

Program: Master Academic Studies –			
Course title: ORIENTAL LEGAL TRADITION			
Teachers: Prof. dr Vojislav Stanimirović			
Course status: optional			
Number of ECTS: 10			
Requirements: /			
Aims of the course: Developing critical thinking about Legal History and its phenomena. Understanding the nature of different legal institutions and their genesis.			
Course result: Acquiring knowledge about key legal and historical aspects of oriental legal systems.			
Course content: Studying oriental legal tradition – from Mesopotamia and Egypt to contemporary Sharia law. Learning about: role and importance of righteousness and cosmical justice; Hydraulic civilizations – Orient as the cradle of the idea of statehood; the first concept of state; Egypt and Mesopotamia – static, conservative law vs. law which was in constant transition, outdated mildness vs. advanced severity; cuneiform law (the content of the codes, the influence they had on each other, their importance for the world legal heritage, novelties and legal transplants, relations between customs and written law); law and religion – syncretism of the two sources of power in Orient; law and justice in the service of social politics – protection of the weaker side in oriental legal systems; influence on Jewish law, old Testament and Talmud; Hellenistic period and law – the first meeting point of Europe and Orient, clash of their cultures and overcoming the differences by legal means; Sharia law from Arabs and Ottomans; new contact between “the People of the Book”; old and new in Sharia law – limitations imposed by religion on one side and demands of modern life on the other; oriental and western legal tradition in XX and XXI century and the influence they have on each other, the possibility of dialogue and coexistence; personality vs. territorial principle; boundaries of human rights.			
Literature: <ol style="list-style-type: none"> 1. Driver G. R. and Miles John C., <i>The Babylonian Laws</i>, vol. I – II, Oxford, 1955. 2. Cardascia Guillaume, <i>Les lois assyriennes</i>, Paris, 1969. 3. Roth T. Martha, <i>Law Collections from Mesopotamia and Asia Minor</i>, Atlanta, 1997. 4. Wael B. Hallaq, <i>Authority, Continuity, and Change in Islamic World</i>, Cambridge, 2001. 5. Sami Zubaida, <i>Law and Power in the Islamic World</i>, London, 2003. 6. Levinson M. Barnard, <i>Theory and Method in Biblical and Cuneiform Law: Revision, Interpolation and Development</i>, sheffield, 2006. 7. VerSteege Russ, <i>Law in Ancient Egypt</i>, Durham, 2002. 8. VerSteege Russ, <i>Early Mesopotamian Law</i>, Durham, 2000. 9. Feldbrugge F. J. M., <i>The Law’s Beginnings</i>, Leiden, 2003. 10. Schacht Joseph, <i>An Introduction to Islamic Law</i>, Oxford, 1982. 11. Hecht N. S., Jackson B. S., Passamaneck S. M., Piattelli D., Rabello A. M. (eds.), <i>An Introduction to the History and Sources of Jewish Law</i>, Oxford, 2002. 12. Mallat Chibli, <i>Introduction to Middle Eastern Law</i>, Oxford, 2007. 13. Ел-Кардави, <i>Исламско право</i>, Сарајево, 1989. 14. Карчић Фикрет, <i>Хисторија шеријатског права</i>, Сарајево, 2005. 			
Number of lectures – active classes	Theoretical classes: 15	Practical classes :	
Instruction method: Lectures, consultations			
Grading system (maximum number of points 100)			
Pre-exam obligations	points	Final Exam	points
Activities during lectures	20	Written exam	
Activities during practical classes		Oral exam	60
Tests		
Seminar classes	20		