

Course Outline: International Contract Law

(GM2AMI25)

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(This outline is a work in progress. Current version date: Dec. 18, 2016.)

Description and Learning Objectives

The course is an introduction to the legal aspects of transacting business across national borders in a world divided into sovereign states. It compares the ways European civil law and Anglo-American common law handle public enforcement of private bargains. The course examines in some detail the International Convention on the Sale of Goods (“CISG”), a transnational contract law that has now been adopted by 84 countries.

Goals: to give students increased awareness of the legal infrastructure that supports (and sometimes hinders) the flow of goods, services and intangibles between and among nations, and to enhance communication between those engaged in business and their legal advisers.

Grading: will be based on attendance, participation in class discussion, case analysis assignments and a final exam or written paper.

List of Subjects and Assigned Reading for Each Session

Jan. 3, 2017 10:00 – 12:00 Introduction. The legal framework for business transactions. The Civil Law and Common Law traditions compared. How to read a legal decision.

Jan. 3, 2017 14:00 – 16:00 General principles of contract law: making, breaking and enforcing deals.

Reading for Jan. 3: French Contract Law <https://avocat-motte-suraniti.com/the-obligations-in-french-law/french-law-of-contract/> and Lucy vs. Zehmer, 196 Va.

¹ Robert H. Daniels is Emeritus Professor of Accounting at San Francisco State University, as well as a California lawyer with over 40 years experience.

493, 84 S.E.2d 516 (1954), http://www.west.net/~smith/Lucy_v_Zehmer.htm
(short version) or https://en.wikisource.org/wiki/Lucy_v._Zehmer (full text).

Jan. 4, 2017 10:00 – 12:00 Introduction to the CISG.

Reading for Jan. 4: CISG E-Book. Go to:

http://www.uncitral.org/uncitral/fr/uncitral_texts/sale_goods/1980CISG.html

choose a language and click on “text” link.

Cases to be assigned for discussion:

Jan 9, 2017 10:00 – 12:00 CISG in Action.

Reading for Jan 9: CISG Book and further discussion cases to be assigned.

Jan. 10, 2017: *under development*

Jan. 11, 2017: *under development*