

European Law School

First year courses

Bachelor European Law School English Language Track year 1 compulsory courses

Faculty of Law

An Introduction to Law

Full course description

Subjects covered in the course: Foundations of Law, Sources of Law, Basic Legal Concepts, Property Law, Contracts, Tort Law, Criminal law, Human Rights, International law, Law of Europe, Administrative law, Tax law, Constitutional law, Procedural law, Philosophy of law.

Course objectives

This is an introductory course to legal studies. It has a broad spectrum of 15 subjects that aims at teaching the fundamental concepts of the main disciplines of law. Having completed this course successfully, the student will be acquainted with many of the subjects they will encounter during their bachelor legal programs. Moreover, she will have exercised several skills, including critical reflection, legal reasoning, reading sources of law, solving cases, and communicating about the outcomes.

Recommended reading

The course uses a book written by the Faculty of Law at Maastricht University called

- 'Introduction to Law' and published by Springer.

Information on how to purchase a copy is made available during the Faculty introduction and in the first week of the course.

PRI1002

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

[A.M. Waltermann](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

Crimes, Democracy, Legal Validity, Obligations, Powers, Rights, rule of law, States

Faculty of Law

Skills: Legal Research and Reasoning

Full course description

The course Skills: Legal Research and legal reasoning is part of the ELS Skills Track, together with Skills: Comparative Law and Legal Translation and Skills: Academic Legal Writing (year 2). The primary aim of Legal Research and Reasoning is to teach beginning students the skills they need in order to study successfully in the European Law School bachelor programme. This course focuses on the abilities which are expected of an undergraduate law student: the fundamentals of legal research and writing - logical and analytical thinking in a legal context - argumentation - working with legal provisions - public speaking/debating. As an additional help for beginning students, Legal Research and Reasoning also comprises a short PBL training, basics on how to write a case brief, and an exam training.

Course objectives

At the end of this course, students will have learned to avoid plagiarism and to find, evaluate and use legal resources. They will be likewise able to write a case brief. Students will also have learned and practiced the basics of writing a legal research paper. In particular, they will have practiced the drafting of a feasible research question, learned how to structure a research paper and how to refer to sources. In addition, they will know the fundamentals of formal logic, have practiced the analysis and construction of (legal) arguments and have learned to recognize flawed arguments. Students will moreover have gained first experiences in legal debating and public speaking. Lastly, students will be able to understand and apply legal provisions, to solve simple cases and to compose simple legal opinions.

Recommended reading

- Reader
- Skills: Legal Research and Reasoning (2nd edn, Oxford University Press Custom Publishing 2017)
- S Hardt and N Kornet (eds), The Maastricht Collection (5th edn, Europa Law Publishing 2017) vols 1-4

LAW1003

Period 1

3 Sep 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

[A. Parise](#)

Teaching methods:

Skills

Assessment methods:

Take home exam, Final paper

Keywords:

Research; reasoning; legal sources; writing, logic; working with legal rules.

Faculty of Law

Comparative Government

Full course description

The course Comparative Government provides an introduction to the constitutional and political systems of the United States, the United Kingdom, France, Germany, the Netherlands and the EU, and to the European Convention on Fundamental Rights and the multi-level landscape of human rights protection. The aim of the course is for students to become acquainted with the basic concepts of constitutional law, the main features of the systems discussed and, at the same time, with overarching concepts of constitutional law. The course devotes attention to the functions of a state, different systems of government, separation of powers, democracy and electoral systems, government-parliament relations, federalism, bicameralism, constitutional review, as well as the issue of fundamental rights and their protection within the above mentioned constitutional systems. The inclusion of the EU also facilitates to focus strongly on the impact the EU has had on the constitutional systems and balances of power within its member states: the multi-layered constitutional orders.

Course objectives

The student knows and understands the most important overarching concepts of constitutional law. He has a good knowledge of the main features of the constitutional systems of the United States, the United Kingdom, France, Germany, the Netherlands and the EU, of the system of fundamental-rights protection within the European states and under the European Convention on Human Rights and the EU-Charter of Fundamental Rights, and of the interplay between national constitutional law and the EU and the EU's impact on domestic constitutional law. He is able to compare different constitutional systems and draw critical conclusions from the analysis. He has learned to analyze legal documents and to work with constitutional documents and statutory provisions. He has practiced to independently conduct basic comparative research and to present his findings orally before his tutorial group.

Prerequisites

The course does not have any specific prerequisites.

Recommended reading

- A.W. Heringa, *Constitutions Compared - An Introduction to Comparative Constitutional Law*, 4th ed. (Antwerp/Oxford/Portland: Intersentia, 2016, ISBN 978-1-78068-399-7).
- Sascha Hardt & Nicole Kornet, eds, *Selected National, European and International Provisions from Public and Private Law: The Maastricht Collection* (Groningen: Europa Law Publishing, 2017).

PUB1002

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[A.W. Heringa](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Presentation, Assignment

Keywords:

Functions of a constitution; systems of government; separation of powers; electoral systems; lawmaking; bicameralism; government-, parliament relations; federalism and decentralization; judicial review, of legislation; treaties in the national legal order; scope of the ECHR; relation to domestic human-rights enforcement; role and place of the EU-Charter (the European multi-level human rights landscape); admissibility criteria, before the European Court for Human Rights; remedies; EU; supremacy and impact of EU law and EU membership upon national constitutional law; relationship between constitutional law and politics.

Faculty of Law

Comparative Contract Law

Full course description

This course offers an elaborate introduction to contract law from a comparative perspective. Students gain insight into the nature of a contract, the role it plays in society and the principles by which it is governed. The course is comparative throughout: German, English, French, Dutch law, as well as other jurisdictions, are used to illustrate the main principles that govern the law of contract. Topics being addressed include formation of contract, defects of consent, illegality, interpretation, unfair terms, general conditions and remedies for breach.

Course objectives

The objective of this course is to gain insight into the principles of contract law and to become aware

of fundamental similarities and differences among the contract laws of Germany, England and Wales, France and the Netherlands. At the end of the course, students should be able to reason about the choices that different jurisdictions make in designing their contract laws. In addition to this, they should also be able to apply contract law rules to hypothetical cases and to discuss this application both in class, in a paper and at the final exam.

Prerequisites

None, other than that students were admitted to the European Law School English Language Track.

Recommended reading

Mandatory reading

- Jan Smits, Contract Law: A Comparative Introduction, Edward Elgar Publishing, Second edition 2017

LAW3011

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[N. Kornet](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Final paper, Written exam

Keywords:

Contract law - Comparative law

Faculty of Law

Introduction to European Legal History

Full course description

This course provides an introduction to European legal history, from Roman Antiquity to the present day. The focus of this course is on 'external legal history', meaning the study of the law in its broad historical context, and including both the development of legal science and the 'law in action', that is, the practice of law. The history of specific legal concepts and institutions (i.e., internal legal history) is not a main focus of this course. However, attention will be paid to the historical development of contract law. The objective here is to place the concept of 'contract', which you will study using historical source material, into the more general context of external legal history. The following topics are dealt with:

- Roman Law in Antiquity;
- The rediscovery and study of Roman Law in Italy (12th – 15th century);
- Judicial Humanism in France (16th century);
- The development of law in the Republic of the Seven United Netherlands (17th century);
- Enlightenment and codification (18th/19th century); and
- German ‘Pandectism’ (19th century).

This course will also devote some attention to the development of law in England, which differs from that on the continent of Western Europe.

Course objectives

Facilitating students to reflect on the law from a European, comparative perspective. Providing knowledge on the origins of the differences between the European systems of law and their similarities.

Prerequisites

None

Recommended reading

- R. Lesaffer, European Legal History. A Cultural and Political Perspective, Cambridge: Cambridge University Press, 2009 (or later edition).
- R. Feenstra & M Ahsmann, Contract. ‘Contract’ and ‘freedom of contract’ in historical perspective (available in EleUM; also through printing on demand).
- CALI Self-study modules (available in EleUM).
- Reader: available through printing on demand

MET1005

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

[A. Parise](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Keywords:

Legal History, ius commune, Roman Law, Codification

Substantive Criminal Law

Full course description

Although every (European) country has its legal culture, and its own criminal law, each system may be understood as a 'local' answer to some 'universal' questions that constitute the foundation of criminal law. Criminal law deals with similar subjects and thus more or less the same issues internationally. That's why it is necessary to cross borders to see what kind of solutions other legal systems have to offer for present and future problems. The main objective of this course is therefore to get acquainted with the elementary concepts of the so-called general part of substantive criminal law, and the main differences and similarities between several European legal systems, like the common law system of England and Wales and the civil law system of the Netherlands and Germany. The main concepts that will be studied are: the objective and subjective elements of an offence (*actus reus* and *mens rea*), justifications and excuses, inchoate offences, modes of participation, and criminal liability of legal entities. This seven week course will combine seven sessions of group tutorials. According to the philosophy of problem-based learning, tutorial meetings shall be used to explore various concepts of substantive criminal law in different countries on the basis of some reading assignments, presentations and case studies. Using comparative literature students are asked to answer given background questions and specific questions on the case studies.

This obligatory course is a 4th period course of the first Bachelor year of the ELS.

Course objectives

The object of this course is to identify various principles, rules and concepts of the so-called general part of substantive criminal law by using a conceptual and comparative methodology. Upon completion of this course, the student must be able to

- analyze and understand the main concepts and rules of substantive criminal law;
- to understand and compare on an introductory level the main differences and similarities of the basic criminal liability concepts of three major European legal systems, i.e. Netherlands, Germany and the common law system of England and Wales;
- to critically reflect on some basic philosophical aspects and (recent) historical developments related to the rules of criminal liability (e.g. theories of punishment);
- to recognise and debate on an introductory level some societal and ethically relevant aspects of developments in substantive criminal law (e.g. terrorism, corporate criminal liability)
- to distil a problem in criminal law cases and to identify and apply the relevant rules and criteria in order to solve the cases (in a comparative way);
- to communicate and debate during the tutorials and also during separate oral presentations possible solutions of a criminal law case in a well argued way

Prerequisites

The student is expected to have mastered the general basic principles of criminal law as discussed in the first year course Introduction to law (J. Hage & B. Akkermans (eds), *Introduction to law*, Springer, 2017) and legal English. No specific knowledge on criminal law is however required.

Recommended reading

The necessary reading material for this course consists of the following handbook:

- J. Keiler & D. Roef (eds.), *Comparative Concepts of Criminal Law*, Cambridge, Intersentia, 2016.

For each session is indicated what chapters should be studied beforehand.

CRI1011

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Substantive criminal law, Comparative criminal law, Criminal liability, Elements of an offence

Faculty of Law

States, Markets and European Integration

Full course description

The objective of this course is to provide students with a thorough knowledge of the process of European Integration. This course aims to provide students with up-to-date information concerning the process and the purposes of European integration, recent developments and the consequences for the future of the EU. In this way students are offered the knowledge that is necessary for a good understanding of the law of the European Union and of the European 'Ius Commune' that is presently being recreated. For this course, we use a multidisciplinary (meta-legal) approach and we offer ELS-students an historic, economic and political theory view on the process of European integration, with a particular focus on the most recent developments.

Course objectives

The students will be able to understand the European integration process in a more critical manner than the way it is frequently told in standard text books by comprehending the political and economic motivations behind European integration. Participants will acquire the necessary rudimentary economic tools to understand the economic arguments for integration. Moreover students will learn essential (political) integration theories that try to explain or predict European integration. Both economic theory and political integration theories will be applied to the European integration process and hence will provide a critical insight in the history of European integration as well as in current issues, as the Eurocrisis, the refugee crisis, the Brexit and the future of EU integration. Summarising, the course aims to learn students to analyse and to critically reflect on the European integration process, to approach the integration process from various angles and to be aware of the societal and

historical context in which European integration proceeds or -currently- does not proceed.

Recommended reading

- Bache, I., George, S., Bulmer, S., 'Politics in the European Union', Oxford University Press, Fourth edition, 2014. A customized version is available as well (recommended). In this version, only the chapters that we will study are included.
- Reader

MET3007

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J.C. Hage](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Presentation

Faculty of Law

Skills: Introduction to Comparative Law

Full course description

With a history of jurisdiction-oriented studies, Law Faculties have always faced a problem in trying to expand legal knowledge and bring students in contact with multiple other legal families or legal cultures. The European Law School tries to fix this problem by creating an interdisciplinary comparative approach to the study of law. This is where skills courses come into play. Their main focus is to give you the tools to adapt to an ever-changing landscape of jobs that might require a legal component. For this purpose, you have been exposed to the classical skillset required from a legal practitioner in Skills: Legal Research and Reasoning. The current course builds on this structure, and adds three equally important elements: a fundamental understanding of the origin and development of comparative law; a systematic approach to research design and methodology; and soft skills also known in pedagogical literature as 21st century skills. The first two are tackled in block period 1.4 through fascinating debates on a range of theoretical and practical questions that bring out how law affects our everyday lives and how that can be translated back into legal comparative scholarship. The latter is tackled in block 1.5, where you will become familiar to a wide range of alternative dispute resolution approaches which will enable you to embrace a more sophisticated approach to negotiations and conflict resolution than the classical perspective of litigation emphasized by moot court simulations.

Teaching methods

PBL 2.0 and interactive lectures

Assessment methods

The evaluation for the course entails four deliverables: a quiz and a comparative research paper (block period 1.4, 60% of final grade), and a negotiation strategy and a guided choice report on dispute resolution (block period 1.5, 40% of final grade). The final grading is done on a scale from 1-10.

Course objectives

- To give you an overview of comparative law and make you aware of how it can be used to tackle the complexity of law in the 21st century.
- To build on the classical legal skills you have already been exposed to, and give you a strong conceptual and practical foundation in research design and methodology.
- To complement classical legal skills with so-called 21st century skills (creativity, flexibility and adaptability, global citizenship, collaboration, communication, and social and intercultural skills).

Prerequisites

None.

Recommended reading

Mandatory: M. Siems, *Comparative Law* (Cambridge University Press: Cambridge, 2nd ed. 2018).

Optional: M. Snel, J. de Moraes, *Doing a systematic literature review in legal scholarship*, (Boom: The Hague, 2018).

LAW1004

Period 4

4 Feb 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinators:

[G.R. de Groot](#)

[E.C. Goanta](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Assignment

Keywords:

Comparative law; 21st century skills; research skills; legal design; methods; legal writing, ADR, Negotiations

Faculty of Law

Introduction to International and European Law

Full course description

This course consists of two parts: International law and European law. There will be two tutorials and one lecture every week. The first part of the course will be devoted to issues of international law, such as sources and subjects of international law, the law of treaties, state responsibility, jurisdiction and immunities, peaceful settlement of disputes and the use of force. During the second part of the course, European law matters such as the institutional structure and the nature of European law, competences and decision-making at the EU level, legal protection, and the internal market will be addressed. Every week students will have the opportunity to hand in an assignment on an international or a European law subject.

Prerequisites

None.

Recommended reading

- Nigel Foster, Blackstone's EU Treaties & Legislation 2018-2019, Twenty-ninth edition (the previous edition is also acceptable)
- Nigel Foster, EU Law Directions, Sixth Edition
- Anders Henriksen, International Law,
- Elementair Internationaal Recht (Asser) (T.M.C. Asser Instituut, 2017)(the earlier edition is also fine)

IER1001

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

D.B. Fromage

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Second year courses

Bachelor European Law School English Language Track year 2 compulsory courses

Faculty of Law

Comparative Property Law

Full course description

Introduction into Comparative Property Law: Underlying values and principles, policy choices and ground rules.

Course objectives

The course objectives are to acquire:

- Basic knowledge of the historical development of property law in Europe.
- Fundamental comparative knowledge of leading property law values and principles, policy choices, ground rules and technical rules in civil law systems (particularly: French, German, Dutch law) and common law systems (English and Irish law). Also mixed legal systems will be discussed (among others: Scotland).
- Basic knowledge of the current developments in comparative and European property law.

Prerequisites

Required is basic knowledge of private law

Recommended reading

Sjef van Erp and Bram Akkermans (eds.) with the collaboration of Alexandra Braun, Monika Hinteregger, Caroline Lebon, Michael Milo, Vincent Sagaert, William Swadling and Lars van Vliet, *Ius Commune Casebooks for the Common Law of Europe, Text and Materials on Property Law* (Oxford: Hart Publishing 2012)

PRI3009

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J.H.M. van Erp](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Comparative property law, Numerus clausus, Transparency, Hierarchy of rights, Nemo dat, Potior iure, Primary (ownership, freehold, title), secondary (or limited) and tertiary, property rights, Security rights, European property law.

Faculty of Law

Concepts of Criminal Procedure

Full course description

Criminal law systems within the EU differ, although they are all governed by the fundamental rights enshrined in the European Convention on Human Rights (ECHR). In this course the principles and standards of criminal procedure shall be examined through the comparative study of three national systems: the Dutch, English and German. These systems mirror different legal families and approaches to criminal procedure. The ECHR standards shall be used as a common basis. Pre-trial and trial phase of criminal proceedings shall be both addressed. The topics examined include investigations, arrest and pre-trial detention, suspect interrogation, prosecution, defence rights during trial and the use of illegally obtained evidences.

Teaching methods

- Students are expected to prepare thoroughly, participate during tutorials, solve case studies, and prepare group presentations.

Course objectives

The aim of this course is to get acquainted with the main features of the Dutch, English and German criminal procedure and the ECHR standards. At the end of the course students will be able to:

- Identify the characteristics of inquisitorial and adversarial traditions.
- Assess their differences and similarities.
- Illustrate the main features of German, English and Dutch criminal procedure.
- Understand how crime control and due process influence coercive measures.
- Comprehend the conditions for applying the major investigative measures, for conducting lawful interrogations, and arrest and detain suspects in the three jurisdictions.
- Comprehend the increasing importance of procedural rights at the pre-trial stage.
- Identify the conditions under which prosecution takes place and the challenges with plea bargain.
- Gain insight into the conditions and exceptions of the right to confrontation.
- Understand the conditions for the use of illegally obtained evidence in trial.
- Assess the legal standards found in the ECHR for all the above topics and become acquainted with the leading jurisprudence of the ECtHR in those issues.
- Develop important skills, i.e. learn how to read case law and solve practical case studies.

Prerequisites

Good knowledge and understanding of concepts of substantive criminal law.

Students are expected to prepare thoroughly, participate during tutorials, solve case studies, and prepare group presentations.

Recommended reading

Collection of literature in the course's reader and case law found via online sources.

