Aristotle University of Thessaloniki

Faculty of Law

Bachelor of Laws (LL.B.)

Course Syllabus

1. Course Information

- **Title:** Tort Law and Restitution
- **Code:** LLB12
- **ECTS:** 6
- **Hours per week:** 4
- **Academic Year:** 2nd
- **Teaching Period:** Winter Semester
- **Mode of Delivery:** Face-to-Face
- **Language of Instruction/Assessment:** English
- **Course Type:** Mandatory

2. Course Description

This course offers a structured and comparative introduction to the general principles of tortious liability and the law of unjust enrichment, as developed in major legal systems. The first part of the course focuses on the foundational elements of extra-contractual liability: wrongful conduct, fault and strict liability, causation, damage, and available remedies. Doctrinal analysis is grounded in the law of obligations under the Greek Civil Code, while comparative insights are drawn from German, French, and common law systems to highlight alternative approaches to personal injury, economic loss, and liability for others. The second part introduces students to the law of restitution and unjust enrichment, examining its theoretical foundations and practical manifestations across jurisdictions. Key distinctions between tort and restitution are explored through

case law and scholarly debate. Particular attention is paid to emerging issues such as mass harm, environmental damage, and digital torts, as well as transnational efforts to harmonise civil liability. The course equips students with a doctrinal, comparative, and policy-oriented understanding of civil wrongs and corrective justice.

3. Keywords

Tortious Liability, Tort, Unjust Enrichment, Reparative Obligations, Fault and Causation, Remedies

4. Learning Outcomes

Upon successful completion of this course, students will be able to:

1. **Identify** the core principles governing tortious liability and restitution across civil and common law systems. *(Remembering)*
2. **Explain** key doctrinal elements such as fault, causation, damage, and unjust enrichment, and their treatment in comparative perspective. *(Understanding)*
3. **Apply** general rules of civil liability to hypothetical scenarios involving personal, economic, or relational harm. *(Applying)*
4. **Analyse** the conceptual distinctions and intersections between tort law and the law of restitution in selected jurisdictions. *(Analysing)*
5. **Evaluate** the effectiveness of existing liability frameworks in addressing contemporary challenges such as environmental harm, digital wrongdoing, and mass claims. *(Evaluating)*

5. General Skills to Be Acquired

- Apply knowledge in practice
- Retrieve, analyse, and synthesise data and information
- Adapt to new situations
- Make decisions
- Work in an international context

- Work in an interdisciplinary team
- Generate new research ideas
- Appreciate diversity and multiculturalism
- Respect the natural environment
- Be critical and self-critical
- Advance free, creative, and causative thinking

6. Course Content (Topics)

1. **The Role and Function of Tort Law in Private Legal Systems –** Exploring the aims of tort law: corrective justice, deterrence, compensation, and risk allocation.
2. **Comparative Foundations of Civil Liability: Civil Law, Common Law, and Mixed Systems –** Historical and structural differences in extra-contractual liability regimes.
3. **Constituent Elements of Liability I: Wrongfulness and Fault(?) –** Fault-based liability, objective liability, negligence, intentional harm, and evolving standards of care.
4. **Constituent Elements of Liability II: Causation and Damage –** Doctrines of factual and legal causation; types of compensable damage.
5. **Strict and Vicarious Liability: When Fault Is Not Required –** Liability for others, defective products, hazardous activities, and employer responsibility.
6. **Defences and Limitations to Tort Liability –** Justifications, contributory negligence, mitigation, assumption of risk, and prescription.
7. **Remedies in Tort Law: Damages, Restoration, and Preventive Measures –** Compensatory, punitive, and nominal damages; injunctions and declaratory relief.
8. **The Law of Unjust Enrichment: Core Concepts and Functions –** Understanding enrichment at the claimant's expense, without legal justification.
9. **Restitution Claims: Legal Grounds and Comparative Models –** Performance-based and wrong-based restitution; reversal of unjust benefits.
10. **Doctrinal Boundaries: Tort, Contract, and Restitution Compared –** Distinguishing between liability sources and overlap in multi-claim scenarios.
11. **Civil Liability in Context: Environmental, Digital, and Collective Harms –** Adapting tort law to address mass claims, algorithmic harm, and ecological damage.

12. **Principles of European Tort Law: General Conditions, Liability Bases, and Remedies** – Examining the PETL framework and offering comparative analysis between PETL rules and Greek, German, French, and common law approaches, including other transnational efforts to unify tort and restitution rules.

