

Program: Undergraduate Academic Studies –
Course title: SERBIAN LEGAL HISTORY
Teachers: Prof. Mirjana Stefanovski, PhD, Prof. Zoran Mirković, PhD, Assistant Prof. Nina Kršljanin, PhD, Assistant Prof. Dalibor Đukić, PhD, Assistant Prof. Sanja Gligić, PhD, Assistant Prof. Dušan Rakitić, PhD
Course status: mandatory
Number of ECTS: 7
Requirements: /
Aims of the course: practical aims of studying national legal history encompass enabling historical interpretation of existing law, without which dogmatic interpretation would be futile; understanding of the legal – historical process; acquiring conscience of present-day acceptance of cultural values of the past; becoming acquainted with various sources of law that existed in the past and understanding their significance; augmentation of general legal education and development of critical thinking; adoption of older legal terminology as part of present day legal language treasure; understanding significance of legal culture and its influence on society, as well as of the reverse influence that society has on legal culture; gaining knowledge of best legal traditions from our past.
Course result: Gaining basic knowledge of legal historical aspects of Serbian legal history.
Course content: Part I The Middle Ages: I Settlement of South Slavs and their first state organizations (The earliest state entities of South Slavs; Raška and Doucla); II Our independent medieval states and their legal systems (Bosnia; Serbia; Dubrovnik and its law (VII-XIX c.); the development of towns on the Adriatic coast and of their legal systems); Serbia: sources of law, state organization, status law, civil, criminal and procedural law, Serbian Orthodox Church in the Middle Ages; Bosnia: the historical framework, sources of law, the Bosnian Church, state organization, status, civil, criminal and procedural law; Part II Serbs under foreign rule (Loss of independence due to fall under Ottoman rule, Serbian self-governing entities in the Ottoman state; the significance of migrations and life under the rule of the Austrian Empire; legal position of Serbs in the Habsburg Empire; Venetian rule in provinces along Adriatic coast); Part III Development of state and law in XIX and in the beginning of XX centuries: I Serbia from 1804 until 1914 (Formation of Serbian public authorities, status of Serbia according to public and public international law, constitutional, civil and criminal law, civil and criminal procedure, the judicial system); II Montenegro (Formation of public authorities, Principality of Montenegro, the Constitution of 1905, status in international relations, legislation, the judiciary); Part IV the Kingdom of Serbs, Croats and Slovenes – the Kingdom of Yugoslavia: I Formation of the first common South Slav state – the Kingdom of Serbs, Croats and Slovenes (Prelude to formation of the common state of South Slavs; certain elements of formation of the SHS Kingdom); Development of state and law in the interwar period (formation of the first government of the Kingdom of Serbs, Croats and Slovenes, the Temporary national representative body; the Constitution of the Kingdom of Serbs, Croats and Slovenes of 28 June 1921, i.e. the so-called Vidovdan Constitution; the crisis of parliamentarism in the SHS Kingdom and the 6 January Dictatorship; the Constitution of the Kingdom of Yugoslavia of 3 September 1931, the so-called September Constitution; six territories with different legal systems and unification of law, civil and criminal law, civil and criminal procedure, agrarian reform and agrarian regulations, labor law, the judiciary, jurisprudence and law schools).
Literature: Mandatory: Д. Јанковић [D. Janković], М. Мирковић [M. Mirković], <i>Државноправна историја Југославије</i> [History of state and law of Yugoslavia], Београд [Belgrade] (any edition); Д. Јевтић [D. Jevtić], Д. Поповић [D. Popović], <i>Народна правна историја</i> [National legal history], Београд [Belgrade] (any edition); Зоран С. Мирковић [Zoran S. Mirković], <i>Српска правна историја</i> [Serbian legal history], Београд [Belgrade] (any edition). Supplementary: Теодор Тарановски [Teodor Taranovski], <i>Историја српског права у Немањинској држави</i> [History of Serbian law in the Nemanjić state], vol. I <i>Историја државног права</i> [History of state law], Београд [Belgrade] 1931, (or Београд [Belgrade] 1996); Александар Соловјев [Aleksandar Solovjev], <i>Законодавство Стефана Душана цара Срба и Грка</i> [Legislation of Stefan Dusan, emperor of Serbs and Greeks], Скопље [Skoplje] 1928 (Београд [Belgrade] 1998); Слободан Јовановић [Slobodan Jovanović], <i>Уставобранитељи и њихова влада (1838 – 1858)</i> [Defenders of the constitution and their rule (1838-1858)], Београд [Belgrade] 1912 (or editions of 1928, 1933, 1990 – III vol. of <i>Сабрана дела</i> [Collected works]).

Number of lectures – active classes	Theoretical classes: 45	Practical classes : 30	
Instruction method: lectures and practical classes			
Grading system (maximum number of points 100)			
Pre-exam obligations	points	Final Exam	points
Activities during lectures	10		30
Advanced study group	20		
Activities during practical classes	10		
Tests	10		
Successfully defended seminar papers	10		
Other activities subject to assessment of the examiner	10		