CRI3005

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[C. Peristeridou](#)

Teaching methods:

PBL

Assessment methods:

Written exam

Keywords:

criminal procedure; fair trial; defence rights; ECHR; comparative law; fundamental rights

Faculty of Law

Skills: Academic Writing

Full course description

The course Academic Writing has been re-thought and re-structured around the principal elements and criteria required for the Bachelor's Essay, which are reflected in the Assessment Form prescribed for the assessment of Bachelor's Essays (available on the Academic Paper Dossier platform). In the conception and production of an academic paper of around 4.000 words (i.e. roughly half the length of the Bachelor's Essay), students will be guided step-by-step through the advanced academic writing process, working in turn on such aspects as the research proposal, bibliography, research question, structural outline, main body of text, etc. This is designed to ensure that students master each of these individual steps (while at the same time recognising that ultimately they are inextricably intertwined), and that they allow sufficient time for each stage in the process. Students will be free to decide on the topic of their papers falling within the general theme of the group for which they registered.

Teaching methods

- PBL
- Lectures

- Learning by doing
- Peer-to-peer learning

Course objectives

The objective of this course is to develop the skills of academic legal research and writing, with a view to enabling students to become self-sufficient in their academic writing endeavours, including notably (but certainly not only) the Bachelor's Essay. By the second year of their studies, students have already acquired basic knowledge of the technical aspects of academic research and writing through the course "Skills: Legal Research and Reasoning", and this course seeks to build on this knowledge by further expanding, deepening and practicing students' writing skills with the introduction of new concepts and insights. This will necessitate an independent work attitude on the part of the students and the ability to gauge the quality of one's own work, and the work of others, on the basis of the guidance received during the course. For this reason, another important skill that will be developed in this course is the ability to provide critical feedback on written academic work, as well as to address comments and incorporate suggestions as and where appropriate.

In summary, the course has the following objectives:

- To enable the student to identify and complete the stages of the writing process (i.e. finding sources, elaborating a research question, developing a structural outline, explaining methodology, etc.)
- To enable the student to examine a legal question/ problem/ issue from various angles and develop and defend a line of argumentation in a substantial academic essay
- To enable the student to recognise audience and disciplinary expectations
- To enable the student to identify characteristics of effective sentence and paragraph-level construction
- To enable the student to student apply proper citation practices
- To enable the student to analyse, question, and evaluate written texts of others

Prerequisites

The course builds on knowledge obtained in course LAW1003 Skills: Legal Research and Reasoning.

Recommended reading

- I. Curry-Sumner et al., Research Skills: Instructions for lawyers

LAW2001

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

W.A. Bull

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Assignment

Keywords:

Academic writing - Legal writing - Writing skills - Bachelor's essay

Faculty of Law

European Union Law: Foundations

Full course description

This course is devoted to an in-depth study of EU institutional law, within the broader perspective of EU law. Building on basic concepts of EU law, it seeks to advance the knowledge of the students to the level where they could handle EU institutional law matters in a professional or academic context. The four main topics of the course are: the 'horizontal' division of competences between the EU institutions (including legislative and administrative decision-making), the 'vertical' division of competences between the EU and the Member States (e.g. principles of conferral and subsidiarity), the judicial enforcement of EU law (infringement proceedings and preliminary reference procedure) as well as the position of the citizen in the European legal order (review of EU legal acts).

Course objectives

The main objectives of this course are that the student:

- acquires knowledge of the main characteristics of and developments in the field of EU institutional law;
- has in depth knowledge and understanding of the powers and functioning of the EU institutions and bodies
- understands the relationship between European law and national law as regards the divisions of competences, conflicts between the two and how these conflicts should be resolved;
- can apply theoretical concepts of EU institutional law to concrete cases and identify potential problems in this regard
- can develop a critical analysis (both orally and on paper) of concrete cases and developments in the relevant fields

Prerequisites

None

Recommended reading

- Textbook: European Union Law: Foundations (Oxford University Press, custom edition)
- Nigel Foster, Blackstone's EU Treaties & Legislation (latest edition)

IER3006

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[N. Athanasiadou](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Final paper

Keywords:

EU institutions, Division of Competences, judicial review, Direct effect and supremacy, Fundamental Rights

Faculty of Law

European Tort Law

Full course description

The course discusses the central subjects of tort law from a comparative perspective and in the light of developments in supranational law (European Union and European Convention on Human Rights).

Course objectives

The main objective of the course is to provide students with cases, materials and comparative literature, allowing them to learn and discuss the main differences and similarities between English, German, and French tort law. Specific attention is paid to the increasing intertwinement between national tort laws on one hand and European Union law and the European Convention on Human Rights on the other.

Successful completion of the course will allow students to describe the main elements of fault and strict liability, identify the relevant facts of a tort law case and apply tort law rules and standards, discuss current issues of European Tort Law orally and in writing, and apply appropriate methodologies for the purpose of comparing the tort laws of England, Germany and France. Students also acquire practical problem solving skills, by applying tort law norms from the above-mentioned jurisdictions to hypothetical cases during the tutorials.

Prerequisites

Basic knowledge of English, German and French legal systems.

Recommended reading

Basic literature for this course:

- Cees van Dam, European Tort Law, Oxford (Oxford University Press) 2013 (approx. € 45), ISBN 0-19-929071-7.
- Case law and other additional materials on Eleum/Blackboard or the course book.

PRI3015

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

C.C. van Dam

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Take home exam

Keywords:

Comparative tort law, European Union law, Human rights law

Faculty of Law

Private International Law

Full course description

Private International Law (PIL) provides a set of legal rules for situations where one or more of the parties, facts or circumstances related to a legal dispute are connected with more than one legal system. Private International Law in particular provides: 1. legal rules which establish when a national court has international jurisdiction in any case involving an international element; 2. legal rules which determine the applicable law in cases involving international elements heard before a national court; and 3. legal rules on recognition and enforcement of foreign court judgments.

Each country has its own Private International Law rules, but a significant portion of sources of PIL are international treaties and, more increasingly, EU regulations. Private International Law has become even more significant as a result of increasing integration within the European Union and because of globalization and increased mobility of people.

This course in particular focuses on the European perspective of Private International Law. Hence it includes: 1. an examination of the general structure, main doctrines, principles and topics (family law, goods, contractual/non-contractual obligations) of PIL from the EU perspective; 2. an introduction to the most important EU-regulations, such as the Regulation 593/2008 on the law applicable to contractual obligations, Regulation 864/2007 on the law applicable to non-contractual obligations, Regulation 2201/2003 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility and Regulation 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and co-operation in matters relating to maintenance obligations, as well as some key international treaties on Private International Law. 3. an overview of the historical development of Private International Law.

For the purposes of this course, Private International Law is understood in a broad sense, thus

including the conflict of laws and the law of international civil procedure.

The participants of this course come together twice a week during a period of three weeks. In addition, six lectures are provided as well.

Course objectives

The general aim of the course is to provide students with an understanding of the problems inherent in legal situations involving (a) crossborder element(s) pertaining to private law (b) in Europe. The students will gain knowledge of the basic principles and legal rules of Private International Law from the European perspective as well as of its historical developments.

Prerequisites

Basic knowledge of law in general.

Recommended reading

- The coursebook can be ordered through POD.
- The mandatory textbook for this course is the latest edition of M. Bogdan, Concise introduction to EU Private International Law, Groningen: Europa Law Publishing.
- The use of the latest edition of 'Selected National, European and International Provisions from Public and Private Law, the Maastricht Collection' by Nicole Kornet & S. Hardt (eds.), Groningen: Europa Law Publishing, is recommended for those students who are already in possession of the book and/or participate in other ELS-courses.
- For other students, such as non-ELS-students, another option is: Prof. dr. K. Boele - Woelki (ed.), Ars Aequi wetseditie European Private International Law 2015-2017, Nijmegen: Ars Aequi Libri (latest edition; ISBN: 9789069165998).

(See also announcement before the start of the course, all books can be ordered e.g. via studystore or the publisher).

PRI3018

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

[M. Pertegás Sender](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Faculty of Law

Inleiding Nederlands Staats- en Bestuursrecht

Full course description

Dit blok beoogt een inleiding te geven in het bestuursrecht. In het bestuursrecht gaat het om verhouding tussen de overheid (in de hoedanigheid van bestuursorganen) enerzijds en burgers en rechtspersonen anderzijds. Deze verhouding is bijzonder, omdat bestuursorganen de bevoegdheid hebben om door middel van besluiten burgers en rechtspersonen eenzijdig te binden. Het gaat daarbij bijvoorbeeld om het verlenen van een omgevingsvergunning bouwen, het terugvorderen van onterecht ontvangen studiefinanciering, het verlenen van een subsidie, het sluiten van een woning of het opleggen van een bestuurlijke boete. Belangrijke vragen zijn: hoe komen bestuursorganen aan dergelijke bevoegdheden en wat kunnen burgers en rechtspersonen doen wanneer zij het met de genomen besluiten niet eens zijn (bestuursrechtelijke rechtsbescherming)?

Dit vak geeft studenten een inleiding in het bestuursrecht, met name door hen in staat te stellen om:

- de wijze waarop bestuursbevoegdheden in het leven worden geroepen te herkennen en te benoemen,
- de kernbegrippen van het bestuursrecht te definiëren en toe te passen,
- de geschreven en ongeschreven normen van het bestuurshandelen te benoemen en
- de begrippen van het bestuursprocesrecht (incl. voorprocedures) te definiëren en toe te passen.

Onderwijsmiddelen: het blok kent één onderwijsbijeenkomst per week (2 uur) en een viertal colleges. De taken, opdrachten, aanwijzingen en uiteenzettingen in deze onderwijsvormen behoren tot de verplichte leerstof van het blok.

Course objectives

Na succesvolle afronding van dit vak hebben de studenten de volgende kwalificaties verworven:

- de student heeft basiskennis van belangrijke bestuursrechtelijke leerstukken;
- de student kan de kernbegrippen van het bestuursrecht (bestuursorgaan, besluit, belanghebbende) definiëren/beschrijven en op een bestuursrechtelijke casus uit de praktijk toepassen;
- de student weet hoe bestuursbevoegdheden in het leven worden geroepen en worden toebedeeld en kan in dat kader een onderscheid maken tussen attributie, delegatie en mandaat;
- de student weet aan welke normen bestuurlijk handelen is gebonden en kan beargumenteren hoe controle op de uitoefening van die bevoegdheden plaatsvindt; deze kennis kan de student toepassen op een bestuursrechtelijke casus uit de praktijk;
- de student kan beschrijven hoe een belangrijke karakteristiek van het bestuursrecht (de betrokkenheid van de overheid als een van de partijen in een geding) tot uitdrukking komt in de bestuursrechtelijke rechtsbescherming;
- de student beheerst enkele basale professionele vaardigheden, te weten het snel vinden van relevante wetten/wetsartikelen in een wettenbundel of via de geëigende overheidsportals op internet, het zoeken van relevante informatie via juridische databanken en het ordenen en analyseren van jurisprudentie.

Recommended reading

Leermiddelen (onder voorbehoud):

- T. Barkhuysen, C. de Kruif, W. den Ouden en Y.E. Schuurmans, Bestuursrecht in het Awb-tijdperk, Deventer: Kluwer 2014 (zevende druk)
- Reader met aanvullende literatuur
- Voorgescreven jurisprudentie (zelf op te zoeken via Legal Intelligence)

PUB1014

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinators:

[J.E. van den Brink](#)

[A.W. Heringa](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Bestuursrecht

Faculty of Law

European Union Law: Substantive Law

Full course description

The purpose of this course is to introduce students to the core of what is known as the "substantive law" of the European Union. The course is based on two main pillars, on the one hand the four freedoms and on the other hand the rules of competition law. These constitute the foundation of the economic and social order of the European Union. The course deals in detail with the free movement of goods (financial and quantitative restrictions), the free movement of persons, the freedom of establishment, the free movement of services. It specifically addresses the position of family members and the recognition of qualifications. Some attention is paid to third country nationals. Furthermore, the outlines of the free movement of capital are addressed. In the last part, the course gives an introduction to the area of competition law. Cartel agreements and concerted practices, the abuse of a dominant position, mergers, state monopolies, state aid and the enforcement of competition law shall be addressed.

Key words

1. History of the Internal Market. – legal developments and CJEU case law, on financial restrictions

- on the free movement of goods. Common External, Tariff; Import duties; Charges having equivalent effect; Internal, taxation.,
2. Legal developments and case law on quantitative restrictions; quotas;, measures having equivalent effect; certain selling arrangements;, justifications (including proportionality),
 3. Development of EU citizenship; the notions of worker; self-employed, persons; rights of family members; prohibition on discrimination on, nationality; restrictions in the free movement and limitations of the, free movement based on Treaty, secondary legislation and case-law.,
 4. Free Movement of Establishment and Services; diploma recognition of, professionals.,
 5. Position of Third Country Nationals; residence and equal treatment., Long Term Residence; Family Reunification; Association Agreements., Free Movement of Capital.,
 6. Prohibition of agreements, concerted practices and decisions of, associations of undertakings; prohibition on abuse of a dominant, position.,
 7. State aid and enforcement of competition law.,

Course objectives

Has knowledge and insight in the most important fields of substantive EU Law (free movement/competition). Has the ability to identify and solve legal problems in the areas of law described above. Develops a critical attitude towards the areas of law described above.

To this end the following learning outcomes are defined (and assessed):

- Knowledge and insight:
 - EU free movement and competition law as described above.
 - Applying knowledge and insight, judgement and communication
 - Find, analyse and critically assess sources.
- Case solving: being able to distill a legal problem from a set of fact, select the corresponding rules, analyse and apply these rules and draw a logical conclusion solving the problem.
- Analysis; being able to analyse and critically reflect upon the legal systems and subjects addressed in the course.
- Being able to communicate in both written and oral form the analyses and necessary steps for case solving mentioned above.
- Being able to do the above in functional English.

In addition the following outcomes will be addressed in the case:

- Applying knowledge and insight, judgement and communication:
 - Approach problems from different angles.
 - Take into account societal and/or ethical aspects in a case.
 - Awareness of historical and/or societal context.
- Learning skills:
 - Planning, executing and evaluation own learning strategy
 - Team work.

Prerequisites

The course builds on the knowledge acquired in Introduction to International and European Law and EU Law: Foundations.

Recommended reading

To be announced.

IER3003

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[S.J.F.J. Claessens](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Faculty of Law

Comparative Administrative Law

Full course description

The primary purposes of administrative law are:

- to empower the government to put its policies into effect and
- to keep the powers of the government within their legal boundaries, so as to protect citizens against their abuse.

The course Comparative Administrative Law provides an introduction into the general administrative law of France, Germany, the Netherlands and the United Kingdom (mainly England & Wales). The course concentrates on the following themes:

1. the administrative decision-making process and its outcome: the forms of administrative action;
2. the general principles regulating administrative decision-making and the concept of discretion;
3. the access to administrative courts;
4. the remedies against the administration.

Course objectives

The primary purpose of this course is for students to acquire a basic knowledge of the administrative law systems of France, Germany, the Netherlands and the UK. Furthermore, specific differences and similarities between the four systems of administrative law will be analysed.

Recommended reading

A reader.

PUB2014

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M. Eliantonio](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment

Keywords:

Administrative law; principles; administrative action; access to court; remedies against the administration; comparative law.

Faculty of Law

Inleiding Nederlands Privaatrecht

Full course description

Het blok Inleiding Nederlands Privaatrecht begint met een kort overzicht van het gehele privaatrecht en een inleiding tot kernbegrippen van het vermogensrecht. Daarna volgt een korte inleiding in het overeenkomstenrecht en enkele leerstukken gerelateerd aan rechtshandelingen. Het grootste deel van het blok is gewijd aan het goederenrecht waarbij onder andere het leerstuk van de overdracht uitvoerig wordt behandeld, zowel voor onroerende als roerende zaken en vorderingen. De derdenbescherming van de verkrijger te goeder trouw wordt behandeld aan de hand van onroerende zaken, roerende zaken en vorderingen op naam. Wat onroerende zaken betreft komt ook de rol van de openbare registers en het kadaster naar voren en verkrijging van een onroerende zaak door verjaring. Ook wordt veel aandacht besteed aan beperkte gebruiksrechten (onder andere opstal, erfpacht en erfdiensbaarheid) en kwalitatieve verplichtingen en kettingbedingen. Ten slotte geeft het blok een korte introductie in het pand- en hypotheekrecht. De te behandelen stof is verdeeld over de onderwijsgroepen en colleges.

Het blok bereidt voor op het blok Verbintenissenrecht in het tweede jaar van de bachelor en de blokken Goederenrecht en Inleiding Ondernemingsrecht en Faillissementsrecht in het derde jaar. Wat betreft beperkte rechten op onroerend goed, kwalitatieve verplichtingen en kettingbedingen wordt de stof direct op eindniveau bachelor gedoceerd omdat deze onderwerpen verderop in de bachelor niet meer aan bod komen.

Course objectives

De student heeft goed inzicht in de kernbegrippen van het privaatrecht en diep inzicht in de

kernbegrippen van het goederenrecht. Hij of zij is in staat om de opgegeven rechtspraak zelfstandig op te zoeken en te bestuderen en analyseren, en zelfstandig nieuwe privaatrechtelijke casus te analyseren, zijn kennis hierop toe te passen en diepgaande vragen hierover te beantwoorden, en zijn gedachten hierover helder te formuleren in de vorm van een kort essay (essayvragen beantwoorden tijdens examens). De student wordt uitgedaagd om tijdens de onderwijsgroepen actief te discussiëren over de oplossing van de casus in het blokboek. Daarbij komt in sommige discussies ook de maatschappelijke context en wenselijkheid nadrukkelijk aan bod. Beide vormen van tentoonspreiden van zijn of haar kennis (schriftelijk en mondeling) worden getraind en zijn van belang voor het op academisch niveau zelfstandig functioneren en overbrengen van de opgedane kennis.

Prerequisites

- W.H.M. Reehuis, Zwaartepunten van het vermogensrecht, 2015
- En bijkomende literatuur die per taak wordt opgegeven

Recommended reading

- W.H.M. Reehuis/A.H.T. Heisterkamp, Pitlo, Het Nederlands burgerlijk recht, Deel 3, Goederenrecht, 2006

PRI1005

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Inleiding Nederlands Straf- en Strafprocesrecht

Full course description

Dit blok is bedoeld als een inleiding tot het Nederlandse strafrecht en strafprocesrecht. Het beoogt elementair inzicht te geven in de structuur, beginselen en regels van het strafrechtelijk systeem, waarbij eerst aandacht wordt besteed aan het formele strafrecht en daarna aan het materiële strafrecht.

