.htm](http://www.qcc.cuny.edu/socialsciences/pppecorino/INTRO_TEXT/Chapter%208%20Ethics/Mores_Law_Morality.htm)

Leib, Ethan J., *A Comparison of Criminal Jury Decision Rules in Democratic Countries*, 5 Ohio St. J. Crim. L. 629, 2008.

St. Eve, Amy J. and Zuckerman, Michael A., *Ensuring an Impartial Jury in the Age of Social Media*. Duke Law & Technology Review, Vol. 11, 2012. Available at SSRN: <http://ssrn.com/abstract=2020499>

Tamanaha, Brian Z., *Law*. St. John's Legal Studies Research Paper No. 08-0095. Available at SSRN: <http://ssrn.com/abstract=1082436>

Wolf, Susan M., *Physician-Assisted Suicide*. Clinics in Geriatric Medicine, Vol. 21, No. 1, pp. 179-192, 2005. Available at SSRN: <http://ssrn.com/abstract=1730352>

### Web resources:

Indiana Jury Orientation Video: <http://www.youtube.com/watch?v=8s5EiPodjd8>

Voir Dire (Jury Selection): <http://www.youtube.com/watch?v=gQm3w3Tr6aY>

Precedent: <http://www.youtube.com/watch?v=QOfTQ6va4U0>

Euthanasia in Belgium: [http://www.dailymail.co.uk/news/article-2440086/Belgian-elects-die-euthanasia-botched-sex-change-operation-left-monster.html?ICO=most\\_read\\_module](http://www.dailymail.co.uk/news/article-2440086/Belgian-elects-die-euthanasia-botched-sex-change-operation-left-monster.html?ICO=most_read_module)