7. Teaching Methods

- Lectures.
- Case law workshops.
- Student presentations and structured debate.
- Guided reading and legal reasoning exercises.

8. Assessment Methods

Method	Weight	Description
Final Written Exam	70%	Essay-type and case-based questions
Mid-Term Assignment/Presentation	20%	Individual or group-based
Participation and Engagement	10%	Constructive attendance, preparedness, contribution

Note: A minimum final exam score of 50% is required to pass.

9. A. Ethics

Students are reminded that all submitted work must comply with the University's academic integrity policy. Plagiarism or unauthorised collaboration will result in disciplinary measures.

B. Course Policies

- Attendance is strongly encouraged.

- All assignments must be submitted on time via the designated platform.
- Special accommodations will be made for students with documented learning or health needs in accordance with university policy.

10. Use of Information and Communication Technologies (ICT)

- **Use in Teaching:** (e.g. digital slides, audiovisual aids, interactive tools like Mentimeter)
- **Use in Communication:** (e.g. E-learning platform, Zoom/Google Meet for office hours)
- **Digital Resources:** (e.g. online legal databases, podcasts, video lectures)

11. Bibliography

- Books/E-Books

Dam, C. van (2013). European tort law (2nd ed.). Oxford University Press.

European Group on Tort Law. (2005). Principles of European tort law: Text and commentary. Springer.

Glannon, J. W. (2015). The law of torts (5th ed.). Wolters Kluwer.

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Hylton, K. N. (2016). *Tort Law: A Modern Perspective (ebook)*. Cambridge University Press. https://doi.org/10.1017/CBO9781316408902

Martin-Casals, M. (2019). The borderlines of tort law: Interactions with contract law. Intersentia.

McCamus, J. (2020). The Law of Restitution *(ebook)*. In *Books*. https://digitalcommons.osgoode.yorku.ca/faculty_books/392

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Shircore, M., Allison, S., Allcock, M., & Bunn, A. (2025). *Tort Law Principles (eBook)*. Thomson Reuters . https://store.thomsonreuters.com.au/tort-law-principles-third-edition-ebook/productdetail/131751

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Virgo, G. (2006). The Principles of the Law of Restitution. In *The Principles of the Law of Restitution (ebook)*. Oxford University Press. https://doi.org/10.1093/ACPROF:OSO/9780199298501.001.0001

Weinrib, E. J. (2019). *Tort Law Routledge Book*. Routledge Book *(ebook)*. https://www.routledge.com/Tort-Law/Weinrib/p/book/9781138721586

Winiger, B., Koziol, H., Koch, B. A., & Zimmermann, R. (Eds.). (2011). Essential cases on damage. de Gruyter.

Wong Yue Shun, B. (2026). *Moral Debt: Defending a New Account of Reparative Justice (ebook)* . Routledge. https://www.routledge.com/Moral-Debt-Defending-a-New-Account-of-Reparative-Justice/WongYueShun/p/book/9781041080718

- Databases

Westlaw UK Academic	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**

HeinOnline Academic Core and Kluwer Law International Journal Library	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Beck-online PREMIUM	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
O.U.P Oxford Public International Law	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
O.U.P Max Planck Encyclopedia of Comparative Constitutional Law	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Dalloz.fr	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
JURIS Zusatzmodul Hochschulen, BGB Staudinger Online	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Kluwer Law Online (30 journals)	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
IAReporter. Investment Arbitration Report	**https://law.auth.gr/en/subscription-to-electronic-databases-2/**
Cambridge Core (Law)	**https://www.cambridge.org/core/browse-subjects/law**
EBSCO	**https://research.ebsco.com/c/quc7ji/search/advanced/filters?autocorrect=y&isDashboardExpanded=true**
ProQuest Central	**https://www.proquest.com/central/topicpaths/AbiGlobal_business/0?accountid=8359#0**
Springer link	**https://link.springer.com/**
Taylor & Francis e-books	**https://www.taylorfrancis.com/search?subject=SCLW**
Taylor & Francis e-journals	**https://www.tandfonline.com/subjects/law**
The Making of Modern Law: Legal Treatises 1800-1926 (Gale)	**https://go.gale.com/ps/start.do?p=MOML&u=arist&cookieConsent=true&analyticsOptout=false&aty=ip**
Wiley online Library	**https://onlinelibrary.wiley.com/action/showPublications?startPage=&ConceptID=85**