Tijdens de eerste vier bijeenkomsten komen de belangrijkste leerstukken van het formele strafrecht aan bod. Het formele strafrecht, grotendeels geregeld in het Wetboek van Strafvordering, kan worden begrepen als het geheel van rechtsregels betreffende de opsporing, vervolging en berechting van personen die ervan worden verdacht een strafbaar feit te hebben gepleegd. In het formeel strafrechtelijke deel komen achtereenvolgens de volgende onderwerpen aan de orde: de diverse fasen en actoren van het strafproces, het verdenkingsbegrip, opsporingsbevoegdheden,

vrijheidsbenemende dwangmiddelen, fouillering en doorzoeking, vervolging, de systematiek van artikelen 348-350 Sv, regeling met betrekking tot getuigen en beginselen van bewijsrecht. Tijdens de drie volgende bijeenkomsten komen de belangrijkste leerstukken van het materiële strafrecht aan bod. Als er wordt gesproken over materieel strafrecht dan heeft men het over de vraag wat een strafbaar feit is. Dit deel van het strafrecht wordt voor een belangrijk deel gevonden in het Wetboek van Strafrecht, maar ook in bijzondere wetten, zoals de Opiumwet. In dit materieelrechtelijk deel wordt aandacht besteed aan de volgende onderwerpen. Na een bijeenkomst over het legaliteitsbeginsel en het leerstuk van causaliteit wordt aandacht besteed aan de verschillende schuldvormen en de strafuitsluitingsgronden. Daarna komen leerstukken in beeld die leiden tot een nadere definitie van de personen die bij een strafbaar feit betrokken kunnen zijn. Het gaat dan om onderwerpen als poging, voorbereiding en deelnemingsvormen, zoals uitlokking en medeplichtigheid.

De belangrijkste onderwijsvormen in dit blok betreffen de onderwijsbijeenkomsten (1 x 2 uur per week) en een drietal hoorcolleges.

De taken, opdrachten en aanwijzingen in alle genoemde onderwijsvormen behoren tot de verplichte leerstof van het blok.

Course objectives

Inzicht verschaffen in de structuur, beginselen en regels van het Nederlandse strafrechtelijke systeem aan de hand van de belangrijkste hoofdthema's en basisbeginselen van het formele en materiële strafrecht.

Recommended reading

Het voorgeschreven basisboek in dit blok is:

- M.J. Kronenberg en B. de Wilde, Grondtrekken van het Nederlandse strafrecht, Kluwer, laatste druk.
- Daarnaast zijn de in het literatuurboek opgenomen teksten en de colleges deel van de verplichte leerstof.

CRI1004

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[M. Ziesemer](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Materieel strafrecht Strafprocesrecht

Faculty of Law

Moot Court Training

Full course description

A moot court is a simulated court session, for which teams of students, first, prepare written pleadings with respect to a problem of law and, second, present their arguments in oral proceedings before a mock court. The course is based on fictitious cases involving issues of international law, ECHR, and European Union law. Please note that you need to be physically present in Maastricht throughout the course in order to successfully complete it.

Course objectives

The course is intended to train students' written and oral communication skills in the form of written and oral pleadings. Students will be required to apply the law to the facts of a particular case and to argue in favour of their client. This course is also designed in order to develop students' ability to perform team work.

Prerequisites

This course is part of the program of the second year of European Law School. It is not available for students not registered in the European Law School program.

Recommended reading

- Christopher Kee, *The Art of Argument, A Guide to Mooting*, CUP, 2007.

This book is accessible online through the UM Library and a link will be provided on the Student Portal.

IER2003

Period 6

17 Jun 2019

12 Jul 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

[L. Visser](#)

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Keywords:

Elective courses

Bachelor European Law School English Language Track electives

Faculty of Law

Hoofdzaken Bedrijfseconomie voor Juristen

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3001

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

9.0

Instruction language:

Dutch

Coordinator:

[J.B.P.E.C. Janssen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

European Human Rights

Full course description

In this course the focus will be on the protection of human rights in Europe, especially the Council of Europe and the relation between the ECHR and the EU. Attention will be paid to various aspects of the European Convention on Human Rights and especially the jurisprudence of the European Court of Human Rights. The content of various human rights will be studied, like for example the right to life, the prohibition of torture, the right to liberty and the freedom of expression. Also the supervisory

mechanism of the European Convention will be discussed as well as some general concepts and doctrines like positive obligations and the margin of appreciation.

Course objectives

Introduction to protection of human rights under the European Convention and increasing the knowledge and understanding of the subject by reading a text book and judgments of the court. Also judgments of the Court and cases in the course book are discussed and analysed.

Prerequisites

Basic knowledge of international law and constitutional law.

Recommended reading

- Jacobs, White & Ovey, The European Convention on Human Rights, latest edition

LAW2006

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J. van der Velde](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

Human Rights, European Convention on Human Rights, European Court of Human Rights.

Faculty of Law

Legal Decision-Making and Neurosciences

Full course description

In the legal arena, everything revolves around evidence and credibility. This course addresses the relevance and validity of various types of empirical evidence that regularly surface in courts of law. Particular attention is devoted to physiological measures (skin conductance and heart rate for example), brain imaging techniques (such as functional magnetic resonance imaging and positron emission tomography), neuropsychological assessments (cognitive tests and psychological questionnaires), and behavioral genetic evidence (twin and adoption studies but also research on

specific genes such as monoamine oxidase A; “the warrior gene”). The significance of collecting such evidence can hardly be overestimated; not only can it serve as evidence in individual cases, it also informs and challenges the models and theories about human behavior and error—delinquency and decision-making included—that legal scholars and policymakers work with. The decision-making processes that are essential to evaluate the credibility of such evidence will also take center stage. Students will be introduced to decision-making at an academic level and discover that the science behind it is real; it involves cognitive models of decision-making, psychometric testing, theoretical approaches to human error, logical analyses of arguments, and mathematical techniques to quantify the accuracy of decisions and the strength of evidence. The majority of topics will feature in lectures given by distinguished experts of the Research and Documentation Center (WODC) of the Dutch Ministry of Security and Justice.

This course is part of the interfaculty minor Human and Legal Decision-Making, which consists of three other, complementary courses; Neurosciences & Law, Neuropsychology & Law, and Economic Psychology. If you are interested in the subject matter of this course, you are encouraged to look into the other courses of the minor Human and Legal Decision-Making.

Course objectives

Upon completion of this course, students must:

- Be familiar with physiological measures, brain imaging techniques, neuropsychological tests, and behavioral genetic studies as empirical evidence that can be brought into court.
- Be able to critically analyze the validity and relevance of such evidence within legal systems.
- Be able to recognize and evaluate different models of human behavior and error.
- Be able to identify and criticize the various ways in which humans make decisions (applied to law, medicine, and psychiatry).
- Know about the various roles that human decision-making play in the legal domain.
- Be able to recognize, remedy, and prevent diverse threats (e.g., cognitive biases, logical fallacies) that may undermine the quality of decision-making.
- Be able to employ simple mathematical methods to quantify the weight of evidence (e.g., likelihood ratios) and the accuracy of decision rules (e.g., receiver operating characteristics).

Prerequisites

Although there are no prerequisites for this course, we expect good English language and writing skills. Furthermore, some basic knowledge of psychology, scientific methodology, and neuroscience is useful to understand the subject matter of this course. Students who are not acquainted with these subjects are therefore advised to study some introductory literature that will be made available during this course.

Recommended reading

The literature for this course consists of state-of-the-art articles on decision-making and neurobiological criminology.

Examples of the literature are:

- Buckholtz, J. W., & Faigman, D. L. (2014). Promises, promises for neuroscience and law. *Current Biology*, 24, R861-R867.
- Cornet, L. J. M. (2015). Using basic neurobiological measures in criminological research. *Crime Science*, 4, 1-16.
- Dror, I. E. (2015). Cognitive neuroscience in forensic science: Understanding and utilizing the human

element. *Philosophical Transactions of the Royal Society B: Biological Sciences*, 370: 20140255.
• Swets, J. A., Dawes, R. M., & Monahan, J. (2000). Better decisions through science. *Scientific American*, 283, 82-87.

LAW3024

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

[F.L. Leeuw](#)

A.M.P.N. van Impelen

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

Human and legal decision making, Neurolaw, Methodology, Empirical evidence on neuroscientific factors

Faculty of Law

European Criminal Justice Area

Full course description

This course focuses on cooperation between the Member States of the European Union in criminal matters. The Treaty on the European Union in 1992 created the so called Area of Freedom Security and Justice, which led to increasing efforts by the Member States to streamline their endeavors in regard to co-operation in criminal matters. The Treaty of Lisbon even further integrates and develops the co-operation in criminal matters within the European Union. This course will inter alia explore the effects of the Area of Freedom Security and Justice on the different forms of co-operation in criminal matters at the various stages of a criminal trial. A variety of European legal instruments, like the European Arrest Warrant, as well as pertinent case law of the European Court of Justice will be discussed. Furthermore, the course will deal with cornerstone principles of the Area, such as mutual recognition and ne bis in idem. In addition to the European Arrest Warrant, other forms of mutual recognition in criminal matters, e.g. the execution of judgments, the European Protection Order and the Supervision of Orders on Detention on Remand will be analyzed. Finally the repercussions of these new forms of co-operation on European citizens will be discussed and strengths and weaknesses of the new emerging European Criminal Justice System will be highlighted. The course has a focus limited to cooperation and will therefore not deal with the influence of Union law on national substantive criminal law. That is the topic of the master course European Criminal Law (CRI4007). The main objective of this course is therefore to get acquainted with the elementary concepts of European cooperation in criminal matters and with the changes and developments brought about by the

introduction of the European Area of freedom, security and justice. This seven week course will combine seven sessions of group tutorials. According to the philosophy of problem-based learning, tutorial meetings shall be used to explore various concepts of the emerging European criminal justice area on the basis of some reading assignments and case studies.

Course objectives

The main objective of this course is to get acquainted with mutual recognition as the basis for all modalities of cooperation in criminal matters within the European Union. Students will understand the changes and developments brought about by the introduction of the European Area of Freedom, Security and Justice. They will be enabled to apply as well as critically discuss legal instruments and developments in the Area of Freedom Security and Justice. They should be able to find their way in European legislation implemented in a national penal system, evaluate their functioning and form a balanced opinion about the effects of European cooperation in criminal matters.

Prerequisites

- Interest in cooperation in criminal matters
- Readiness to participate in group sessions based on PBL

Recommended reading

- André Klip, European Criminal Law, Intersentia Antwerpen, 3rd ed. 2016
- Materials on European Criminal Law, Intersentia Antwerpen, 3rd ed. 2017
- Reader

LAW3012

Period 5

8 Apr 2019

7 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J. Keiler](#)

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Keywords:

Cooperation in criminal matters/ mutual recognition/ European arrest warrant

Faculty of Law

Law and Art: The Free Movement of Cultural Property

Full course description

Law and Art - The Free Movement of Cultural Property is a course analyzing the trade in artworks and cultural objects and their protection against various forms of threats from a legal perspective. Artworks speak to our imagination and either fascinate or irritate (or bore) us and in the public discourse in the media it is the uniqueness of artworks that is emphasized: their uniqueness, their representation of the artistic genius, expressions of the human condition... Nevertheless, artworks can be endangered during conflicts, can be stolen or looted, can be forged and the authenticity can be questioned.

Beside their artistic and historic value, art works are also goods: material objects that can be valued in money. This dual character of artworks combining their economic value with a higher or aesthetic value is what makes artworks particularly interesting to study from a legal perspective. It is more challenging and interesting to discuss the possible claims and limitation periods concerning a fabulous painting stolen or looted more than 50 years ago than the restitution of a bike, which has been stolen perhaps only 10 years ago.

Another challenge for the law is the fact that the art trade (legal and illicit) is a truly international market. Since artworks are relatively easy to take across borders, stolen or looted art objects can show up all over the globe. To add to the difficulties, laws affecting the art trade differ from country to country. This is especially true for export regulations, the rules on the bona fide purchase and limitation periods. The position of the bona fide purchaser is a delicate issue. Who should be protected and for how long? Must a bona fide purchaser return a stolen painting to the original owner? Which law applies if more than one jurisdiction is involved? Which international obligations exist? What happens to former colonial cultural goods? Do they have to be returned to the country of origin or can they still be admired in the museums of the former colonial powers? Are there just and fair solutions for these types of disputes?

These examples show that this course deals with many different areas of law: International and European law, Human Rights, Private and Private International Law, Public as well as Criminal Law. However, you can easily widen the legal fields having a relation to the art market, such as for example Intellectual Property Law or Tax Law, which will not be addressed during the lectures and tutorials.

The course will examine a broad spectrum of issues including the protection of cultural property during times of war against destruction and removal as well as their restitution and the protection of cultural property in times of peace against illegal export and the illicit trade. Furthermore, the European dimension of cultural policies will be discussed including the free movement of cultural property in the European Union, resale royalty legislation, state aid and the cultural sector. Additionally, the question of cultural diversity and the issue of authenticity and fakes as well as the international and European legislative developments concerning stolen, illicitly excavated, exported and looted works of art will be discussed during the lectures and the tutorials.

In the first week, during the first lecture there is a general introduction given, in which the organization of the course is explained and the work on issues concerning the International Art Trade and the Law is commenced.

Assessment:

Participants will in principal be assessed on the basis of a paper in the area of art law /cultural

heritage law. The paper should be written according to academic standards. The paper should include a literature list. References should be in footnote format.

Course objectives

Aim of the course is to creating awareness of legal problems concerning the licit and illicit art market, the protection of cultural heritage and other closely related issues concerning the legal position of the art object and the artist. Hereby, the international dimension of the art market is of great importance for the solution of legal disputes. Students will become familiar with various areas of law all related to art, cultural property and heritage (International and European law, Human Rights and Private International Law, Property Law, Contract and Tort Law, Tax Law and various regulations concerning the art market etc.

This course is also part of an interfaculty MINOR

Prerequisites

Basis knowledge of law is important even if this course is open for students of the faculties of LAW, Arts and Culture and UCM and Erasmus students but students who have not a law background should in any case read before the course starts the recommended literature.

Recommended reading

As reading material we shall use

- Lyndel Prott (ed) Witnesses to History, published by UNESCO Publishers in 2009. This book is available as ebook for free.

Furthermore, students should read in advance

- Kurt Siehr, International Art Trade and the Law, Recueil des Cours 1993, Vol. 243 (to be found in the library),

The book of

- Katja Lubina, Looted Art will be made electronically available on ELEUM and provided as PDF by e-mail and

different articles will be recommended on ELEUM as well as many cases and court decisions from various jurisdictions.

IER3004

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

[H.E.G.S. Schneider](#)

V.M. Tünsmeier

Teaching methods:

Lecture(s), PBL

Assessment methods:

Participation, Final paper

Keywords:

Art law, cultural heritage protection, looted art, restitution and return, fakes, misrepresentation, warranty of title, provenance

Faculty of Law

Kostprijsverhogende Belastingen

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3003

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[F.J.G. Nellen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Law in Europe: from Gaius until the EU

Full course description

In this course the history of, primarily, Private law in Europe will be dealt with, from Gaius until the EU. Common roots, such as Roman law, Canon law, Humanism and Natural law will be discussed; the

codification process in the 19th century will be investigated; and the consequences of the creation of the EU for Private law will be studied.

Course objectives

The student is able to discuss the common legal past of the various European states; he/she is aware of the dependency of law on time and place; The student has knowledge of the differences between Justinianic law and Classical Roman law, and has an understanding of the reception of Roman law in medieval Europe; The student has insight in the influence of Roman, Canon and Feudal law, Legal Humanism and Natural law on the civil and common law systems; The student comprehends the 19th century codification process and is able to form a reasoned point of view about the harmonisation of (Private) law in Europe; The student is able to communicate in writing about the history of Private law in Europe.

Prerequisites

Introductory course in Legal History

Recommended reading

- O.F. Robinson, T.D. Fergus, W.M. Gordon, European Legal History, London etc. 2000 or later edition;
- Additional literature indicated per week (to be consulted in the library).

MET3005

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[C.H. van Rhee](#)

Teaching methods:

PBL

Assessment methods:

Presentation, Assignment

Keywords:

European Legal History, History of Private law

Faculty of Law

Winst uit Onderneming

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3004

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[B. Jansen](#)

Teaching methods:

Lecture(s), PBL, Assignment(s), Presentation(s)

Assessment methods:

Written exam, Assignment

Keywords:

undefined

University College Maastricht

Atrocity Triangle: A course on the Criminology of Gross Human Rights Violations

Full course description

The first part of the course introduces the leading concepts and theoretical frameworks that will structure the course. The course therefore firstly addresses the concept of the 'atrocity triangle' and it looks into the relationship between the three actors (the perpetrator, the victim, and the bystander) involved in the triangle. Subsequently, an integrated criminological model will be introduced which sets out the relevant etiological elements that will be addressed in greater detail in the second part of the course.

The second part of the course, which focuses on the perpetrators, will start with the forms, functions and effects of (political) violence and the concept of torture in particular. The analysis continues on the macro level and addresses the role of policy and ideology. Subsequent analysis focusses on the meso level and the role of military organizations and other institutions is discussed. In this context attention is paid to the influence of military training and we will discuss how with the help of a bureaucratic system genocide can be planned, organized and carried out. The discussion will thus address several compulsive and determinative features of the environment surrounding perpetrators of gross human rights violations. We will furthermore discuss several experiments (Milgram, Ash,

Stanford, etc.) on obedience, institutional roles and conformity, but we will also address other social-psychological mechanisms which are helpful in understanding how and why people are able to participate in the perpetration of gross human rights violations. Lastly, the important role that language and discourse plays in conflict and international crime is highlighted.

The third part of the course will focus on the bystander. We will start the discussion on the role of the bystander by looking into the phenomenon of the 'the bystander effect' in order to address the question why bystanders fail to act. Secondly, the role of bystanders in international politics at the macro-level of both states and international organizations in the field of human rights will be discussed. We will give special attention to the role of the UN Security Council when it was confronted with gross human rights violations. Lastly, in addition to perpetrators and bystanders (collaborators), certain actors in the same situations did not perpetrate or passively stood by, instead they took affirmative action and came to the help of those in need. We will therefore look more closely into the phenomenon of rescuing in order to find out what turns actors into rescuers.

