

## Incoming student mobility

**Name of UNIOS University Unit: Faculty of Law**

### **COURSES OFFERED IN FOREIGN LANGUAGE FOR ERASMUS+ INDIVIDUAL INCOMING STUDENTS**

| General information COURSES OFFERED IN FOREIGN LANGUAGE FACULTY OF LAW OSIJEK |                                                                               |        |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|--------|
| Lecturer                                                                      | Nikol Žiha, PhD, Associate Professor; Marko Sukačić, PhD, Assistant Professor |        |
| Course                                                                        | <b>EUROPEAN LEGAL TRADITION</b>                                               |        |
| Study programme                                                               | Erasmus                                                                       |        |
| ETCS and teaching                                                             | ECTS                                                                          | 6      |
|                                                                               | Hours weekly (L+P+S)                                                          | 30+0+0 |

| 1. COURSE DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                 |                                                                                                         |
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| <i>1.1. Course objectives</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                 |                                                                                                         |
| <p>The aim of this course is to give students a historical, legal, cultural and comparative knowledge necessary for scientific and critical evaluation of the structure and function of European private law systems and the causes and consequences of their similarities and differences, unification and diversification. The course provides an introduction to the development, principles, institutions and rules of <i>ius commune</i>, as a legal system that was source of law in almost entire Europe in the medieval and early modern times formed through the reception of Roman Law as a positive law and its integration with the certain elements of canon law and customary laws, by the adjustment of these rules to the needs of life and legal practice. This course should enable students to acquire knowledge about the evolution of European private law science and the development of European legal systems, to distinguish basic legal system: <i>ius commune</i>, common law and mixed legal systems, get to know and understand the basic European Civil Codes, as well as critically analyse existing solutions in private law systems and basic principles of a common European legal culture.</p> |                                                                                                 |                                                                                                         |
| <i>1.2. Prerequisites for enrolment</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                 |                                                                                                         |
| There are no special requirements for enrolling in the course.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                 |                                                                                                         |
| <i>1.3. Learning outcomes:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                 |                                                                                                         |
| <ol style="list-style-type: none"> <li>1. define the conceptual determinants of legal culture</li> <li>2. analyse the foundations of the European private law tradition</li> <li>3. connect the institutes of Roman legal tradition with the historical and contemporary legal instruments</li> <li>4. evaluate the influence of the Roman legal tradition as the basis of the European private law tradition</li> <li>5. critically evaluate the structures and functions of contemporary European law</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                 |                                                                                                         |
| <i>1.4. Course description</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                 |                                                                                                         |
| <ol style="list-style-type: none"> <li>1. Foundations of the European private law tradition.</li> <li>2. <i>Ius commune</i> and European civil codes.</li> <li>3. European private law tradition and the Croatian legal system.</li> <li>4. <i>Ius commune</i> and Common Law – private law aspects; Roman legal tradition and English private law; mixed legal systems; <i>ius commune</i> as a source of contemporary positive law in the English legal system and European mixed legal systems (Scotland, Malta, Channel Islands, etc.).</li> <li>5. <i>Ius commune</i> and European private law: <i>ius commune</i> as the basis of contemporary European private law culture; the role of the European private law tradition in the creation of the European legal system; Roman legal principles and principles of common law (<i>ius commune</i>) in decisions of EU judicial bodies.</li> </ol>                                                                                                                                                                                                                                                                                                                           |                                                                                                 |                                                                                                         |
| <i>1.5. Course organisation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Lectures<br><input type="checkbox"/> seminars and workshops | <input checked="" type="checkbox"/> individual tasks<br><input type="checkbox"/> multimedia and network |

