

INTERNATIONAL UNIVERSITY OF SARAJEVO

FACULTY OF LAW

UNDERGRADUATE COURSE DESCRIPTIONS

LAW110, Introduction to Law I

ECTS 6

This is a required course designed to provide students with general introduction to the legal system and legal education, including the different sources of law, philosophy of law, and the various branches of law from administrative law through constitutional law, contracts, criminal law, civil law, criminal and civil procedural law, European law, family law, to human rights.

LAW102, Introduction to Law II

ECTS 6

This required course complements, completes, and reinforces the instructional materials in LAW 101, Introduction to Law I.

LAW103, Civil Law I

ECTS 5

This is a required course designed to introduce students to the history and analysis of the civil law tradition, including the factors that distinguishes it from its sister common-law tradition, sources of civil law, interpretation of statutes under this tradition, legal process and legal categories, and the future of this legal tradition, among other relevant topics.

LAW104, Civil Law II

ECTS 5

This required course complements, completes, and reinforces the instructional materials in LAW 103, Civil Law I.

LAW105, Legal Systems

ECTS 4

This is a required course designed to introduce students to comparative legal systems, including the concept, history, functions, and methods of comparative law, along with the various legal families of the world, namely: Roman, German, Anglo-American, Nordic, Chinese, Japanese, as well as religious systems like Islamic Law and Hindu Law.

LAW106, Roman Law

ECTS 4

This is a required course designed to expose students to Roman private law and civil procedure, including the Roman legal system, law of persons, law of property and inheritance, law of obligations, and future prospects for Roman Law as an academic field of study.

LAW117, Constitutional Law I

ECTS 6

This is a required course designed to expose students to the key concepts, debates, issues, and related intricacies of constitutional law, from a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. Topics covered in the course include constitutional design and redesign, constitutional identity, constitutional structure, individual rights and state duties, as well as court and constitutional interpretation.

LAW118, Constitutional Law II

ECTS 6

This required course complements, completes, and reinforces the instructional materials in LAW 107, Constitutional Law I.

LAW201, Administrative Law I

ECTS 5

This is a required course designed to expose students to the key concepts, debates, issues, and related intricacies of administrative law, from a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. Topics covered in the course include the influence of administrative law on constitutional law, administrative independence, nature and limits of judicial review of administrative action, as well as the influence of privatization and supranational institutions on administrative law and behavior, among other salient issues.

Prerequisites: LAW110 and LAW120

LAW202, Administrative Law II

ECTS 5

This required course complements, completes, and reinforces the instructional materials in LAW 201, Administrative Law I.

LAW203, Contract Law I

ECTS 5

This is a required course aimed at introducing students to the intricacies of contract law, including formation; content, interpretation, performance, and breach; enforcement of contractual obligations; and methods of policing the making of a contract.

LAW204, Contract Law II

ECTS 5

This required course complements, completes, and reinforces the instructional materials in LAW 203, Contract Law I.

LAW205, Criminal Law I

ECTS 6

This is a required course designed to expose students to the intricacies of criminal law in Bosnia and Herzegovina, including an overview of the legal system; the distinction between civil and criminal law; purposes of punishment; constitutional protections; elements of crime; criminal defenses; parties to a

crime; inchoate offenses; criminal homicide; sex offenses, and crimes involving force, fear, and physical restraint; crimes against property; crimes against the public; and crimes against the government.

LAW206, Criminal Law II **ECTS 6**

This required course complements, completes, and reinforces the instructional materials in LAW 206, Criminal Law I.

LAW207, Public International Law **ECTS 4**

This is a required course designed to expose students to the intricacies of international public law, including the sources of this law, the relationship between municipal and international law, personality and recognition, territorial sovereignty, law of the sea, common amenities and cooperation in the use of resources, state jurisdiction, rules of attribution, law of state responsibility, protection of individuals and groups, international transactions, transmission of rights and duties, international organizations and tribunals, and the use or threat of force by states in inter-state relations.