The fourth and last part of the course will take a more victimological perspective, which focuses on the position of the victim. Who are the victims and why are they victimized? What is the relationship between these victims and their perpetrators and what are the consequences of this relationship? In this context specific attention will be paid to gender selective violence. More particularly, the phenomena of rape as a 'weapon of war' and gendercide (gender selective mass killings) will be discussed. Also, the complex case of child soldiers will be addressed as they are victims and perpetrators at the same time.

Several lectures will be held during this course. These lectures will be used to illustrate the discussed materials and to provide the participants with a deeper understanding of the subject matter by presenting the linkage between theory and (research) practice. During the lectures, various guest speakers will address the subject matter from the practitioner's perspective. In addition, we will screen a number of documentaries that will be analyzed during the post-discussion. We hope that, through these documentaries, the subject matter of this course will become more accessible and less abstract.

Case studies play an important role throughout the course and we will therefore pay attention to a wide variety of cases including The Holocaust and other cases of genocide (Armenia, Australia, Cambodia, Rwanda, Srebrenica, Darfur, etc.). Although cases of genocide will play an important role in this course, the caseload is certainly not limited to genocide and other violent conflicts will be addressed as well. Here one could think of the following cases, Chili, Argentina, Guatemala, Indonesia, East Timor, Iraq, Syria, Congo, Central African Republic, etc. Not to forget the torture practices of the U.S.

The insights gathered throughout this course have policy implications and inform us how we could react to gross human rights violations once they have occurred. These policy implications are addressed in greater detail during another UCM course titled The aftermath of atrocity: A course on transitional justice and post-conflict reconstruction (SSC 3052) which will be taught during the spring semester in period 5.

Course objectives

- To gain a criminological understanding of gross human rights violations and other international crimes by examining their causes on individual (micro), institutional (meso), national and international (macro) levels using a criminological approach that integrates relevant insights from different disciplines (social psychology, sociology, victimology, history, international relations, international law and psychology).
- Moreover, to view the world through the eyes of the perpetrators as well as the victims and the bystanders by focusing on their roles in the occurrence of gross human rights violations.

- To make insightful the linkage between gross human rights violations and violent conflicts in the world.
- To gain an understanding of how to approach the criminological study of complex cases of violence and to be able to analyze such cases independently.

Prerequisites

Two 2000-level courses in the Social Sciences or Humanities.

Recommended reading

- Handbook (t.b.a)
- E-reader.

SSC3032

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

5.0

Instruction language:

English

Coordinators:

[C.A.R. Moerland](#)

F. Grünfeld

Teaching methods:

PBL, Presentation(s), Lecture(s), Assignment(s), Paper(s)

Assessment methods:

Final paper, Attendance, Participation, Written exam, Oral exam, Take home exam

Faculty of Law

Hoofdzaken Loon- en Inkomstenbelasting

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX2014

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

12.0

Instruction language:

Dutch

Coordinator:

[M.J.G.A.M. Weerepas](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Law and Neurosciences

Full course description

This course introduces students to the new interdisciplinary field of law, neuroscience and philosophy. It uses an integrative approach by addressing the relevancy of potential applications of neuroscience in the fields of both criminal law and civil law. The course aims, inter alia, to assist students in critically reflecting on the present and future possibilities pertaining to the intersection between law and neuroscience. It also explores how neuroscientific research may challenge the foundations and conditions of criminal and civil (tort) liability. The main themes of the course include the following: the neuroscientific challenge to free will and responsibility; the scientific and legal view on human agency and personhood; the problem of neuroreductionism (reducing mental states and behaviour to brain states); diagnosing and assessing mental capacities and disabilities; the use of neurological evidence in court; neuroscience and human rights and finally, we will focus on some neuro-criminological aspects and the predictive and rehabilitative use of neuroscientific techniques.

Course objectives

Upon completion of this course, the student must be able to:

- understand the basic conditions of criminal and private law liability in relationship to neuroscientific challenges and insights.
- understand the different philosophical positions on the free will and determinism debate
- reflect on the neuroscientific challenges to free will, human agency and legal responsibility;
- understand the relevance of neuroscientific techniques as a diagnostic tool in order to determine mental capacities and disabilities, with a particular focus on the insanity defence;
- critically reflect on the use of science and the legal image of man;
- critically reflect on some neuro-myths;
- understand how neurosciences can contribute to our knowledge of pain assessment in tort liability;
- assess the value and limitations of neuroscientific evidence in court cases, including lie-detection;
- reflect on the value of neuroscientific techniques as a predictive tool for risk assessment;
- reflect on the use of neuroscientific techniques (especially direct brain interventions) to modify the brain in order to enhance people's responsibility

Prerequisites

Although there are no prerequisites for this course, we expect good English language and writing

skills. Also, some basic legal knowledge is necessary to understand the main topics of this course. Therefore, in the first two weeks some introductory lectures will be given on the basic concepts of criminal and private law, especially for students without any knowledge of law.

One is also required to study

- additionally chapters 2,4, and 6 from J. Hage & B. Akkermans (eds), Introduction to law Springer, 2014 and
- chapters 1, 3 and 6 from J. Keiler & D. Roef (eds.), Comparative Concepts of Criminal Law, Cambridge, Intersentia, 2016.

This additional literature will be made available in a reader.

Students report spending an average of 12-15 hours for each session.

Recommended reading

The literature for this course consists of state-of-the-art articles on neurolaw. It is indicated for each session which reading materials should be studied beforehand.

Examples of relevant literature:

- N. Vincent, 'On the relevancy of neuroscience to criminal responsibility', Criminal Law and Philosophy, 2009, 77-98;
- M.S. Pardo & D. Patterson, Minds, Brains , and Law. The Conceptual Foundations of Law and Neuroscience, Oxford University Press, 2015, p.1-42; p. 79-140.
- S. Morse, 'Determinism and the Death of Folk Psychology: Two Challenges to Responsibility From Neuroscience', J.L.Sci & Techn., 2008, 1-20;
- F.X. Shen & O.D. Jones, 'Brain Scans as Evidence: Truths, Proofs, Lies and Lessons', Mercer Law Review ,2011, 861-883;

LAW3021

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Final paper

Keywords:

Neuroscience and law / neurolaw

Faculty of Law

Willem C. Vis Moot Court Competition Bachelor

LAW3212

Period 2

29 Oct 2018

21 Dec 2018

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

[N. Kornet](#)

Faculty of Law

Vennootschapsbelasting

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3005

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[J.H.M. Arts](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

International Business Law

Full course description

This course will cover some of the very general principles of international business law that govern various commercial transactions at the international level. The objective of this course is to enable students to answer some crucial questions regarding international business and commerce, which includes, but are not limited to the following: What is the applicable law for the transaction? What are the responsibilities and liabilities of the parties involved? Who arranges the carriage contract and who is in charge of transporting the goods from one point to another? How does the buyer pay the seller? What happens in the event that something goes wrong?

To help the students answer these questions, this course will focus on the following subject matters: 1) international sale of goods and general contract terms; 2) carriage of goods by land and sea; 3) letter of credit as a payment mechanism; and 4) international commercial arbitration as one possible way for parties to resolve their disputes. In addition to these core issues, this course will also attempt to shed light on various business concerns (e.g. business ethics) and current events that is of relevance to this course.

Given that our face-to-face instruction time will be relatively short in order to cover all of the subjects noted above, we admit at the very beginning that there will be a limit to what we will be able to teach the students (without force-feeding the information to students, which we do not intend to). With this in mind, this course will NOT cover various subjects including but not limited to: 1) extensive history of business/commercial law; 2) carriage of goods by air or rail; 3) leasing and financing contracts; or 4) insolvency and insurance claims just to provide a handful of examples. Our aim will NOT be to simply cram as much information as possible, but to select the essential concepts, to go over them in some depth, and to instill sufficient knowledge for the students to be able to apply these concepts in a practical manner. While the students may not become absolute experts of IBL at the end of this course, the students will possess enough foundational understanding of the subject matter, which will equip them with the ability to build further atop this foundation on their own.

Teaching methods:

The bulk of the information that the students need to succeed in this course will be presented at the lectures every week (please note that the lectures will NOT be recorded). The knowledge that the students accumulate from the lecturers (plus the information covered in the weekly handouts and various other materials) will be applied in the tutorials each week by students solving a number of practical cases. Moreover, the tutorials will be student-centered and Socratic, which is to suggest that if the tutors notice students being silent for a prolonged period of time during the tutorials, the tutors reserve the right to invite those students to participate more actively.

Assessment methods:

Legal Memorandum (60%), Mock Trial/Arbitration (30%), and Negotiation Strategy (10%). The Mock Trial/Arbitration and the Negotiation Strategy will be a group assessment that the students will NOT be able to resit.

Course objectives

One of the overarching issues that this course will keep coming back to is the question of what impact these “international” laws (i.e. UN Convention on Contracts for the International Sale of Goods) are having on the harmonization of the law at the international/European level. Each week, the students will see evidence to suggest that there is no such thing as the “uniform law of contract” that governs an entire commercial contract from start to finish. Therefore, the students will consider “International Business Law” as a fragmented network of laws, with different laws governing each part of the transaction. Having this fundamental understanding will allow students to start grasping this complex subject matter with a bit more ease. At the end of the course, the goal is for the students to be able to demonstrate a basic level of competence and knowledge for matters related to international business law.

Recommended reading

The students will be given a choice in terms of what type of learning materials (i.e. reader, handouts, executive summaries, podcasts, vlogs etc.) they prefer to use before the course starts. In other words, the course materials will consist of different formats and compositions depending on what the students desire, but they will all be made freely available on BlackBoard. Substantively speaking, the materials for each week (whatever type of format and composition the students vote for) will be designed to prepare them for the lectures, the tutorials, and the assignments. In addition, the course manual will provide a weekly list of recommended readings above and beyond the mandatory materials that the students will be strongly encouraged to follow.

PRI3008

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M.T. Kawakami](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Keywords:

International business law, International sale of goods, Incoterms 2010, International carriage of goods, documentary credit, international commercial arbitration, alternative dispute resolution, and private international law.

Successiewet en Erfrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3006

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[K.M.L.L. van de Ven](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Comparative Legal History of the Meuse-Rhine Euregion

Full course description

In the Early Modern Period (16th-18th centuries) the Meuse-Rhine region was divided in many autonomous territories like the duchies of Gueldres, Cleves, Julich, the Prince Bishopric of Cologne and Liege etc. Most of these territories underwent a process of legal modernization in this period. One of the most important features of this process was the codification of customary law, as ordered by the sovereigns of these territories. Although the codifiers in those territories made use of the Corpus Iuris Civilis as a subsidiary law source, they found different solutions for comparable legal problems, resulting in different mixtures of customary and Roman law, which were studied in regional legal treatises and jurisprudence in the following period. Today, many contemporary treatises on the legal systems of Cleve, Julich, Cologne and Liege are available as facsimile editions online, enabling us to study similarities and differences in the legal systems of the Meuse-Rhine territories.

Assessment Methods:

- Paper (70%)
- Presentation (30%)

Course objectives

1. Acquisition of necessary skills in the field of comparative legal history research (application):

- problem definition and research design: how to choose a topic which is relevant for comparison
- Read, translate and interpret primary legal sources of the early modern period (written in Middle Dutch, Middle French or Middle German)
- compare and describe two or three legal systems of the Meuse-Rhine Euregion
- frame one's observations in a broader theoretical framework in order to review and evaluate (by means of comparative research) generally accepted or disputed theses and views in the field of legal history

2. Acquisition of insight in the legal history of the Meuse-Rhine Euregion (understanding)

- outline general legal history of the Meuse-Rhine Euregion
- identify, describe and explain specificities of legal history of the Meuse-Rhine Euregion within a wider European context

Prerequisites

Elementary legal history; advanced (passive) knowledge of French and/or German and/or Dutch is a prerequisite.

Recommended reading

Recommended literature is referred to in the course book.

MET3006

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[B. van Hofstraeten](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Presentation

Keywords:

Comparative legal history; research skills; legal history of the Meuse-Rhine EUregion, 16th-18th centuries.

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PUB3002

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[R.J.G.H. Seerden](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Full course description

This course introduces the legal structure and design of tax systems. We will first focus on the basic principles of tax systems and elements of the tax base (deductions, attribution of income). There will be a particular focus on taxing personal income (from labour and capital) and corporate income (like interest, royalties and dividends). We will then address selected issues of doing business abroad like double taxation as well as taxation of cross-border workers. Basic anti-tax-avoidance legislation will also be addressed as will elements of European (tax) law. This course will not focus on any country in particular, allowing this to be a real principle-based and comparative course.

Course objectives

- Students should be able to understand and explain basic principles of personal and corporate income taxation from both a government as well as a taxpayer perspective.
- Students should gain a basic understanding of principles of international tax law, the role of tax treaties and their interaction with certain elements of EU law.

Prerequisites

None

Recommended reading

- H. Ault / B. Arnold, Comparative Income Taxation: A Structural Analysis, 4th edition, 2019/2020 (if not available in time, we will use the IBFD's digital Tax Research Platform)

- Articles
- Sources from newspapers and magazines

TAX3009

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[R.H.C. Luja](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Final paper, Presentation

Keywords:

Income tax, corporation tax, international business, cross-border employment

Faculty of Law

Forensische Geneeskunde

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

LAW3016

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Coordinator:

[W.L.J.M. Duijst](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Personen- en Familierecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI3005

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.H.S.C. Daenen](#)

Teaching methods:

PBL

Assessment methods:

Written exam

Faculty of Law

Comparative Civil Procedure

Full course description

Whether or not procedural law in the European Union should be harmonised is a matter of debate. A discussion of this question is not possible without a thorough knowledge of (1) the existing procedures in the Member States of the Union, (2) the origins of these procedures and (3) the differences between these procedures and their similarities. Within the European Union at least three procedural families may be distinguished: those which have developed around the French Code de procédure civile, the ones of the German-speaking countries and finally the systems which belong to the Common Law family. The characteristics of each procedural family will be discussed. In discussing these characteristics, the civil procedure of France, Germany and England will be studied in some detail. Special attention is given to the question how these systems deal with the requirements of Article 6 (and 13) of the European Convention of Human Rights and with fundamental principles of procedure in general. Subsequently the differences between the three procedural families and their similarities will be evaluated. It will appear that most similarities can be explained on the basis of the origin of particular procedural rules. The final part of the course addresses the question whether or not approximation of procedural law is desirable and, if it is desirable, in what particular manner approximation can be achieved. In this context, the Principles of Transnational Civil Procedure of ALI/UNIDROIT will be discussed.

Course objectives

To provide students with an insight in the character and goals of civil procedure; To provide students with knowledge of the basic principles of civil procedure in Europe; To provide students with knowledge of Articles 6 and 13 ECHR and the case law of the ECtHR; To provide students with knowledge of harmonised European rules on civil procedure; To provide students with knowledge of the ALI/Unidroit Transnational Principles of Civil Procedure; To provide students with knowledge of civil procedure in England & Wales, Germany and France from a comparative perspective; To make students aware of the fundamental similarities and differences in civil procedure in Europe; To provide students with an insight into the historical development of civil procedure in Europe; To provide students with an insight into the current debate on harmonisation of civil procedure; To provide students with knowledge of the advantages and disadvantages of the tools available for harmonising the law of procedure; To enable students to formulate well-founded opinions on civil procedural issues in a comparative perspective.

Prerequisites

None

Recommended reading

Reader

LAW2005

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[C.H. van Rhee](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

Civil Procedure, Civil Litigation, Comparative Law

Faculty of Law

Crime and Criminal Policy

Full course description

This course addresses the problem of crime and the societal reaction to it from both a criminological and a criminal law point of view. In the course attention is paid to four interrelated themes:

1. the concept of crime (what is crime?),
2. the genesis of crime policy,
3. crime control in the modern risk society, and the
4. impact of this paradigm on the development of substantive criminal law.

These four themes will be discussed on the basis of different phenomena: moral panic and sex offenders, hate speech, the use of preventive (terrorist) offences, the influence of neuroscience on criminal law, regulating prostitution, and environmental crime. This allows us to illustrate, via different forms of crime, some specific developments and recent challenges within criminal policy and criminal law, instead of just focusing on one specific category of crimes. It is important to realize that in most sessions an explicit comparative methodology will be used. This helps us to understand that there may be different societal reactions to similar (legal) problems. Also, specific attention will be given to some criminal policy issues from the perspective of recent EU legislation, e.g. within the field of environmental crime and the fight against terrorism.

This course is an elective course for ELS-ET, year 2 and for Rechtsgeleerdheid, year 3

Course objectives

The course Crime and Criminal Policy invites students to reflect on various aspects with regard to the definition of crime and the development of criminal policy and criminal law. The students are challenged to scrutinize the basic elements of the concept of crime, the origins of crime policy, the rationale behind the contemporary response to crime and its implications on the development of criminal law.

Upon completion of this course, the student must be able to:

- to understand the basic elements of the social construction of crime

- to reflect on the relation between the process of criminalization and the protection of human rights and civil liberties
- to comprehend the rationale behind the current fight against and prevention of crime
- to understand the consequences of the contemporary crime control paradigm for the development of substantive criminal law
- to compare on an introductory level different criminalization policies in the field of prostitution, terrorism and environmental crime

Prerequisites

Basic knowledge of the concepts and principles of substantive criminal law is required

Recommended reading

Reader

CRI3006

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J. Keiler](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

Crime - Criminalization - Crime control - Criminal Law

Faculty of Law

Inleiding Nederlands Straf- en Strafprocesrecht

Full course description

Dit blok is bedoeld als een inleiding tot het Nederlandse strafrecht en strafprocesrecht. Het beoogt elementair inzicht te geven in de structuur, beginselen en regels van het strafrechtelijk systeem, waarbij eerst aandacht wordt besteed aan het formele strafrecht en daarna aan het materiële strafrecht.

