

Program: Master Academic Studies
Course title: HISTORY OF SERBIAN LAW
Teachers: Prof. Mirjana Stefanovski, PhD; Prof. Zoran S. Mirković, PhD; Assistant Professor Nina Krsljanin, PhD
Course status: mandatory – within the Legal-historical module, National history sub-module
Number of ECTS: 20
Requirements: /
Aims of the course: Development of critical thinking about legal-historical phenomena, gaining understanding of the nature of institutions and deepening of knowledge of genesis thereof.
Course result: Gaining knowledge of key legal-historical aspects of the history of Serbian law.
<p>Course content:</p> <p>I History of law in the Nemanjic state</p> <ul style="list-style-type: none"> · concepts of divine origin of public authority and of methods of ruling; · the status of the Church and relations between Church and state authority; · the dynastic principle, titles of rules and inheritance of throne; · class structure, immunities and the role of the assembly; · state administration (court offices, kefalia); · the judiciary (ecclesiastical court, jurisdiction of the state judiciary, jury); · conception of crime, concept of scienter, system of sanctions, <i>vrazhda</i>; · certain civil law concepts (dowry, inherited property, pronioia, sale and purchase, nomikoi certifications). <p>II State-building in the time of <i>ustavobranitelji</i> [defenders of the constitution]</p> <ul style="list-style-type: none"> · the role of the State Council in limiting the power of the prince; · enactment of basic laws – the Serbian Civil Code of 1844; · legal education; · the Law on National Parliament of 1858; <p>III Adoption of basic institutions of constitutional monarchy and parliamentary system</p> <ul style="list-style-type: none"> · Constitution of 1869 (deliberations within the Nikoljski committee on the upper chamber, the mechanism of ministerial countersignature and the mechanism of criminal responsibility of ministers, voting rights and immunity of members of parliament, legislative powers of the Parliament and budgetary powers); · organization and programs of political parties, parliamentary practice and projects of constitutional reform of the seventies and eighties of the XIX century; · Constitution of 1888 (the proceedings of Constitution drafting committee, the proportional electoral system, the right of legislative initiative, political responsibility of the ministers and constitutional guarantees of political rights and freedoms). <p>IV The problem of constitutional arrangement of the Yugoslav state</p> <ul style="list-style-type: none"> · deliberations on federalism at the Corfu conference in 1917; · structuring of the state union under the temporary government according to the Geneva agreement of 1918; · the legal nature of the December First Unification Act; · projects of state organization encompassed in constitutional programs of political parties and in constitutional drafts.
<p>Literature:</p> <p>Recommended:</p> <p>T. Тарановски [T. Taranovski], <i>Историја српског права у Немањинској држави</i> [History of Serbian law in the Nemanjic state], vol. I – IV, Београд [Belgrade] 1996, (I-II, Београд [Belgrade] 1931; III-IV, Београд [Belgrade] 1935); С. Јовановић, [S. Jovanović], <i>Влада Милана Обреновића</i> [The Rule of Milan Obrenović] I-II, 1990 (<i>Сабрана дела</i> [Collected works], vol. 4-5) or Београд [Belgrade], 1926, 1927. (for students who opt for the course Constitutional history of Serbia 1869-1914: С. Јовановић [S. Jovanović], <i>Уставобранитељи и њихова влада (1838 – 1858)</i> [Constitution-defenders and their rule (1838-1858)], Београд [Belgrade] 1990 (<i>Сабрана дела</i> [Collected works] vol. 3) or editions Београд [Beograd], 1912, 1928, 1933, 1990; М. Стефановски [M. Stefanovski], <i>Идеја хрватског државног права и стварање Југославије</i> [The concept of Croatian state law and formation of Yugoslavia], Београд [Belgrade] 1995, 1998, 2008.</p>

Number of lectures – active classes				Other classes:
Theoretical classes: 30	Practical classes :	Other forms of class work:	Research study:	
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				