LAW218, Legal Writing and Drafting **ECTS 3**

This is a required course designed to expose students to the intricacies of legal writing and drafting, including best practices in legal drafting and writing, the movement toward plain or modern English in legal drafting, the many benefits of drafting legal documents in plain English, pitfalls to avoid in drafting modern documents, and judicial interpretation of legal documents, among other salient topics.

LAW219, General Theory of State **ECTS 4**

Based on the thoughts of and classic work on this topic by the Austrian jurst Hans Kelsen (1881-1973), this required course in legal jurisprudence (philosophy of law), exposes students to the theory of the law and its intersection with the state, including the concept of law, tort law, legal duty, legal responsibility, legal right, legal competence or capacity, imputation, the legal person, the legal order, hierarchy of norms, normative and sociological jurisprudence, connection between law and the state, elements of the state, separation of powers, centralization and decentralization as tools of power devolution in a democratic system, the relationship between national and international law, and the relationship between natural law and positive law.

LAW210, Business Law **ECTS 5**

This is a required course designed to expose students to the intricacies of business law, known alternately as company law in the U.K. or business association in the U.S. Topics covered in the course include how to start a company, corporate governance, modalities of articles of association, the power to represent the company, shares, maintaining capital and managing the company, director's duties, shareholders' remedies, lending money and securing loans, company reorganizations (such as takeovers and amalgamations), insolvency, and multinational companies.

LAW240, Legal History of Balkans

ECTS 6

This is an elective course designed to immerse students in the general history of the Balkan Peninsula from the sixteenth century to the present day, including patterns of perception until 1900, the invention and classification of the region, and political factors embedded in that invention and classification, among other salient issues.

LAW241, Administrative Procedure Law

ECTS 6

This is an elective course designed to introduce students to the intricacies of administrative procedure law, including administrative law practice; rulemaking; adjudication; choice of procedures and non-legislative rules; reviewability; agency structure; inspections, reports, and subpoenas; public access to agency processes, and attorney fees.

LAW242, Law and Literature

ECTS 6

This is an elective course designed to explore the relationship between law and literature, particularly the use of literature as a way to think about the law, including an analysis of various ways through which literature might help the law, and legal regulation of literature.

LAW243, Constitutional Judiciary

ECTS 6

An independent and impartial judiciary is key to the existence and maintenance of a liberal democracy. Consequently, this elective course is designed to expose students to the key concepts, debates, and issues relating to constitutional judiciary, from a comparative legal perspective, complemented importantly with instructional materials from Bosnia and Herzegovina. This course will explore four interlinked issues relating to the courts in three key states, each set within the context of the importance of maintaining public confidence in the judiciary. These four issues are: the appointment and discipline of judges, freedom of speech as it relates to judges, performance of non-judicial functions by judges, and judicial bias and recusal. Because of time constraints, our focus will be limited to three key states—the United Kingdom, the United States, and South Africa—that we compare and contrast with Bosnia and Herzegovina.

LAW244, Sociology of Law

ECTS 6

This is an elective course designed to introduce students to the scholarly literature in this field, including foundational works on law and society, the sociological movement in law, the Marxian perspective, the Weberian perspective, the Durkheimian perspective, structural-functional theory, conflict theory, critical legal studies, and an examination of the future prospects of sociology of law as an academic field of study.

LAW245, Environmental Law

ECTS 6

This is an elective course designed to introduce students to the intricacies of environmental law and policy, defined as the intersections of nature, law, and society, including basic themes of the field,

influence of the law in environmental protection, structural elements of the regulatory state, taxonomy of legal approaches to environmental protection, and overarching legal perspectives bearing on the subject area, such as environmental criminal law, and international and comparative environmental law.

LAW246, Election Law

ECTS 6

This is an elective course designed to expose students to the key concepts, debates, and issues relating to election law, using a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. Election law is a field concerned with "the politics of law and the law of politics." Consequently, various issues in the intersection between constitutional law and political science the course covers include: the right to vote, election administration, the behavior of major and minor political parties and candidates in the pursuit of electoral glories, campaigns and electioneering, bribery, rules relating to campaign financing, and public financing.