Tijdens de eerste vier bijeenkomsten komen de belangrijkste leerstukken van het formele strafrecht aan bod. Het formele strafrecht, grotendeels geregeld in het Wetboek van Strafvordering, kan worden begrepen als het geheel van rechtsregels betreffende de opsporing, vervolging en berechting van

personen die ervan worden verdacht een strafbaar feit te hebben gepleegd. In het formeel strafrechtelijke deel komen achtereenvolgens de volgende onderwerpen aan de orde: de diverse fasen en actoren van het strafproces, het verdenkingsbegrip, opsporingsbevoegdheden, vrijheidsbenemende dwangmiddelen, fouillering en doorzoeking, vervolging, de systematiek van artikelen 348-350 Sv, regeling met betrekking tot getuigen en beginselen van bewijsrecht. Tijdens de drie volgende bijeenkomsten komen de belangrijkste leerstukken van het materiële strafrecht aan bod. Als er wordt gesproken over materieel strafrecht dan heeft men het over de vraag wat een strafbaar feit is. Dit deel van het strafrecht wordt voor een belangrijk deel gevonden in het Wetboek van Strafrecht, maar ook in bijzondere wetten, zoals de Opiumwet. In dit materieelrechtelijk deel wordt aandacht besteed aan de volgende onderwerpen. Na een bijeenkomst over het legaliteitsbeginsel en het leerstuk van causaliteit wordt aandacht besteed aan de verschillende schuldvormen en de strafuitsluitingsgronden. Daarna komen leerstukken in beeld die leiden tot een nadere definitie van de personen die bij een strafbaar feit betrokken kunnen zijn. Het gaat dan om onderwerpen als poging, voorbereiding en deelnemingsvormen, zoals uitlokking en medeplichtigheid.

De belangrijkste onderwijsvormen in dit blok betreffen de onderwijsbijeenkomsten (1 x 2 uur per week) en een drietal hoorcolleges.

De taken, opdrachten en aanwijzingen in alle genoemde onderwijsvormen behoren tot de verplichte leerstof van het blok.

Course objectives

Inzicht verschaffen in de structuur, beginselen en regels van het Nederlandse strafrechtelijke systeem aan de hand van de belangrijkste hoofdthema's en basisbeginselen van het formele en materiële strafrecht.

Recommended reading

Het voorgeschreven basisboek in dit blok is:

- M.J. Kronenberg en B. de Wilde, Grondtrekken van het Nederlandse strafrecht, Kluwer, laatste druk.
- Daarnaast zijn de in het literatuurboek opgenomen teksten en de colleges deel van de verplichte leerstof.

CRI1004

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[M. Ziesemer](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Materieel strafrecht Strafprocesrecht

Faculty of Law

Inleiding Nederlands Privaatrecht

Full course description

Het blok Inleiding Nederlands Privaatrecht begint met een kort overzicht van het gehele privaatrecht en een inleiding tot kernbegrippen van het vermogensrecht. Daarna volgt een korte inleiding in het overeenkomstenrecht en enkele leerstukken gerelateerd aan rechtshandelingen. Het grootste deel van het blok is gewijd aan het goederenrecht waarbij onder andere het leerstuk van de overdracht uitvoerig wordt behandeld, zowel voor onroerende als roerende zaken en vorderingen. De derdenbescherming van de verkrijger te goeder trouw wordt behandeld aan de hand van onroerende zaken, roerende zaken en vorderingen op naam. Wat onroerende zaken betreft komt ook de rol van de openbare registers en het kadaster naar voren en verkrijging van een onroerende zaak door verjaring. Ook wordt veel aandacht besteed aan beperkte gebruiksrechten (onder andere opstal, erfpacht en erfdiensbaarheid) en kwalitatieve verplichtingen en kettingbedingen. Ten slotte geeft het blok een korte introductie in het pand- en hypotheekrecht. De te behandelen stof is verdeeld over de onderwijsgroepen en colleges.

Het blok bereidt voor op het blok Verbintenissenrecht in het tweede jaar van de bachelor en de blokken Goederenrecht en Inleiding Ondernemingsrecht en Faillissementsrecht in het derde jaar. Wat betreft beperkte rechten op onroerend goed, kwalitatieve verplichtingen en kettingbedingen wordt de stof direct op eindniveau bachelor gedoceerd omdat deze onderwerpen verderop in de bachelor niet meer aan bod komen.

Course objectives

De student heeft goed inzicht in de kernbegrippen van het privaatrecht en diep inzicht in de kernbegrippen van het goederenrecht. Hij of zij is in staat om de opgegeven rechtspraak zelfstandig op te zoeken en te bestuderen en analyseren, en zelfstandig nieuwe privaatrechtelijke casus te analyseren, zijn kennis hierop toe te passen en diepgaande vragen hierover te beantwoorden, en zijn gedachten hierover helder te formuleren in de vorm van een kort essay (essayvragen beantwoorden tijdens examen). De student wordt uitgedaagd om tijdens de onderwijsgroepen actief te discussiëren over de oplossing van de casus in het blokboek. Daarbij komt in sommige discussies ook de maatschappelijke context en wenselijkheid nadrukkelijk aan bod. Beide vormen van tentoonspreiden van zijn of haar kennis (schriftelijk en mondeling) worden getraind en zijn van belang voor het op academisch niveau zelfstandig functioneren en overbrengen van de opgedane kennis.

Prerequisites

- W.H.M. Reehuis, Zwaartepunten van het vermogensrecht, 2015
- En bijkomende literatuur die per taak wordt opgegeven

Recommended reading

- W.H.M. Reehuis/A.H.T. Heisterkamp, Pitlo, Het Nederlands burgerlijk recht, Deel 3, Goederenrecht, 2006

PRI1005

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

WTO Mootcourt

LAW5601

Year

1 Sep 2018

31 Aug 2019

[Print course description](#)

ECTS credits:

12.0

School of Business and Economics

Structuur Loon- en Inkomstenbelasting

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

EBC2129

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

13.0

Instruction language:

Dutch

Coordinator:

[M.J.G.A.M. Weerepas](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Participation

Faculty of Law

Recht in een Multiculturele Samenleving

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI3006

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.W.E. Rutten](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Oral exam

Faculty of Law

Rechtspsychologie

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

Recommended reading

Literatuur: - P.J. van Koppen, De Schiedammer parkmoord. Ars Aequi 2003. - F. Posthumus, Evaluatieonderzoek in de Schiedammer parkmoord. Openbaar Ministerie 2005. - P.J. van Koppen e.a. (red.), Reizen met mijn rechter, Deventer, Kluwer 2010; - H.F.M. Crombag, P.J. van Koppen en W.A. Wagenaar, Dubieuze zaken: De psychologie van strafrechtelijk bewijs, Amsterdam, Contact 1992; goedkope herdruk 2011.

MET3004

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[M.R. Vanderhallen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Medische Aansprakelijkheid

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

LAW3002

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[M.M. ten Hoopen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

undefined

Faculty of Law

European Company Law

Full course description

Central aim of the Bachelor Course European Company Law (European Law School) is to introduce participants into the basics of company law in the European Union. The first challenge (chapter 1) is to get acquainted with basic features of what ‘business conduct’ precisely is about. It all starts with perceiving which business ‘formats’ (i.e. the sole trader, partnerships and company types) may serve entrepreneurs’ interests best.

The second challenge is to understand some specific topics of company law from a comparative angle. Correspondingly, some attention will be devoted to the law of France, Germany, England, and the Netherlands. In chapter 2 the students will deal with company formation and incorporation, including the pre-incorporation stage of limited liability companies and company nullity. Chapter 3 is all about capital protection in a narrow sense: the substantive requirement of a reasonable amount of money owned by the company. In chapter 4 internal matters of the company are dealt with: the powers of the management board, the supervisory board and the general meeting of shareholders. The question arises what happens when things go wrong within the company. This question will be dealt with in chapter 5: duties and liabilities of the board of directors and the general meeting of shareholders. In chapter 6 extra-ordinary company transactions will be dealt with, such as mergers, divisions and liquidation procedures.

The third challenge is to understand cross-border business conduct and the freedom of establishment throughout the European Union (i.e. mutual recognition of companies and the possibility of cross-border company seat transfers).

The final chapter furthermore sheds light on current developments and trends at EU-level, in particular business formats that are not creatures of national Member State laws (Societas Europaea, Societas unius Personae).

Assessment methods

There will be a written examination consisting of open questions. The resit will in principle also be in writing. However, the course coordinator has the possibility to opt for an oral exam.

Course objectives

1. The first goal is to get acquainted with the principles and basic features of the substance of company law, from a legal point of view.
2. The second goal for students lies in the need to understand the close relation between national company law on one hand and European company law on the other. Starting point is national

company law of the Netherlands, Germany and France (Civil Law oriented concepts) and the United Kingdom (Common Law oriented concept).

3. The third goal is to get a grip on the specific features of Company Law from a European perspective. The course requires from participants that they do not only concentrate on the framework of, inasmuch it does exist, European law but also of the use of tools and methods taken from other legal disciplines such as private international law concerning the status of foreign companies (i.e. the real seat theory and the incorporation theory).

Prerequisites

Basic knowledge of EU institutional law

Recommended reading

- A. Dorresteyn a.o., European Corporate law, Kluwer law international 2017 will be used as handbook. **Please note that not all chapters of this book will be used and whether or not you buy this book is up to you. Five copies of this book are available for copying in the Learning and Resource Centre of the University Library.** In the course book can find for each week of this course the parts of the book that will be used.
- Legislation: Probably the Maastricht Collection Selected National, European and International Provisions from Public and Private Law (ed. N. Kornet/ S. Hardt), Europa Law Publishing fourth edition, 2017 will be used. However, it might happen that a legislative reader will be developed.

PRI3007

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[S. Renssen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Company, Partnership, European Union, Business, Directors, Capital, Liability, Shareholders, Merger, Division, Liquidation, Freedom of establishment, Migration, SE, SuP

Faculty of Law

Consumentenrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI3011

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[C.N.M.Y. Cauffman](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

European Administrative Law

Full course description

Most of what the EU actually does can be qualified as administrative law. A directive setting standards for air quality, a fine imposed by the European Commission to a company found guilty of a cartel, a guidance on safety standards issued by the European Aviation Safety Agency are all measures which fall within the scope of administrative law.

While at national level there is a rather clear-cut division between legislative and administrative bodies, and it is not hard to identify what constitutes 'the administration', when the EU is involved matters become more complicated. Some of EU law is adopted and executed at EU level. If the Commission investigates the behaviour of a company which it suspects abusing its dominant position, it acts as an administrative authority. At the end of this process, the Commission may then issue an administrative measure, e.g. a fine, against which judicial review will be open before the European Courts. This is a typical case of direct administration.

Most of EU law, however, is not executed by the European institutions themselves. Because of the complexity and the sheer amount of work involved, the EU has, from the outset, needed national administrations to put European policies into effect. First of all, national parliaments need to transpose Directives and operationalise Regulations. If the EU passes a Directive on waste treatment, the national parliaments must create national law e.g. setting percentages of minimum waste recycling, designating the competent authorities in charge of monitoring whether companies comply with the requirements, setting fines for non-compliance etc. The designated national authorities will

then have to inspect premises, draw up reports, impose fines etc. In such cases, one talks about indirect administration, because EU law is executed through the national administrations.

In cases of indirect administration, it is generally national rules of administrative law that govern the actions of national authorities. These national rules govern the procedural requirements have to be fulfilled if one asks for a permit, if and at which court one can file an action if the permit is refused and with which means the government can ensure that the requirements for obtaining the permit are enforced. Because national administrations are, in such cases, executing European law, and national courts are adjudicating on European law, national procedural rules have to respect some minimum requirements imposed by the EU legislator and the CJEU. In this way the EU has been increasingly influencing national administrative law.

The course European Administrative Law covers all these themes: starting from the cases of direct administration (i.e. what is sometimes referred to as 'the administrative law of the European Union'), the course moves to discuss situations in which the EU and the national administrations have to cooperate in the execution of European law, and will subsequently discuss the way European law influences national administrative law in the cases of indirect administration.

Course objectives

The student knows and understands the most important overarching concepts of administrative law and he/she is expected to have a thorough knowledge of the administrative law of the European Union and of the influence of European law on the administrative law of the Member States. He/she is able to compare different administrative systems and draw critical conclusions from the analysis. He/she has practiced to independently conduct comparative research.

Prerequisites

This course builds upon the knowledge acquired in the courses Comparative Administrative Law, European Law I and, to a certain extent, European Law II.

Recommended reading

Reader

PUB3003

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M. Eliantonio](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

European law, administrative law, European administrative law, Comparative Law, Europeanisation of public law, procedural law, agencies, comitology, principles, shared administration, administrative decision-making, remedies.

Faculty of Law

European Private Law

Full course description

This course aims to make its participants familiar with the area of European Private Law. Only two decades ago, this aim would have been perceived as far too difficult to attain: until 1990 or so, there was no such thing as ‘the European Law of Contract’. Over the last decade however, scholarly efforts to build such a uniform contract law on the basis of comparative legal research coincided inter alia with the issuing of important European Directives in this field and the drafting of principles of contract law based on comparative research. These principles include the Principles of European Contract Law (PECL) and the Principles of European Law (PEL), dealing with topics such as sales and services contracts. These initiatives have not in themselves led to a great deal of uniform contract law for the European Union, but what has emerged is the idea (shared by many scholars and practitioners) that it is possible to come up with such a uniform law in the future. In any event, this has led to the assumption that European Contract Law can be taught at universities by uncovering the similarities and differences between the various European legal systems and by pointing at the unifying instruments that already exist. Recently (January 2008) a massive effort of scholarly work led to the publication of a Draft Common Frame of Reference of European Private Law (DCFR), based on the PECL and further comparative research. In 2009 a renewed and updated version of the DCFR was released and presented to the European Commission in the form of 6 volumes of over 6000 pages. An expert group worked to turn the (academic) DCFR into a (political) CFR, which could serve as a so-called optional instrument in the field of contract law. The result was a feasibility study that formed the basis for the European Commission’s proposal on a Common European Sales Law (CESL), which was proposed in October 2011.

The CESL has been the subject of a heavy debate among academics, but also among politicians and Member States. The European Parliament was relatively happy with the Commission’s proposal, but it soon became clear that the Commission’s proposal would not make it in Council. Hence, when the Juncker Commission started late 2014 it revoked the CESL proposal. Instead, using a new thematic approach, the European Commission launched a proposal relating to digital sales only. For the moment, these proposals have been under consideration, as the European Union is dealing with other pressing matters.

One of the most pressing matters is – of course – the invoking of Article 50 TEU by the United Kingdom. While the negotiations for a #Brexit are ongoing, the European Union continues, perhaps – following the celebrations of the 60th anniversary of the Treaty of Rome (i.e. the original EEC Treaty) – at different speeds. The role of private law is very important and talk of a European Business Code has surfaced.

The European Union has not been sitting still in the past years in the field of private law. In October 2008, the European Commission proposed a draft Directive, which aimed to replace some of the existing contract law Directives, seeking more coherence. The interesting thing about this draft directive is that the European Commission is changing its approach from minimum harmonisation to

full (or maximum) harmonisation and is under fierce attack for it. A new and less ambitious draft was published in 2011, which was also adopted in October 2011.

By far the largest body of European Contract Law deals with consumers. This is mostly due to the nature of European legislation. After all, the European legislature must show aim and reason before it can issue harmonising measures. It is sometimes held that because of this there is legislation at different levels, dealing differently with similar subject matter. The European Commission is organised in several Directorates-General (DG's) (perhaps best compared to the ministries of the Member States) that operate on a semi-autonomous basis. Of course there is coordination between the DG's, and there is some steering from the College of Commissioners (the full meeting of all Members of the European Commission), but – and this has been a major criticism in the past – this coordination has not always been successful. At least, part of the fragmentary character of European Contract Law at present can be attributed to bad coordination.

Because of this competence-oriented approach, consumer law takes a central place in the field of European contract law. In European Union speak, this part of the law deals with contracts between businesses and consumers, so-called 'B2C' transactions. In addition to this, there are also European initiatives taken that deal more with commercial relationships, so-called 'B2B' (business to business) transactions.

CESL and the digital sales proposal have provided us a glance at what the European Private Law of the future can look like, certainly combined with other legislative initiatives taken by the Commission, such as the Consumer Rights Directive. However, at the same time these proposals also show the limit of what the EU is politically able to achieve in this area. It is that future that is the central focus point of this course.

In this course you will, after 2 weeks of introduction be part of a EU Council of Ministers Working Party on civil justice dealing with a fictive proposal on a European Private law prepared by a group of students representing the European Commission. You can have influence on the delegation you are part of for this course, which can be presiding over meetings (teaching leadership), the European Commission (focusing on legislative drafting), a number of Member States (focusing on the Europeanisation process in private law) and a special institute of Law and Economics with special advisory powers. The course is finalised by a simulation of a COREPER II negotiation session during a whole day in the exam week.

Course objectives

At the end of this course you will have:

- Knowledge of existing EU private law as well as knowledge about future initiatives
- Knowledge and understanding of the European private law debate
- Shown your ability to apply your knowledge of EU private law to a concrete subject area dealing with contract, tort or property.
- Understanding of the relationship between EU law and national law in the area of private law
- Shown your ability to work with the vertical dimensions between the EU level and the Member States.
- Acquired and demonstrated basic negotiation skills and the ability to apply these in an EU private law setting.

Prerequisites

Prerequisites:

None, but a course in national or comparative contract law, property law and/or tort law is preferred.

Preknowledge:

Pre-requisite knowledge of private law is helpful, but not necessary. Also a basic course in EU law, both institutional and substantive, is helpful but not required.

Recommended reading

None

PRI3012

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[B. Akkermans](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Presentation

Keywords:

European Private Law; European Contract Law; European Property Law; European Tort Law; Europeanisation

Faculty of Law

Legal Philosophy

Full course description

This course introduces students to a few problems, theories, and arguments in legal philosophy. It does not presuppose a background in philosophy – or even law.

The starting point is a discussion about the nature of law. We will focus on the following question: “Is the content and validity of law grounded on moral facts?”. We will examine different formulations of this question and two rival families of theories that have emerged as a response to it: Legal Positivism and Non-Positivism. We will then analyse some arguments for and against these theories.

The course then addresses a different question: “Do we have a duty to obey the law?”. First we will consider and evaluate the plausibility of a number of arguments that favour a positive answer. We will then examine the challenges posed by a view known as “Philosophical Anarchism” and discuss its merits and weaknesses.

Even if we have a duty to obey the law, sometimes disobedience seems justified. Under what conditions (if any) are we permitted to disobey our laws? And if disobedience is sometimes permitted, how far can we act in disobedience? Are we, for example, sometimes permitted to kill government agents? These are the questions we will evaluate next.

Discussion about disobedience is generally focused on citizens. But how about judges? Judges are often confronted with two choices: strictly applying the law or disregarding the law in favour of a morally better outcome. Under what circumstances (if any) are judges permitted to disregard the law in favour of a morally better outcome? A few responses to this question will be examined. We will also analyse a few different conceptions of the role of the judge and their implications to the debate about the permissibility of disregarding the law.