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| 1.6. Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| 1.7. Student's obligations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Students are required to actively participate in a minimum of 70% of classes, write a critical essay and prepare an oral presentation and discussion on the research subject.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| 1.8. Monitoring student's work                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Attendance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1    | Active participation  | 1                                   | Seminar                                                                                                                            |        | Experimental work                                                                                                      |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Written exam                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      | Oral exam             | 2                                   | Essay                                                                                                                              | 2      | Research                                                                                                               |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |      | Continuous assessment |                                     | Report                                                                                                                             |        | Practical work                                                                                                         |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Portfolio                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |      |                       |                                     | Presentation                                                                                                                       |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| 1.9. Evaluation and assessment of student's work during the course and on the final exam                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| <table border="1"> <thead> <tr> <th rowspan="2">STUDENT ACTIVITY *</th> <th rowspan="2">ECTS</th> <th rowspan="2">LEARNING OUTCOME **</th> <th rowspan="2">TEACHING METHOD</th> <th rowspan="2">EVALUATION METHOD</th> <th colspan="2">POINTS</th> </tr> <tr> <th>min</th> <th>max</th> </tr> </thead> <tbody> <tr> <td>Attendance</td> <td>1</td> <td>1-5</td> <td>Class attendance min. 70%</td> <td>Written records</td> <td>5</td> <td>10</td> </tr> <tr> <td>Active participation</td> <td>1</td> <td>1-5</td> <td>Participation in the discussion</td> <td>Assessing the quality of the discussion</td> <td>5</td> <td>10</td> </tr> <tr> <td>Oral exam</td> <td>2</td> <td>1-5</td> <td>Oral examination</td> <td>Oral exam</td> <td>25</td> <td>40</td> </tr> <tr> <td>Essay</td> <td>2</td> <td>1-5</td> <td>Writing an essay of an agreed topic</td> <td>Assessment of the quality of written work</td> <td>25</td> <td>40</td> </tr> <tr> <td>Total</td> <td>6</td> <td></td> <td></td> <td></td> <td>60</td> <td>100</td> </tr> </tbody> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  | STUDENT ACTIVITY * | ECTS | LEARNING OUTCOME ** | TEACHING METHOD | EVALUATION METHOD | POINTS |  | min | max | Attendance | 1 | 1-5 | Class attendance min. 70% | Written records | 5 | 10 | Active participation | 1 | 1-5 | Participation in the discussion | Assessing the quality of the discussion | 5 | 10 | Oral exam | 2 | 1-5 | Oral examination | Oral exam | 25 | 40 | Essay | 2 | 1-5 | Writing an essay of an agreed topic | Assessment of the quality of written work | 25 | 40 | Total | 6 |  |  |  | 60 | 100 |
| STUDENT ACTIVITY *                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ECTS | LEARNING OUTCOME **   | TEACHING METHOD                     | EVALUATION METHOD                                                                                                                  | POINTS |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |      |                       |                                     |                                                                                                                                    | min    | max                                                                                                                    |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Attendance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1    | 1-5                   | Class attendance min. 70%           | Written records                                                                                                                    | 5      | 10                                                                                                                     |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Active participation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1    | 1-5                   | Participation in the discussion     | Assessing the quality of the discussion                                                                                            | 5      | 10                                                                                                                     |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Oral exam                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2    | 1-5                   | Oral examination                    | Oral exam                                                                                                                          | 25     | 40                                                                                                                     |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Essay                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2    | 1-5                   | Writing an essay of an agreed topic | Assessment of the quality of written work                                                                                          | 25     | 40                                                                                                                     |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| Total                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 6    |                       |                                     |                                                                                                                                    | 60     | 100                                                                                                                    |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| 1.10. Mandatory reading (in the moment of study programme draft application)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| 1. Stein, P. Roman Law in European History, Cambridge University Press, 1999                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| 1.11. Recommended reading (in the moment of study programme draft application)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |
| <ol style="list-style-type: none"> <li>1. Smits J., The Making of European Private Law. Towards a <i>Ius Commune Europaeum</i> as a Mixed Legal System, Antwerpen/Oxford/New York 2002 (selected chapters).</li> <li>2. Van Caenegem, R. C., European Law in the Past and the Future: Unity and Diversity Over Two Millennia, Cambridge University Press, 2002</li> <li>3. Knütel, R., <i>Ius commune und römisches Recht vor Gerichten der Europäischen Union</i>, Juristische Schulung, 1996</li> <li>4. Zimmermann R., Roman Law, Contemporary Law, European Law. The Civilian Tradition Today, Oxford, 2001</li> <li>5. Koschaker P., Europa und das römische Recht, München/Berlin, 1966</li> <li>6. Wieacker F., Privatrechtsgeschichte der Neuzeit, Göttingen, 1996</li> <li>7. Evans-Jones, R., Roman Law in Britain, in: Manthe, Krampe (eds.), <i>Quaestiones Iuris. Festschrift für J. G. Wolf</i>, Berlin, 2000</li> <li>8. Zimmermann, R., Roman Law and the Harmonisation of Private Law in Europe, in: Hartkamp, Hesselink et al. (eds.), <i>Towards a European Civil Code</i>, 2004</li> <li>9. Knütel, R., Rechtseinheit in Europa und römisches Recht, <i>Zeitschrift für Europäisches Privatrecht</i> (1994), 244 sqq</li> <li>10. Labruna, L., <i>Ius europaeum commune. Matrici romanistiche del diritto attuale</i>, Napoli, 1999</li> <li>11. Hamza, G., Die Entwicklung des Privatrechts auf römischrechtlicher Grundlage, Budapest, 2003</li> <li>12. Zimmermann, R., The Law of Obligations, Roman Foundations of the Civilian Tradition, University Press, Oxford, 1996. (selected chapters)</li> </ol> |      |                       |                                     |                                                                                                                                    |        |                                                                                                                        |  |                    |      |                     |                 |                   |        |  |     |     |            |   |     |                           |                 |   |    |                      |   |     |                                 |                                         |   |    |           |   |     |                  |           |    |    |       |   |     |                                     |                                           |    |    |       |   |  |  |  |    |     |

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| <i>1.12. Method of monitoring the quality which enables acquisition of knowledge, skills and competences</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| In the phase of the curriculum preparation, the quality is monitored through the comparison with similar programs conducted at other faculties. In the implementation phase, the quality is controlled with the monitoring the attendance, the constant communication with students (both in person and via e-mail) and with the anonymous survey, which will be conducted at the end of the course to examine what learning outcomes have been achieved and to what extent (collected results are taken into account for possible changes in the curriculum and in teaching methods). After the end of the course, the quality is controlled with the university survey. |