LAW247, Human Rights

ECTS 6

This is an elective course designed to expose students to the various means through which they can, as lawyers and ordinary citizens, help promote and protect human rights in the modern era. Topics covered in the course will include but are not limited to: various generations in the definition of human rights; introduction of human rights in international relations, the politics of liberalism in a realist world and its ramifications for human rights protection, establishment of global human rights standards and progress at applying human rights at this level, regional protection of human rights, the relativity-universality argument relating to human rights practice, the law and politics of transitional justice, application of human rights in foreign policies, and the role of transnational organizations in promoting and protecting human rights.

LAW249, Legal Cultures

ECTS 6

This is an elective course designed to immerse students in the legal traditions of the world, "the changing presence of the past" that one popular text in the field denominated "sustainable diversity in law," including the civil law tradition, the common law tradition, the chthonic legal tradition, the Talmudic legal tradition, the Islamic legal tradition, the Hindu legal tradition, and the Confucian legal tradition.

LAW301, Property Law I

ECTS 5

This is a required course designed to expose students to the intricacies of property law, including conceptual issues (such as the definition of property and the jurisprudential foundations of property law), intellectual property and other personal property rules, history of the estate in land system, present estates, concurrent ownership, marital property, future interests, landlord-tenant law, sales contract, the mortgage, the deed, fundamentals of land title, adverse possession, transfer of property at death, nuisance, trespass, easements, real covenants, equitable servitudes, common interest communities, zoning, eminent domain, as well as land use regulation and the takings clause.

LAW302, Property Law II

ECTS 5

This required course complements, completes, and reinforces the instructional materials in LAW301, Property Law I.

LAW303, EU Public Law

ECTS 5

This is a required course designed to expose students to the intricacies of the public law of the European Union, including institutional, constitutional, and administrative matters bearing on this law.

LAW310, Intellectual Property Law

ECTS 4

This is a required course designed to expose students to the intricacies of intellectual property law, including patents, trademarks, copyrights, the intersection between protection of intellectual property rights at the national and international levels, as well as the use of lawsuits as tool for asserting and protecting intellectual property rights.

LAW305, Philosophy of Law

ECTS 6

This is a required course for introduction and understanding of issues of law studies. Aim of this course is to provide a ground for understanding the basic concepts of philosophy of law, develop ability of critical thinking by students, provide elementary information about the basic branches in the philosophy of law and enable students to understand the political doctrines in connection with law and legal disciplines.

LAW316, Insurance and Social Security Law

ECTS 4

This is a required course designed to expose students with the key concepts, debates, issues, and related intricacies of constitutional law, from a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. This course comprises three interrelated parts: nature, sources, and examples of insurance law; economic and comparative analyses on the intersections of social security and tort law; and case studies on the intersections of social security law and tort law.

LAW308, Tax Law

ECTS 3

This is an elective course designed to introduce students to rules and regulations relating to the income tax. The main focus should be on Bosnia and Herzegovina. Drawing on examples from the United States, topics to be covered in the course will include income, deductions, attribution of income, tax accounting, issues relating to recognizing gains and losses (e.g., transactions in mortgaged property, and deferred payment transactions), and capital gains and losses.

LAW309, Labor Law

ECTS 5

This is a required course designed to expose students to the key concepts, debates, issues, and related intricacies of labor law, from a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. Topics covered in the course will include but are not limited to, labor relations regimes of the past (historical perspectives), changing nature of employment, evolving dynamics of the digital workplace, implications of digital work structures for labor law, changing nature of employment discrimination, the crisis in benefits and the collapse of the private welfare state, and social justice in the digital age.