Lastly, we will turn our attention to forms of government. Most actual western governments are – or at least claim to be – democratic. Democracy has a strong correlation with economic growth and the preservation of liberties and human rights. But why democracy? Is democracy the best form of government we can have? We will discuss both arguments in favour and against democracy. While doing so we will engage with related questions about the value of voting and the duties of electors.

Course objectives

At the end of the course, students will be familiar with a range of problems, theories, and arguments in contemporary legal philosophy. Additionally, the course aims to enable students to:

- Use basic philosophical concepts and tools;
- Understand and formulate philosophical problems with rigour;
- Identify flaws in philosophical theories and arguments;
- Propose counter-examples and thought experiments;
- Argue for and against philosophical positions about the law.

Recommended reading

- Reader

MET3003

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[L. Miotto Lopes](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

Legal Philosophy, Political Philosophy, Nature of Law, Legal Positivism, Non-positivism, Duty and Obligation, Anarchism, Civil Disobedience, Fidelity to Law, Formalism, Particularism, democracy, Lottocracy, Epistocracy.

Faculty of Law

Comparative Administrative Law

Full course description

The primary purposes of administrative law are:

- to empower the government to put its policies into effect and
- to keep the powers of the government within their legal boundaries, so as to protect citizens against their abuse.

The course Comparative Administrative Law provides an introduction into the general administrative law of France, Germany, the Netherlands and the United Kingdom (mainly England & Wales). The course concentrates on the following themes:

1. the administrative decision-making process and its outcome: the forms of administrative action;
2. the general principles regulating administrative decision-making and the concept of discretion;
3. the access to administrative courts;
4. the remedies against the administration.

Course objectives

The primary purpose of this course is for students to acquire a basic knowledge of the administrative law systems of France, Germany, the Netherlands and the UK. Furthermore, specific differences and similarities between the four systems of administrative law will be analysed.

Recommended reading

A reader.

PUB2014

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M. Eliantonio](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment

Keywords:

Administrative law; principles; administrative action; access to court; remedies against the administration; comparative law.

Faculty of Law

Inleiding Islamitisch Familierecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI1006

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.W.E. Rutten](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Oral exam, Written exam

Faculty of Law

Introduction to International Human Rights

Full course description

In this course we look at human rights from the perspective of international law: the obligations of states to uphold universal standards and the mechanisms in place to transform national injustices into international concerns giving rise to recommendations (but not necessarily sanctions) to governments. These obligations and mechanisms were created after 1948, when the Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations (UN). Human rights are a universal language intended to end discrimination and violence, reduce human

suffering and promote human development.

Course objectives

Generally:

- To provide an introduction to international human rights law and the institutional framework of the UN.

Specifically:

- Understanding the nature of international (UN) human rights norms and state obligations, as well as the position and role of non-state actors.
- Finding your way through the major international (UN) human rights treaties (ICERD 1965, ICCPR and ICESCR 1966, CEDAW 1979, CAT 1984, CRC 1989, CRPD 2006) and relevant documents related to the institutional framework of the UN.
- Being able to apply international (UN) human rights norms with critical reasoning and legal argumentation to concrete problems.
- Being able to distinguish between, and become familiar with, treaty- and UN Charter-based mechanisms (especially, special procedures and UPR).

Prerequisites

Bachelor level law, including a course on international law: students must have followed one or more international law courses.

Recommended reading

Obligatory 2 books:

- Bisset, Alison (ed.), International Human Rights Documents. Oxford: OUP (Tenth Edition, 2016), ISBN 9780198768302.
- Moeckli, Daniel, et al. (eds.), International Human Rights Law. Oxford: OUP (Second Edition, 2014): ISBN 9780199654574.

IER3009

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Coordinators:

[J.A. Sellin](#)

[A.C. Broderick](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Subjects to be discussed include: universality and other key concepts, human rights treaties, categories of rights, non-state actors, vulnerable groups, mechanisms, institutions, committees and courts.

Faculty of Law

ELSA European Human Rights Moot Court Competition

Full course description

The ELSA human rights moot court competition provides an opportunity for students to experience the practical application and implementation of the European Convention on Human Rights. The competition involves written submissions by all teams and a Final Oral Round at the European Court of Human Rights (ECtHR) in Strasbourg, where the best 20 teams from all over Europe compete. The moot court presents a unique opportunity for students to plead before the ECtHR, to engage in networking with other participants and Judges, and to win a traineeship at the ECtHR. For more information, please see <https://ehrmcc.elsa.org/>

Extra information:

The best 20 teams are selected on the basis of the written submissions. However, National and Local Groups of ELSA organise the EHRMCC pre-rounds, which participants may join to practice their pleadings and receive feedback. The participation in the pre-rounds is optional and does not influence the selection for the Final Oral Round. The competition is held entirely in English.

LAW3213

Year

1 Sep 2018

31 Aug 2019

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinators:

[J. Trifunović](#)

[S. Imamovic](#)

Faculty of Law

Privacy

Full course description

This elective course addresses the increasingly topical issues of privacy and data

protection, their scope, limitations and protection. Issues surrounding privacy and data protection are manifold. The advancement of technology leads to the collection, storage and analysis of an abundance of (private) data: ranging from the applications we use, the calls we make, our search behaviour on the Internet and covert surveillance, to name but a few examples. Content and meta-data are retained for surveillance purposes or analysed and sold for commercial purposes. For example, public authorities may take fingerprints or store DNA samples; intelligence services can store data obtained through CCTV surveillance in public areas; cameras for monitoring traffic might be used for traffic purposes and for criminal investigations. Another pressing issue is the balancing of privacy and data protection with other fundamental rights and interests, such as free speech, the right to property and transparency. What limitations does the law impose on data collection and, even more importantly, who supervises compliance with the privacy and data protection rules?

This course covers a panoply of issues. First, it aims to identify what is meant by these notions of privacy and data protection and to explain how these concepts should be understood. Subsequently, it focuses on the privacy and data protection issues under the European Convention of Human Rights, as interpreted by the case law of the ECtHR. Moreover, the course sheds light on the pertinent EU rules on privacy and data protection and identifies the relevant case law of the CJEU. As the notion of privacy is rapidly gaining importance in EU law, a large proportion of time will be devoted to the analysis of various EU legal sources and case law. Finally, although privacy and data protection are regulated by EU law, the compliance therewith is to be organised at the national level through supervisory authorities. Consequently, the course will also cover this aspect of legal regulation of privacy and data protection.

This course brings together many traditional fields of law: not only EU law, constitutional law and human rights law, but also issues related to health law, criminal law, private law and administrative law. Therefore, the highly relevant topics of privacy and data protection are placed within a broader context. In that respect, this course prepares students for future employment in fields which require not only the knowledge of the rapidly developing ambit of privacy and data protection, but also an understanding of how this field relates to other legal fields.

LAW3067

Period 5

8 Apr 2019

7 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M. Brkan](#)

Faculty of Law

Materieel Strafrecht en Criminele Politiek

Full course description

De titel Materieel strafrecht en Criminele Politiek refereert aan de tweevoudige opzet van het blok. Het onderdeel Materieel strafrecht gaat over de vraag wat strafbaar is gesteld. In het blok wordt allereerst aandacht besteed aan enkele kernleerstukken van de strafrechtsdogmatiek, zoals daderschap (van de rechtspersoon), opzet en schuld, poging, voorbereidingshandelingen en deelname aan een criminele (terroristische) organisatie. Daarnaast komen enkele bijzondere delictsvormen aan bod, zoals uitingsdelicten (aanzetten tot haat), terrorismemisdrijven en drugsdelicten. Het onderdeel Criminele Politiek heeft tot doel inzicht te verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid. Het materiële strafrecht ontstaat immers niet in een vacuüm. Strafbaarstellingen zijn steeds het uitvloeisel van maatschappelijke opvattingen en derhalve voortdurend aan verandering onderhevig. Ook de wijze waarop de overheid het strafrecht als sturingsinstrument gebruikt is geen onveranderlijk gegeven. Zo zien we dat het strafrecht de laatste jaren steeds meer in de ban raakt van risicomanagement. Het is veiligheid wat de klok slaat wanneer het over strafrecht gaat. Of het nu gaat om terrorismebestrijding, zinloos geweld of het voorkomen van rampen (denk aan de vuurwerkcramp in Enschede), van de overheid worden meer strafrechtelijke maatregelen verlangd teneinde een veiligere samenleving te garanderen. Deze ontwikkeling doet talrijke vragen rijzen over de grondslagen, maar ook de mogelijke beperkingen van het moderne strafrecht. Daarom wordt ook aandacht besteed aan meer strafrechtstheoretische beschouwingen over doel en functie van het strafrecht. Het blok heeft daardoor naast een sterke positiefrechtelijke, ook een metajuridische dimensie. Een centrale doelstelling van het blok is op een kritische wijze te onderzoeken hoe strafrechtstheorie, criminele politiek en materieel strafrecht zich tot elkaar verhouden.

Course objectives

Doel van dit blok is (1) het kritisch analyseren van enkele klassieke leerstukken van het materiële strafrecht, en (2) inzicht verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid, met name in het licht van de moderne risicomaatschappij.

Prerequisites

Elementaire basiskennis van het materiële strafrecht is vereist.

Recommended reading

Er wordt gebruikt gemaakt van een literatuurklapper. Hieronder worden ter illustratie enkele teksten vermeld. - B.J.V. Keupink, 'Strafbaarstelling, schade en (im)moraliteit', in J.R. Blad (red.), *Strafrechtelijke rechtshandhaving. Aspecten en actoren voor het onderwijs belicht*, Den Haag, Boom juridische uitgevers, 2007, p. 43-61. - H. Boutellier, 'Veiligheidsutopie', in E.R. Muller (red.), *Veiligheid. Studies over inhoud, organisatie en maatregelen*, Alphen aan den Rijn, Kluwer, 2004, p. 125-151; - D. Roef, 'Strafrechtelijke verantwoordelijkheid in de risicomaatschappij', in P.L. Bal, G.E. Smaers, E. Prakken (red.), *Veiligheid of vergelding? Een bezinning over aard en functie van het strafrecht in de postmoderne risicomaatschappij*, Deventer, Kluwer, 2003, p. 33-56;

CRI3004

Period 5

8 Apr 2019

7 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Strafrechtelijke aansprakelijkheid - strafbaarstellingsbeleid - veiligheid - risicomaatschappij

Faculty of Law

Intellectual Property in the Digital Single Market (Jean Monnet Module)

Full course description

With the support of the Erasmus+ Programme of the European Union.

This course frames the understanding of intellectual property in the context of the Digital Single Market as a central EU policy. It follows closely the EU's policy on intellectual property in the Digital Single Market, and gives students tools to understand and work with that policy in their future professional lives.

The course will first familiarize students with intellectual property areas and principles, through general lectures and interactive tutorials. The main aim of this first set of lectures is to provide students with an understanding of the EU's legal regime concerning the various intellectual property rights (such as patents, trademarks, copyright and designs), which will encompass an overview of the legislation, case law, and legislative background of each IP right.

The second set of lectures follows in the form of specialised guest lectures which will deal with specific intellectual property issues in the Digital Single Market, such as the liability regime of information society providers and ownership of big data. Part of these lectures will be given by invited lecturers and researchers from other universities who are experts in the particular topics covered.

In the last part of this course, students will apply their knowledge and understanding of intellectual property in the context of the Digital Single Market, through participation in a mock trial and in a roundtable discussion.

Assessment methods are Written Exam and Mock Trial.

The contents of this module reflect only the coordinator's view. The Education, Audiovisual and

Culture Executive Agency and the Commission are not responsible for any use that may be made of the information it contains.

This course has a limited capacity of 38 students. The spots will be given on an first-come, first-served basis.

LAW3018

Period 1

3 Sep 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

[A.B. Quintela Ribeiro Neves Ramalho](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Bachelor internship European Law School

Faculty of Law

Bachelor's internship ELS (12)

Full course description

De stage De Maastrichtse Faculteit der Rechtsgeleerdheid beschouwt de stage als een volwaardig programmaonderdeel van de rechtenopleiding. Studenten krijgen in de praktijk immers de gelegenheid hun kennis en inzicht te vergroten en juridische en sociale vaardigheden verder te ontwikkelen. De stage is niet verplicht maar veel studenten benutten de mogelijkheid van een stage om praktijkervaring op te doen.

LAW3312

Year

1 Sep 2018

31 Aug 2019

[Print course description](#)

ECTS credits:

12.0

Instruction language:

Dutch

Coordinators:

[I. Rezelman](#)

[K.G.M. Mertens](#)

Teaching methods:

PBL

Assessment methods:

Written exam

Faculty of Law

Bachelor's internship ELS (6)

Full course description

De stage De Maastrichtse Faculteit der Rechtsgeleerdheid beschouwt de stage als een volwaardig programmaonderdeel van de rechtenopleiding. Studenten krijgen in de praktijk immers de gelegenheid hun kennis en inzicht te vergroten en juridische en sociale vaardigheden verder te ontwikkelen. De stage is niet verplicht maar veel studenten benutten de mogelijkheid van een stage om praktijkervaring op te doen.

LAW3306

Year

1 Sep 2018

31 Aug 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinators:

[I. Rezelman](#)

[K.G.M. Mertens](#)

Teaching methods:

PBL

Assessment methods:

Written exam

Minor

Minor Dutch law

Faculty of Law

Inleiding Nederlands Staats- en Bestuursrecht

Full course description

Dit blok beoogt een inleiding te geven in het bestuursrecht. In het bestuursrecht gaat het om verhouding tussen de overheid (in de hoedanigheid van bestuursorganen) enerzijds en burgers en rechtspersonen anderzijds. Deze verhouding is bijzonder, omdat bestuursorganen de bevoegdheid hebben om door middel van besluiten burgers en rechtspersonen eenzijdig te binden. Het gaat daarbij bijvoorbeeld om het verlenen van een omgevingsvergunning bouwen, het terugvorderen van onterecht ontvangen studiefinanciering, het verlenen van een subsidie, het sluiten van een woning of het opleggen van een bestuurlijke boete. Belangrijke vragen zijn: hoe komen bestuursorganen aan dergelijke bevoegdheden en wat kunnen burgers en rechtspersonen doen wanneer zij het met de genomen besluiten niet eens zijn (bestuursrechtelijke rechtsbescherming)?

Dit vak geeft studenten een inleiding in het bestuursrecht, met name door hen in staat te stellen om: a. de wijze waarop bestuursbevoegdheden in het leven worden geroepen te herkennen en te benoemen, b. de kernbegrippen van het bestuursrecht te definiëren en toe te passen, c. de geschreven en ongeschreven normen van het bestuurshandelen te benoemen en d. de begrippen van het bestuursprocesrecht (incl. voorprocedures) te definiëren en toe te passen.

Onderwijsmiddelen: het blok kent één onderwijsbijeenkomst per week (2 uur) en een viertal colleges. De taken, opdrachten, aanwijzingen en uiteenzettingen in deze onderwijsvormen behoren tot de verplichte leerstof van het blok.

Course objectives

Na succesvolle afronding van dit vak hebben de studenten de volgende kwalificaties verworven:

- de student heeft basiskennis van belangrijke bestuursrechtelijke leerstukken;
- de student kan de kernbegrippen van het bestuursrecht (bestuursorgaan, besluit, belanghebbende) definiëren/beschrijven en op een bestuursrechtelijke casus uit de praktijk toepassen;
- de student weet hoe bestuursbevoegdheden in het leven worden geroepen en worden toebedeeld en kan in dat kader een onderscheid maken tussen attributie, delegatie en mandaat;
- de student weet aan welke normen bestuurlijk handelen is gebonden en kan beargumenteren hoe controle op de uitoefening van die bevoegdheden plaatsvindt; deze kennis kan de student toepassen op een bestuursrechtelijke casus uit de praktijk;
- de student kan beschrijven hoe een belangrijke karakteristiek van het bestuursrecht (de betrokkenheid van de overheid als een van de partijen in een geding) tot uitdrukking komt in de bestuursrechtelijke rechtsbescherming;
- de student beheerst enkele basale professionele vaardigheden, te weten het snel vinden van relevante wetten/wetsartikelen in een wettenbundel of via de geëigende overheidsportals op internet, het zoeken van relevante informatie via juridische databanken en het ordenen en analyseren van jurisprudentie.

Recommended reading

Leermiddelen (onder voorbehoud):

- T. Barkhuysen, C. de Kruif, W. den Ouden en Y.E. Schuurmans, Bestuursrecht in het Awb-tijdperk, Deventer: Kluwer 2014 (zevende druk)
- Reader met aanvullende literatuur
- Voorgescreven jurisprudentie (zelf op te zoeken via Legal Intelligence)

PUB1014

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinators:

[J.E. van den Brink](#)

[A.W. Heringa](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Bestuursrecht

Faculty of Law

Inleiding Nederlands Privaatrecht

Full course description

Het blok Inleiding Nederlands Privaatrecht begint met een kort overzicht van het gehele privaatrecht en een inleiding tot kernbegrippen van het vermogensrecht. Daarna volgt een korte inleiding in het overeenkomstenrecht en enkele leerstukken gerelateerd aan rechtshandelingen. Het grootste deel van het blok is gewijd aan het goederenrecht waarbij onder andere het leerstuk van de overdracht uitvoerig wordt behandeld, zowel voor onroerende als roerende zaken en vorderingen. De derdenbescherming van de verkrijger te goeder trouw wordt behandeld aan de hand van onroerende zaken, roerende zaken en vorderingen op naam. Wat onroerende zaken betreft komt ook de rol van de openbare registers en het kadaster naar voren en verkrijging van een onroerende zaak door verjaring. Ook wordt veel aandacht besteed aan beperkte gebruiksrechten (onder andere opstal, erfpacht en erfdienstbaarheid) en kwalitatieve verplichtingen en kettingbedingen. Ten slotte geeft het blok een korte introductie in het pand- en hypotheekrecht. De te behandelen stof is verdeeld over de onderwijsgroepen en colleges.

Het blok bereidt voor op het blok Verbintenissenrecht in het tweede jaar van de bachelor en de blokken Goederenrecht en Inleiding Ondernemingsrecht en Faillissementsrecht in het derde jaar. Wat

betreft beperkte rechten op onroerend goed, kwalitatieve verplichtingen en kettingbedingen wordt de stof direct op eindniveau bachelor gedoceerd omdat deze onderwerpen verderop in de bachelor niet meer aan bod komen.

Course objectives

De student heeft goed inzicht in de kernbegrippen van het privaatrecht en diep inzicht in de kernbegrippen van het goederenrecht. Hij of zij is in staat om de opgegeven rechtspraak zelfstandig op te zoeken en te bestuderen en analyseren, en zelfstandig nieuwe privaatrechtelijke casus te analyseren, zijn kennis hierop toe te passen en diepgaande vragen hierover te beantwoorden, en zijn gedachten hierover helder te formuleren in de vorm van een kort essay (essayvragen beantwoorden tijdens examens). De student wordt uitgedaagd om tijdens de onderwijsgroepen actief te discussiëren over de oplossing van de casus in het blokboek. Daarbij komt in sommige discussies ook de maatschappelijke context en wenselijkheid nadrukkelijk aan bod. Beide vormen van tentoonspreiden van zijn of haar kennis (schriftelijk en mondeling) worden getraind en zijn van belang voor het op academisch niveau zelfstandig functioneren en overbrengen van de opgedane kennis.

Prerequisites

- W.H.M. Reehuis, Zwaartepunten van het vermogensrecht, 2015
- En bijkomende literatuur die per taak wordt opgegeven

Recommended reading

- W.H.M. Reehuis/A.H.T. Heisterkamp, Pitlo, Het Nederlands burgerlijk recht, Deel 3, Goederenrecht, 2006

PRI1005

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Inleiding Nederlands Straf- en Strafprocesrecht

Full course description

Dit blok is bedoeld als een inleiding tot het Nederlandse strafrecht en strafprocesrecht. Het beoogt elementair inzicht te geven in de structuur, beginselen en regels van het strafrechtelijk systeem, waarbij eerst aandacht wordt besteed aan het formele strafrecht en daarna aan het materiële

strafrecht.

Tijdens de eerste vier bijeenkomsten komen de belangrijkste leerstukken van het formele strafrecht aan bod. Het formele strafrecht, grotendeels geregeld in het Wetboek van Strafvordering, kan worden begrepen als het geheel van rechtsregels betreffende de opsporing, vervolging en berechting van personen die ervan worden verdacht een strafbaar feit te hebben gepleegd. In het formeel strafrechtelijke deel komen achtereenvolgens de volgende onderwerpen aan de orde: de diverse fasen en actoren van het strafproces, het verdenkingsbegrip, opsporingsbevoegdheden, vrijheidsbenemende dwangmiddelen, fouillering en doorzoeking, vervolging, de systematiek van artikelen 348-350 Sv, regeling met betrekking tot getuigen en beginselen van bewijsrecht. Tijdens de drie volgende bijeenkomsten komen de belangrijkste leerstukken van het materiële strafrecht aan bod. Als er wordt gesproken over materieel strafrecht dan heeft men het over de vraag wat een strafbaar feit is. Dit deel van het strafrecht wordt voor een belangrijk deel gevonden in het Wetboek van Strafrecht, maar ook in bijzondere wetten, zoals de Opiumwet. In dit materieelrechtelijk deel wordt aandacht besteed aan de volgende onderwerpen. Na een bijeenkomst over het legaliteitsbeginsel en het leerstuk van causaliteit wordt aandacht besteed aan de verschillende schuldvormen en de strafuitsluitingsgronden. Daarna komen leerstukken in beeld die leiden tot een nadere definitie van de personen die bij een strafbaar feit betrokken kunnen zijn. Het gaat dan om onderwerpen als poging, voorbereiding en deelnemingsvormen, zoals uitlokking en medeplichtigheid.

De belangrijkste onderwijsvormen in dit blok betreffen de onderwijsbijeenkomsten (1 x 2 uur per week) en een drietal hoorcolleges.

De taken, opdrachten en aanwijzingen in alle genoemde onderwijsvormen behoren tot de verplichte leerstof van het blok.

Course objectives

Inzicht verschaffen in de structuur, beginselen en regels van het Nederlandse strafrechtelijke systeem aan de hand van de belangrijkste hoofdthema's en basisbeginselen van het formele en materiële strafrecht.

Recommended reading

Het voorgeschreven basisboek in dit blok is:

- M.J. Kronenberg en B. de Wilde, Grondtrekken van het Nederlandse strafrecht, Kluwer, laatste druk.
- Daarnaast zijn de in het literatuurboek opgenomen teksten en de colleges deel van de verplichte leerstof.

CRI1004

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[M. Ziesemer](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Materieel strafrecht Strafprocesrecht

Faculty of Law

Goederenrecht (Bachelor)

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/353471/goederenrecht-bachelor>

PRI3001

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[L.P.W. van Vliet](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Inleiding Ondernemings- en Faillissementsrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/354715/inleiding-ondernemings-en-faillissementsrecht>

PRI3002

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[J.J.A. Hamers](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Staats- en Bestuursrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/354093/staats-en-bestuursrecht>

PUB2021

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

10.0

Coordinators:

[A.M.L. Jansen](#)

[E.M.J. Hardy](#)

Teaching methods:

Lecture(s), PBL

Faculty of Law

Bestuursprocesrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/355409/bestuursprocesrecht>

PUB2022

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

3.0

Coordinators:

[E.M.J. Hardy](#)

[A.M.L. Jansen](#)

Teaching methods:

Skills

Faculty of Law

Burgerlijk Procesrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/354865/burgerlijk-procesrecht>

LAW3010

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

Dutch

Coordinator:

[F.J. Fernhout](#)

Teaching methods:

Lecture(s)

Assessment methods:

Written exam

Faculty of Law

Verbintenissenrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/355303/verbintenissenrecht>

PRI2014

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

10.0

Coordinator:

[G. van Dijck](#)

Teaching methods:

Lecture(s), PBL

Faculty of Law

Inleiding Arbeids- en Sociaal Zekerheidsrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/352597/inleiding-arbeids-en-sociaal-zekerheidsrecht>

PUB3006

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

3.0

Instruction language:

Dutch

Coordinator:

[M.J.A.C. Driessen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Straf- en Strafprocesrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please click the link below.

<https://www.maastrichtuniversity.nl/nl/meta/351633/straf-en-strafprocesrecht>

CRI2011

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

10.0

Coordinator:

[J.A.A.C. Claessen](#)

Teaching methods:

Lecture(s), PBL

Minor Familie en Recht

Faculty of Law

Successiewet en Erfrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in

Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

TAX3006

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[K.M.L.L. van de Ven](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Personen- en Familierecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI3005

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.H.S.C. Daenen](#)

Teaching methods:

PBL

Assessment methods:

Faculty of Law

Internationaal Privaatrecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI3004

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.W.E. Rutten](#)

Teaching methods:

PBL

Assessment methods:

Written exam

Faculty of Law

Recht in een Multiculturele Samenleving

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI3006

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.W.E. Rutten](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Oral exam

Faculty of Law

Inleiding Islamitisch Familierecht

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

PRI1006

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[S.W.E. Rutten](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Oral exam, Written exam

Minor Business and Law

Faculty of Law

European Company Law

Full course description

Central aim of the Bachelor Course European Company Law (European Law School) is to introduce participants into the basics of company law in the European Union. The first challenge (chapter 1) is to get acquainted with basic features of what 'business conduct' precisely is about. It all starts with perceiving which business 'formats' (i.e. the sole trader, partnerships and company types) may serve entrepreneurs' interests best.

The second challenge is to understand some specific topics of company law from a comparative angle. Correspondingly, some attention will be devoted to the law of France, Germany, England, and the Netherlands. In chapter 2 the students will deal with company formation and incorporation, including the pre-incorporation stage of limited liability companies and company nullity. Chapter 3 is all about capital protection in a narrow sense: the substantive requirement of a reasonable amount of money owned by the company. In chapter 4 internal matters of the company are dealt with: the powers of the management board, the supervisory board and the general meeting of shareholders. The question arises what happens when things go wrong within the company. This question will be dealt with in chapter 5: duties and liabilities of the board of directors and the general meeting of shareholders. In chapter 6 extra-ordinary company transactions will be dealt with, such as mergers, divisions and liquidation procedures.

The third challenge is to understand cross-border business conduct and the freedom of establishment throughout the European Union (i.e. mutual recognition of companies and the possibility of cross-border company seat transfers).

The final chapter furthermore sheds light on current developments and trends at EU-level, in particular business formats that are not creatures of national Member State laws (*Societas Europaea*, *Societas unius Personae*).

Assessment methods

There will be a written examination consisting of open questions. The resit will in principle also be in writing. However, the course coordinator has the possibility to opt for an oral exam.

Course objectives

1. The first goal is to get acquainted with the principles and basic features of the substance of company law, from a legal point of view.
2. The second goal for students lies in the need to understand the close relation between national company law on one hand and European company law on the other. Starting point is national company law of the Netherlands, Germany and France (Civil Law oriented concepts) and the United Kingdom (Common Law oriented concept).
3. The third goal is to get a grip on the specific features of Company Law from a European perspective. The course requires from participants that they do not only concentrate on the framework of, inasmuch it does exist, European law but also of the use of tools and methods taken from other legal disciplines such as private international law concerning the status of foreign companies (i.e. the real seat theory and the incorporation theory).

Prerequisites

Basic knowledge of EU institutional law

Recommended reading

- A. Dorresteijn a.o., European Corporate law, Kluwer law international 2017 will be used as handbook. **Please note that not all chapters of this book will be used and whether or not you buy this book is up to you. Five copies of this book are available for copying in the Learning and Resource Centre of the University Library.** In the course book can find for each week of this course the parts of the book that will be used.
- Legislation: Probably the Maastricht Collection Selected National, European and International Provisions from Public and Private Law (ed. N. Kornet/ S. Hardt), Europa Law Publishing fourth edition, 2017 will be used. However, it might happen that a legislative reader will be developed.

PRI3007

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[S. Renssen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Company, Partnership, European Union, Business, Directors, Capital, Liability, Shareholders, Merger, Division, Liquidation, Freedom of establishment, Migration, SE, SuP

Faculty of Law

International Business Law

Full course description

This course will cover some of the very general principles of international business law that govern various commercial transactions at the international level. The objective of this course is to enable students to answer some crucial questions regarding international business and commerce, which includes, but are not limited to the following: What is the applicable law for the transaction? What are the responsibilities and liabilities of the parties involved? Who arranges the carriage contract and who is in charge of transporting the goods from one point to another? How does the buyer pay the seller? What happens in the event that something goes wrong?

To help the students answer these questions, this course will focus on the following subject matters: 1) international sale of goods and general contract terms; 2) carriage of goods by land and sea; 3) letter of credit as a payment mechanism; and 4) international commercial arbitration as one possible

way for parties to resolve their disputes. In addition to these core issues, this course will also attempt to shed light on various business concerns (e.g. business ethics) and current events that is of relevance to this course.

Given that our face-to-face instruction time will be relatively short in order to cover all of the subjects noted above, we admit at the very beginning that there will be a limit to what we will be able to teach the students (without force-feeding the information to students, which we do not intend to). With this in mind, this course will NOT cover various subjects including but not limited to: 1) extensive history of business/commercial law; 2) carriage of goods by air or rail; 3) leasing and financing contracts; or 4) insolvency and insurance claims just to provide a handful of examples. Our aim will NOT be to simply cram as much information as possible, but to select the essential concepts, to go over them in some depth, and to instill sufficient knowledge for the students to be able to apply these concepts in a practical manner. While the students may not become absolute experts of IBL at the end of this course, the students will possess enough foundational understanding of the subject matter, which will equip them with the ability to build further atop this foundation on their own.

Teaching methods:

The bulk of the information that the students need to succeed in this course will be presented at the lectures every week (please note that the lectures will NOT be recorded). The knowledge that the students accumulate from the lecturers (plus the information covered in the weekly handouts and various other materials) will be applied in the tutorials each week by students solving a number of practical cases. Moreover, the tutorials will be student-centered and Socratic, which is to suggest that if the tutors notice students being silent for a prolonged period of time during the tutorials, the tutors reserve the right to invite those students to participate more actively.

Assessment methods:

Legal Memorandum (60%), Mock Trial/Arbitration (30%), and Negotiation Strategy (10%). The Mock Trial/Arbitration and the Negotiation Strategy will be a group assessment that the students will NOT be able to resit.

Course objectives

One of the overarching issues that this course will keep coming back to is the question of what impact these "international" laws (i.e. UN Convention on Contracts for the International Sale of Goods) are having on the harmonization of the law at the international/European level. Each week, the students will see evidence to suggest that there is no such thing as the "uniform law of contract" that governs an entire commercial contract from start to finish. Therefore, the students will consider "International Business Law" as a fragmented network of laws, with different laws governing each part of the transaction. Having this fundamental understanding will allow students to start grasping this complex subject matter with a bit more ease. At the of the course end, the goal is for the students to be able to demonstrate a basic level of competence and knowledge for matters related to international business law.

Recommended reading

The students will be given a choice in terms of what type of learning materials (i.e. reader, handouts, executive summaries, podcasts, vlogs etc.) they prefer to use before the course starts. In other words, the course materials will consist of different formats and compositions depending on what the students desire, but they will all be made freely available on BlackBoard. Substantively speaking, the materials for each week (whatever type of format and composition the students vote for) will be designed to prepare them for the lectures, the tutorials, and the assignments. In addition, the course

manual will provide a weekly list of recommended readings above and beyond the mandatory materials that the students will be strongly encouraged to follow.

PRI3008

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M.T. Kawakami](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam

Keywords:

International business law, International sale of goods, Incoterms 2010, International carriage of goods, documentary credit, international commercial arbitration, alternative dispute resolution, and private international law.

Faculty of Law

European Private Law

Full course description

This course aims to make its participants familiar with the area of European Private Law. Only two decades ago, this aim would have been perceived as far too difficult to attain: until 1990 or so, there was no such thing as 'the European Law of Contract'. Over the last decade however, scholarly efforts to build such a uniform contract law on the basis of comparative legal research coincided inter alia with the issuing of important European Directives in this field and the drafting of principles of contract law based on comparative research. These principles include the Principles of European Contract Law (PECL) and the Principles of European Law (PEL), dealing with topics such as sales and services contracts. These initiatives have not in themselves led to a great deal of uniform contract law for the European Union, but what has emerged is the idea (shared by many scholars and practitioners) that it is possible to come up with such a uniform law in the future. In any event, this has led to the assumption that European Contract Law can be taught at universities by uncovering the similarities and differences between the various European legal systems and by pointing at the unifying instruments that already exist. Recently (January 2008) a massive effort of scholarly work led to the publication of a Draft Common Frame of Reference of European Private Law (DCFR), based on the PECL and further comparative research. In 2009 a renewed and updated version of the DCFR was released and presented to the European Commission in the form of 6 volumes of over 6000 pages. An expert group worked to turn the (academic) DCFR into a (political) CFR, which could serve as a so-called optional instrument in the field of contract law. The result was a feasibility study that formed

the basis for the European Commission's proposal on a Common European Sales Law (CESL), which was proposed in October 2011.

The CESL has been the subject of a heavy debate among academics, but also among politicians and Member States. The European Parliament was relatively happy with the Commission's proposal, but it soon became clear that the Commission's proposal would not make it in Council. Hence, when the Juncker Commission started late 2014 it revoked the CESL proposal. Instead, using a new thematic approach, the European Commission launched a proposal relating to digital sales only. For the moment, these proposals have been under consideration, as the European Union is dealing with other pressing matters.

One of the most pressing matters is – of course – the invoking of Article 50 TEU by the United Kingdom. While the negotiations for a #Brexit are ongoing, the European Union continues, perhaps – following the celebrations of the 60th anniversary of the Treaty of Rome (i.e. the original EEC Treaty) – at different speeds. The role of private law is very important and talk of a European Business Code has surfaced.

The European Union has not been sitting still in the past years in the field of private law. In October 2008, the European Commission proposed a draft Directive, which aimed to replace some of the existing contract law Directives, seeking more coherence. The interesting thing about this draft directive is that the European Commission is changing its approach from minimum harmonisation to full (or maximum) harmonisation and is under fierce attack for it. A new and less ambitious draft was published in 2011, which was also adopted in October 2011.

By far the largest body of European Contract Law deals with consumers. This is mostly due to the nature of European legislation. After all, the European legislature must show aim and reason before it can issue harmonising measures. It is sometimes held that because of this there is legislation at different levels, dealing differently with similar subject matter. The European Commission is organised in several Directorates-General (DG's) (perhaps best compared to the ministries of the Member States) that operate on a semi-autonomous basis. Of course there is coordination between the DG's, and there is some steering from the College of Commissioners (the full meeting of all Members of the European Commission), but – and this has been a major criticism in the past – this coordination has not always been successful. At least, part of the fragmentary character of European Contract Law at present can be attributed to bad coordination.

Because of this competence-oriented approach, consumer law takes a central place in the field of European contract law. In European Union speak, this part of the law deals with contracts between businesses and consumers, so-called 'B2C' transactions. In addition to this, there are also European initiatives taken that deal more with commercial relationships, so-called 'B2B' (business to business) transactions.

CESL and the digital sales proposal have provided us a glance at what the European Private Law of the future can look like, certainly combined with other legislative initiatives taken by the Commission, such as the Consumer Rights Directive. However, at the same time these proposals also show the limit of what the EU is politically able to achieve in this area. It is that future that is the central focus point of this course.

In this course you will, after 2 weeks of introduction be part of a EU Council of Ministers Working Party on civil justice dealing with a fictive proposal on a European Private law prepared by a group of students representing the European Commission. You can have influence on the delegation you are part of for this course, which can be presiding over meetings (teaching leadership), the European Commission (focusing on legislative drafting), a number of Member States (focusing on the Europeanisation process in private law) and a special institute of Law and Economics with special advisory powers. The course is finalised by a simulation of a COREPER II negotiation session during a whole day in the exam week.

Course objectives

At the end of this course you will have:

- Knowledge of existing EU private law as well as knowledge about future initiatives
- Knowledge and understanding of the European private law debate
- Shown your ability to apply your knowledge of EU private law to a concrete subject area dealing with contract, tort or property.
- Understanding of the relationship between EU law and national law in the area of private law
- Shown your ability to work with the vertical dimensions between the EU level and the Member States.
- Acquired and demonstrated basic negotiation skills and the ability to apply these in an EU private law setting.

Prerequisites

Prerequisites:

None, but a course in national or comparative contract law, property law and/or tort law is preferred.

Preknowledge:

Pre-requisite knowledge of private law is helpful, but not necessary. Also a basic course in EU law, both institutional and substantive, is helpful but not required.