LAW340, Juvenile Law

ECTS 6

Minors (i.e., persons below 18 years in many jurisdictions) deserve special protection by the judicial system regarding best practices in criminal justice procedures for juvenile offenders that is not fully appreciated in many systems, including Bosnia and Herzegovina. Accordingly, this elective course aims at equipping students with the tool-kit of fundamental determinants of juvenile justice, specifically the rights of the child in international law. Topics to be covered in the course include: background history on the international law on the rights of the child, definition and status of the child in international law, the right of the child to education and to protection against exploitation, the place of the family with respect to the right of the child in international law, the right of children to preserve their identities, the right of the child to freedom of expression, the right of the child to speech and religious freedom, administration of juvenile justice and responsibility of the state to prevent juvenile delinquency, remedies for children deprived of their liberty, the right of children in armed conflict, the right of children with special needs, and the obligation of the state to implement the international rights of the child, to name these issues.

LAW317, EU Administrative Law

ECTS 6

This is an elective course designed to expose students to the basics of the administrative law of the European Union, including constitutional framework; organizational structures, procedures, and methods; form and effect of administrative acts; enforcement and supervision of administrative action; and future prospects regarding the development of this law and its academic study.

LAW341, Diplomatic and Consular Law

ECTS 6

The is an elective course designed to expose students to the basics of diplomatic and consular law, including conceptual issues relating to the subject matter, key U.N. instruments on diplomatic and consular law, acquisition and termination of consular status, consular functions, privileges and immunities of consular workers, honorary consuls, the nature of consular work in the U.N., and the role of consular services in a country's diplomatic corps.

LAW333, Tort Law

ECTS 5

The is a required course designed to expose students to the intricacies of tort law, the branch of legal science that protects people from the wrongful act of others that result in injury for which the

perpetrator (called tortfeasor) is liable where a complainant established damage tied to the injury. Topics to be covered in the course will include negligence, liability for dangerous premises and land, common law cause of action for breach of statutory duty, vicarious liability, product liability, trespass torts, nuisance and related torts, defamation and protection of privacy, remedies, and general defenses available in tort actions.

LAW342, Forensic Medicine

ECTS 6

This is an elective course designed to expose students to the intricacies of legal medicine over and above the levels in LAW 205, Criminal Law I, and LAW 206, Criminal Law II. Topics covered will include but are not limited to, the role of legal medicine in healthcare administration, medical tourism, medical malpractice liability, informed consent, ethics, and issues relating to end of life and inheritance, along with comparative case studies, especially of states in the Balkan region.

LAW318, Conflicts and Conflict Resolution

ECTS 6

This is an elective course designed to expose students to the intricacies of conflicts and conflict resolution, including conflict analysis and resolution as a multidiscipline, competing theories of conflicts, the role of identity in conflicts, and perceptions of the enemy and the innocent in violent conflicts, among other issues. A highly recommended reading in this course is John G. Stoessinger, *Why Nations Go to War*, 11th ed. (Cengage Learning, 2010).

LAW319, International Criminal Law

ECTS 6

This is an elective course designed to expose students to the intricacies of international criminal law, including the scope and boundaries of the field, subjects of international criminal law (*ratione personae*), international crimes (*ratione materiae*), principles of criminal responsibility, history of international criminal investigations and prosecutions (the “direct enforcement system”), modalities of international cooperation in penal matters (the “indirect enforcement system”), the International Criminal Court (a hybrid “direct enforcement system”), mixed model of international criminal justice, procedural and evidentiary norms applicable to international criminal proceedings, international criminal justice in the age of globalization, and historical review and quantitative analysis of international criminal justice, among other salient issues.

LAW320, Collective Labor Law

ECTS 6

This is an elective course designed to expose students to the key concepts, debates, and issues relating to collective labor law, from a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. Multiple topics cutting across methodology, actors, sources of regulation, and international developments and comparative studies this course covers, include: comparativism in labor law and industrial relations; sources and documentation in comparative labor law; national, regional, and international employers' organizations; national trade movements versus the international trade union movement; international labor law; employment law in the European Union; codes of conduct for multinational enterprises; conflict of laws in employment

contracts and industrial relations; protection of migrant workers in an era of globalization; and working conditions under conditions of globalization. Others are: promoting equal employment opportunities and minimizing employment discrimination; employment privacy; international challenges relating to collective bargaining; the laws of strikes and lockouts; and settlement of disputes over rights as well as over interest.

LAW410, Commercial Law I

ECTS 4

This is a required course design to expose students to the general principles and doctrines of commercial law, including the legal environment, contracts, the intersections of agency and employment law, negotiable instruments, as well as issues relating to business organization and to property and consumer law, among other salient topics.

LAW402, Commercial Law II (Exchange Papers)

ECTS 4

This required course complements, completes, and reinforces the instructional materials in LAW 401, Commercial Law I, including exchange papers regulated by legislation in comparative law.

LAW403, Private International Law

ECTS 6

This is a required course designed to expose students to the general principles and doctrines of private international law, including conceptual and background issues related to the field, the scope and limits of jurisdiction, recognition and enforcement of foreign judgments, enforcement of foreign arbitral awards, law of obligations, ramifications of family law, and issues relating to property law.

LAW416, Inheritance Law

ECTS 4

This is a required course designed to expose students to the principles and doctrines of inheritance law, known in some other legal systems, as the law of wills, trust, and estate, including intestate succession; requirements for a valid will; estate administration; non-probate transfers; creating, administering, and enforcing trusts; and miscellaneous estate planning concerns.

LAW405, Criminal Procedure Law

ECTS 4

This is a required course designed to expose students to the fundamentals of criminal procedure law, including an introduction to the legal system; parties involved in criminal procedure (e.g., victims, law enforcement officers, prosecutors, defense attorneys, and judges); constitutional aspects of criminal procedure; searches, seizures, and arrests; interrogation and other law enforcement practices; the pretrial process; trial; and sentencing and appeal.

LAW406, Execution and Bankruptcy Law

ECTS 6

This is a required course designed to expose students to basic principles and practices of bankruptcy, with specific reference to Bosnia and Herzegovina, including the intricacies of debt collection with respect to bankruptcy, conditions for invoking bankruptcy relief, property of the estate, automatic stay,

secured and unsecured claims, relief from stay and adequate protection, executory contracts avoiding powers, discharge, exemptions, reorganization, jurisdiction and procedure, and the peculiarities of transnational bankruptcy.

LAW407, Civil Procedure Law

ECTS 6

This is a required course designed to expose students to the fundamentals of civil procedure law, including the elements of the litigation process, approaches to litigation, role of the various parties (counsel for the two sides, experts, witnesses, and judges) in the process, recourse against judgments, and prospects for the future in this field based on proposals for procedural reforms.

LAW408, Criminal Procedure Law II

ECTS 4

This required course complements, completes, and reinforces the instructional materials in LAW405, Criminal Procedure Law I.

LAW409, EU Private Law

ECTS 4

This is a required course designed to acquaint students with the fundamentals of EU private law, including theoretical/doctrinal undercurrents, political foundations of EU private law, structure of the genre, as well as enforcement and compliance.

LAW448, Inspection Law

ECTS 6

This is an elective course designed to expose students to the key concepts, debates, and issues related to regulatory inspection and the role of inspection law in protecting the health, safety, and well-being of workers in market economies, from a comparative legal perspective, complemented as much as possible with instructional materials from Bosnia and Herzegovina. To lend legal doctrines complementary concrete anchor, the course is based on a case study of five states—Australia, Canada, France, Sweden, and the United Kingdom—that it juxtaposes with Bosnia and Herzegovina.

LAW417, International Commercial Law

ECTS 6

This is an elective course designed to acquaint students with the basic principles and doctrines of international commercial law, including conceptual issues bearing on the field, state responsibility and environmental protections, settlement of dispute, multinational enterprises, foreign investment, money and banking, trade in goods, services and labor, intellectual property, sales, transportation, and financing.

LAW444, Transitional Justice

ECTS 6

Transition justice is a field of academic study that focuses on mechanisms developed to uncover crimes of the past, and to find ways to deal with them in the present. Bearing this reality in mind, topics covered in this elective course will include but are not limited to: the rule of law in transition, criminal justice, historical justice, reparatory justice, administrative justice, and constitutional justice.

LAW418, Consumer Protection Law

ECTS 6

This is an elective course designed to lead students to explore the challenges of consumer protection in today's "information economy," including the meaning of consumer protection, and the difficult issue of striking a fair balance in international property law between innovators and consumers.

LAW445, International Trade Law

ECTS 6

This is an elective course designed to acquaint students with the basic principles, doctrines, and debates of international trade, including the argument for (and against) free trade, trade obligations in the domestic legal order, international trade regimes (e.g. WTO, GATT, TRIPS), rules relating to trade in goods, rules relating to trade in services, general exceptions and exemptions, foreign direct investment, anti-dumping rules, and export control, among other issues.

LAW419, Criminology

ECTS 6

This is an elective course designed to expose students to the fundamental principles and doctrines of criminology, both as a scientific field and a tool of law enforcement with possibility for career development. Topics to be covered in the course will include the sociology of criminality, psychological theories of criminality, the relationship between mental disorder (psychopathology) and criminality, influences of physical factors and genetics on criminality, and influences of biochemical factors and of the central and autonomous nervous systems on criminality, among other salient matters

LAW446, Law of EU Internal Market

ECTS 6

This is an elective course designed to introduce students to the legal and regulatory framework of EU internal market, including the intricate components of that market, the common framework of the treaty freedoms, provisions relating to free movement of goods, provisions relating to union citizenship, provisions relating to free movement of workers, provisions relating to freedom of establishment, provisions relating to freedom to provide and receive services, and provisions relating to free movement of capital and payments.

LAW420, International Arbitration Law

ECTS 6

This is an elective course designed to acquaint students with the principles and doctrines of international arbitration law, including formation, signature, and interpretation of international arbitration agreements; issues relating to the enforcement of these agreements (e.g., confidentiality and transparency and choice of substantive law); issues relating to arbitration awards; and international instruments governing this subject area (e.g., the U.N. Convention on the Recognition and Enforcement of Foreign Arbitral Awards).

LAW447, Notary Law

ECTS 6

This is an elective course designed to introduce students to the concept, organization, functions, and responsibilities of a notary service, including: the nature of the notarial office and governing statutes,

notary qualifications and revocation, screening document signers, interstate recognition of notarial acts, civil and criminal liability for notarial misconduct, employer accountability for notary employees, ethical concerns, attorney liability for notary misconduct, recognition of foreign notarial acts, recognition of United States Notarial Acts in foreign countries, and the future of notaries and notary practice.

LAW442, Globalization and Global Governance

ECTS 6

This is an elective course designed to help students interrogate globalization and global governance in an attempt to achieve a better understanding of the phenomenon of global interdependence among states and peoples together with the ramifications for public policy domestically and internationally.

LAW449, Information Technology Law

ECTS 6

This is an elective course designed to expose students to the fundamentals of information technology law and the challenges of living in a world of the Internet and the Worldwide Web, including privacy, anonymity, and data protection; computer-related crimes and protection against these breaches; e-commerce; legal issues of the Internet (e.g., contractual liability for defective software, and securing liability for defamation over the Internet); and regulating the Internet.

LAW443, Legal Ethics

ECTS 6

This is a required course designed to expose students to the fundamentals of legal ethics, including ethical theories and the application of these theories, the social context of the legal profession, regulation of the legal profession, the lawyer-client relationship, confidentiality, conflicts of interests, issues relating to fees (e.g., hourly fees, contingency fees, and speculative fees), issues of negligence regarding legal representation, litigation, alternative dispute resolution, third parties, business ethics, lawyers' social responsibilities, and promoting diversity in the legal profession, among other salient topics.