Recommended reading

None

PRI3012

Period 5

15 Apr 2019

14 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[B. Akkermans](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Presentation

Keywords:

European Private Law; European Contract Law; European Property Law; European Tort Law; Europeanisation

Comparative Income and Business Taxation

Full course description

This course introduces the legal structure and design of tax systems. We will first focus on the basic principles of tax systems and elements of the tax base (deductions, attribution of income). There will be a particular focus on taxing personal income (from labour and capital) and corporate income (like interest, royalties and dividends). We will then address selected issues of doing business abroad like double taxation as well as taxation of cross-border workers. Basic anti-tax-avoidance legislation will also be addressed as will elements of European (tax) law. This course will not focus on any country in particular, allowing this to be a real principle-based and comparative course.

Course objectives

- Students should be able to understand and explain basic principles of personal and corporate income taxation from both a government as well as a taxpayer perspective.
- Students should gain a basic understanding of principles of international tax law, the role of tax treaties and their interaction with certain elements of EU law.

Prerequisites

None

Recommended reading

- H. Ault / B. Arnold, Comparative Income Taxation: A Structural Analysis, 4th edition, 2019/2020 (if not available in time, we will use the IBFD's digital Tax Research Platform)

- Articles
- Sources from newspapers and magazines

TAX3009

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[R.H.C. Luja](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Final paper, Presentation

Keywords:

Income tax, corporation tax, international business, cross-border employment

Minor Human and Legal Decision-Making

Faculty of Law

Legal Decision-Making and Neurosciences

Full course description

In the legal arena, everything revolves around evidence and credibility. This course addresses the relevance and validity of various types of empirical evidence that regularly surface in courts of law. Particular attention is devoted to physiological measures (skin conductance and heart rate for example), brain imaging techniques (such as functional magnetic resonance imaging and positron emission tomography), neuropsychological assessments (cognitive tests and psychological questionnaires), and behavioral genetic evidence (twin and adoption studies but also research on specific genes such as monoamine oxidase A; “the warrior gene”). The significance of collecting such evidence can hardly be overestimated; not only can it serve as evidence in individual cases, it also informs and challenges the models and theories about human behavior and error—delinquency and decision-making included—that legal scholars and policymakers work with. The decision-making processes that are essential to evaluate the credibility of such evidence will also take center stage. Students will be introduced to decision-making at an academic level and discover that the science behind it is real; it involves cognitive models of decision-making, psychometric testing, theoretical approaches to human error, logical analyses of arguments, and mathematical techniques to quantify the accuracy of decisions and the strength of evidence. The majority of topics will feature in lectures given by distinguished experts of the Research and Documentation Center (WODC) of the Dutch Ministry of Security and Justice.

This course is part of the interfaculty minor Human and Legal Decision-Making, which consists of three other, complementary courses; Neurosciences & Law, Neuropsychology & Law, and Economic Psychology. If you are interested in the subject matter of this course, you are encouraged to look into the other courses of the minor Human and Legal Decision-Making.

Course objectives

Upon completion of this course, students must:

- Be familiar with physiological measures, brain imaging techniques, neuropsychological tests, and behavioral genetic studies as empirical evidence that can be brought into court.
- Be able to critically analyze the validity and relevance of such evidence within legal systems.
- Be able to recognize and evaluate different models of human behavior and error.
- Be able to identify and criticize the various ways in which humans make decisions (applied to law, medicine, and psychiatry).
- Know about the various roles that human decision-making play in the legal domain.
- Be able to recognize, remedy, and prevent diverse threats (e.g., cognitive biases, logical fallacies) that may undermine the quality of decision-making.
- Be able to employ simple mathematical methods to quantify the weight of evidence (e.g., likelihood

ratios) and the accuracy of decision rules (e.g., receiver operating characteristics).

Prerequisites

Although there are no prerequisites for this course, we expect good English language and writing skills. Furthermore, some basic knowledge of psychology, scientific methodology, and neuroscience is useful to understand the subject matter of this course. Students who are not acquainted with these subjects are therefore advised to study some introductory literature that will be made available during this course.

Recommended reading

The literature for this course consists of state-of-the-art articles on decision-making and neurobiological criminology.

Examples of the literature are:

- Buckholtz, J. W., & Faigman, D. L. (2014). Promises, promises for neuroscience and law. *Current Biology*, 24, R861-R867.
- Cornet, L. J. M. (2015). Using basic neurobiological measures in criminological research. *Crime Science*, 4, 1-16.
- Dror, I. E. (2015). Cognitive neuroscience in forensic science: Understanding and utilizing the human element. *Philosophical Transactions of the Royal Society B: Biological Sciences*, 370: 20140255.
- Swets, J. A., Dawes, R. M., & Monahan, J. (2000). Better decisions through science. *Scientific American*, 283, 82-87.

LAW3024

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

[F.L. Leeuw](#)

A.M.P.N. van Impelen

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

Human and legal decision making, Neurolaw, Methodology, Empirical evidence on neuroscientific factors

Neuropsychology and Law

Full course description

Most of this course pertains to neurocognitive processes of criminal offenders. Contextual factors, such as the history and current state of neuropsychology and psychiatry will be discussed to give students the desired background knowledge of this topic. A considerable part of the course is devoted to neuropsychological abnormalities in offenders who are affected by a psychiatric disorder. Another substantial part of the course pertains to offenders with acquired brain injury. The connection between neural abnormalities and criminal offences will be critically evaluated for each psychiatric or neurological disorder. A completely different side of neuropsychology and law, the effect of neurocognitive disorders in victims/witnesses of crimes on their eyewitness testimony, will also be dealt with.

Course objectives

After this course, students will have knowledge of psychiatric and neurological disorders that predispose to criminal offences. They will be able to appreciate the role of 'nature' and 'nurture' in violent behaviour, and will understand problems associated with witnesses who have brain disorders.

PSY3375

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[M. Jelicic](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Written exam, Attendance

Keywords:

forensic neuropsychology, Psychiatry, brain disorders, criminal offences

Faculty of Law

Law and Neurosciences

Full course description

This course introduces students to the new interdisciplinary field of law, neuroscience and philosophy.

It uses an integrative approach by addressing the relevancy of potential applications of neuroscience in the fields of both criminal law and civil law. The course aims, inter alia, to assist students in critically reflecting on the present and future possibilities pertaining to the intersection between law and neuroscience. It also explores how neuroscientific research may challenge the foundations and conditions of criminal and civil (tort) liability. The main themes of the course include the following: the neuroscientific challenge to free will and responsibility; the scientific and legal view on human agency and personhood; the problem of neuroreductionism (reducing mental states and behaviour to brain states); diagnosing and assessing mental capacities and disabilities; the use of neurological evidence in court; neuroscience and human rights and finally, we will focus on some neuro-criminological aspects and the predictive and rehabilitative use of neuroscientific techniques.

Course objectives

Upon completion of this course, the student must be able to:

- understand the basic conditions of criminal and private law liability in relationship to neuroscientific challenges and insights.
- understand the different philosophical positions on the free will and determinism debate
- reflect on the neuroscientific challenges to free will, human agency and legal responsibility;
- understand the relevance of neuroscientific techniques as a diagnostic tool in order to determine mental capacities and disabilities, with a particular focus on the insanity defence;
- critically reflect on the use of science and the legal image of man;
- critically reflect on some neuro-myths;
- understand how neurosciences can contribute to our knowledge of pain assessment in tort liability;
- assess the value and limitations of neuroscientific evidence in court cases, including lie-detection;
- reflect on the value of neuroscientific techniques as a predictive tool for risk assessment;
- reflect on the use of neuroscientific techniques (especially direct brain interventions) to modify the brain in order to enhance people's responsibility

Prerequisites

Although there are no prerequisites for this course, we expect good English language and writing skills. Also, some basic legal knowledge is necessary to understand the main topics of this course. Therefore, in the first two weeks some introductory lectures will be given on the basic concepts of criminal and private law, especially for students without any knowledge of law.

One is also required to study

- additionally chapters 2,4, and 6 from J. Hage & B. Akkermans (eds), Introduction to law Springer, 2014 and
- chapters 1, 3 and 6 from J. Keiler & D. Roef (eds.), Comparative Concepts of Criminal Law, Cambridge, Intersentia, 2016.

This additional literature will be made available in a reader.

Students report spending an average of 12-15 hours for each session.

Recommended reading

The literature for this course consists of state-of-the-art articles on neurolaw. It is indicated for each session which reading materials should be studied beforehand.

Examples of relevant literature:

- N. Vincent, 'On the relevancy of neuroscience to criminal responsibility', *Criminal Law and Philosophy*, 2009, 77-98;
- M.S. Pardo & D. Patterson, *Minds, Brains, and Law. The Conceptual Foundations of Law and Neuroscience*, Oxford University Press, 2015, p.1-42; p. 79-140.
- S. Morse, 'Determinism and the Death of Folk Psychology: Two Challenges to Responsibility From Neuroscience', *J.L.Sci & Techn.*, 2008, 1-20;
- F.X. Shen & O.D. Jones, 'Brain Scans as Evidence: Truths, Proofs, Lies and Lessons', *Mercer Law Review*, 2011, 861-883;

LAW3021

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Final paper

Keywords:

Neuroscience and law / neurolaw

School of Business and Economics

Economic Psychology

Full course description

Increasingly, economists are discovering psychology as a means to enrich their models of economic behaviour and well-being and to give them a better foundation. The importance of this is illustrated by the fact that the Nobel prize winner in economics in 2002 was the distinguished psychologist Daniel Kahneman. He characterizes his research as a quest for the 'logic of the irrational'. Adam Smith already recognized that economic, just like other, behaviour is motivated by an intriguing blend of 'rational' considerations and 'irrational' sentiments. The great challenge is to investigate the implications of the latter motives for economics.

This course aims to give an intensive introduction into this field. In the first nine sessions of the course the psychology and behavioural economics of judgment and decision-making are dealt with. Basic principles of rationality are compared with actual behaviour in making decisions. Next, students are introduced into the psychological and economic research on subjective well-being (happiness) and its socio-economic determinants (especially income). The importance of this research for economics and its policy implications will be highlighted. Students should realize that the course is not easy and that its material also includes some mathematical derivations.

Course objectives

- Acquiring a structured insight into the important roles of psychological factors and processes in the judgments, decision-making and well-being of economic agents
- Learning about the difference in approach between psychology and economics
- Learning about the relations between psychology and economics

Prerequisites

- Basic understanding of microeconomics (level comparable to: course Economics and Business), probability theory and mathematics (level comparable to course QM2)
- An advanced level of English

Recommended reading

- Hastie, Reid and Robyn M. Dawes. Rational choice in an uncertain world: The psychology of judgment and decision making. Sage, 2010.
- Articles and chapters from books.

EBC2103

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinator:

[P. Werner](#)

Teaching methods:

Presentation(s), Lecture(s), Work in subgroups

Assessment methods:

Participation, Written exam, Presentation

Minor Strafrecht en Forensica

Faculty of Law

Rechtspsychologie

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

Recommended reading

Literatuur: - P.J. van Koppen, De Schiedammer parkmoord. Ars Aequi 2003. - F. Posthumus, Evaluatieonderzoek in de Schiedammer parkmoord. Openbaar Ministerie 2005. - P.J. van Koppen e.a. (red.), Reizen met mijn rechter, Deventer, Kluwer 2010; - H.F.M. Crombag, P.J. van Koppen en W.A. Wagenaar, Dubieuze zaken: De psychologie van strafrechtelijk bewijs, Amsterdam, Contact 1992; goedkope herdruk 2011.

MET3004

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[M.R. Vanderhallen](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Materieel Strafrecht en Criminele Politiek

Full course description

De titel Materieel strafrecht en Criminele Politiek refereert aan de tweevoudige opzet van het blok. Het onderdeel Materieel strafrecht gaat over de vraag wat strafbaar is gesteld. In het blok wordt allereerst aandacht besteed aan enkele kernleerstukken van de strafrechtsdogmatiek, zoals daderschap (van de rechtspersoon), opzet en schuld, poging, voorbereidingshandelingen en deelname aan een criminele (terroristische) organisatie. Daarnaast komen enkele bijzondere delictsvormen aan bod, zoals uitingsdelicten (aanzetten tot haat), terrorismemisdrijven en drugsdelicten. Het onderdeel Criminele Politiek heeft tot doel inzicht te verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid. Het materiële strafrecht ontstaat immers niet in een vacuüm. Strafbaarstellingen zijn steeds het uitvloeisel van maatschappelijke opvattingen en derhalve voortdurend aan verandering onderhevig. Ook de wijze waarop de overheid het strafrecht als sturingsinstrument gebruikt is geen onveranderlijk gegeven. Zo zien we dat het strafrecht de laatste jaren steeds meer in de ban raakt van risicomanagement. Het is veiligheid wat de klok slaat wanneer het over strafrecht gaat. Of het nu gaat om terrorismebestrijding, zinloos geweld of het voorkomen van rampen (denk aan de vuurwerkcramp in Enschede), van de overheid worden meer strafrechtelijke maatregelen verlangd teneinde een veiligere samenleving te garanderen. Deze ontwikkeling doet talrijke vragen rijzen over de grondslagen, maar ook de mogelijke beperkingen van het moderne strafrecht. Daarom wordt ook aandacht besteed aan meer

strafrechtstheoretische beschouwingen over doel en functie van het strafrecht. Het blok heeft daardoor naast een sterke positiefrechtelijke, ook een metajuridische dimensie. Een centrale doelstelling van het blok is op een kritische wijze te onderzoeken hoe strafrechtstheorie, criminele politiek en materieel strafrecht zich tot elkaar verhouden.

Course objectives

Doel van dit blok is (1) het kritisch analyseren van enkele klassieke leerstukken van het materiële strafrecht, en (2) inzicht verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid, met name in het licht van de moderne risicomaatschappij.

Prerequisites

Elementaire basiskennis van het materiële strafrecht is vereist.

Recommended reading

Er wordt gebruikt gemaakt van een literatuurklapper. Hieronder worden ter illustratie enkele teksten vermeld. - B.J.V. Keupink, 'Strafbaarstelling, schade en (im)moraliteit', in J.R. Blad (red.), *Strafrechtelijke rechtshandhaving. Aspecten en actoren voor het onderwijs belicht*, Den Haag, Boom juridische uitgevers, 2007, p. 43-61. - H. Boutellier, 'Veiligheidsutopie', in E.R. Muller (red.), *Veiligheid. Studies over inhoud, organisatie en maatregelen*, Alphen aan den Rijn, Kluwer, 2004, p. 125-151; - D. Roef, 'Strafrechtelijke verantwoordelijkheid in de risicomaatschappij', in P.L. Bal, G.E. Smaers, E. Prakken (red.), *Veiligheid of vergelding? Een bezinning over aard en functie van het strafrecht in de postmoderne risicomaatschappij*, Deventer, Kluwer, 2003, p. 33-56;

CRI3004

Period 5

8 Apr 2019

7 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

[D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

Strafrechtelijke aansprakelijkheid – strafbaarstellingsbeleid – veiligheid - risicomaatschappij

Faculty of Law

European Criminal Justice Area

Full course description

This course focuses on cooperation between the Member States of the European Union in criminal matters. The Treaty on the European Union in 1992 created the so called Area of Freedom Security and Justice, which led to increasing efforts by the Member States to streamline their endeavors in regard to co-operation in criminal matters. The Treaty of Lisbon even further integrates and develops the co-operation in criminal matters within the European Union. This course will inter alia explore the effects of the Area of Freedom Security and Justice on the different forms of co-operation in criminal matters at the various stages of a criminal trial. A variety of European legal instruments, like the European Arrest Warrant, as well as pertinent case law of the European Court of Justice will be discussed. Furthermore, the course will deal with cornerstone principles of the Area, such as mutual recognition and ne bis in idem. In addition to the European Arrest Warrant, other forms of mutual recognition in criminal matters, e.g. the execution of judgments, the European Protection Order and the Supervision of Orders on Detention on Remand will be analyzed. Finally the repercussions of these new forms of co-operation on European citizens will be discussed and strengths and weaknesses of the new emerging European Criminal Justice System will be highlighted. The course has a focus limited to cooperation and will therefore not deal with the influence of Union law on national substantive criminal law. That is the topic of the master course European Criminal Law (CRI4007). The main objective of this course is therefore to get acquainted with the elementary concepts of European cooperation in criminal matters and with the changes and developments brought about by the introduction of the European Area of freedom, security and justice. This seven week course will combine seven sessions of group tutorials. According to the philosophy of problem-based learning, tutorial meetings shall be used to explore various concepts of the emerging European criminal justice area on the basis of some reading assignments and case studies.

Course objectives

The main objective of this course is to get acquainted with mutual recognition as the basis for all modalities of cooperation in criminal matters within the European Union. Students will understand the changes and developments brought about by the introduction of the European Area of Freedom, Security and Justice. They will be enabled to apply as well as critically discuss legal instruments and developments in the Area of Freedom Security and Justice. They should be able to find their way in European legislation implemented in a national penal system, evaluate their functioning and form a balanced opinion about the effects of European cooperation in criminal matters.

Prerequisites

- Interest in cooperation in criminal matters
- Readiness to participate in group sessions based on PBL

Recommended reading

- André Klip, European Criminal Law, Intersentia Antwerpen, 3rd ed. 2016
- Materials on European Criminal Law, Intersentia Antwerpen, 3rd ed. 2017
- Reader

LAW3012

Period 5

8 Apr 2019

7 Jun 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J. Keiler](#)

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Keywords:

Cooperation in criminal matters/ mutual recognition/ European arrest warrant

Faculty of Law

Forensische Geneeskunde

Full course description

This study programme is taught in Dutch. Hence, the programme information is only available in Dutch. If you would like to read the Dutch programme information, please choose 'NL' at the top of the website.

LAW3016

Period 4

4 Feb 2019

5 Apr 2019

[Print course description](#)

ECTS credits:

6.0

Coordinator:

[W.L.J.M. Duijst](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Minor European studies

Faculty of Arts and Social Sciences

Great Expectations

Full course description

The main aim of this course is to provide students with a basic understanding of the European Union: its development, its institutional framework and current problems. First, this course introduces the European integration process since the early 1950s. Using the current debate on the future of the Union as our point of departure, this course goes back to the early years of the European Communities and subsequently traces all the major developments in the EU up to the present. Secondly, we investigate the institutions of the European Union, their tasks and the main decision-making mechanisms. Finally, current political challenges of European integration are put up for debate. Throughout the whole course, students, additionally, get familiarized with the main European integration theories.

Course objectives

To provide insight into the historical development, the EU institutions, decision-making processes and current issues of the EU, and to get familiar with integration theories.

Recommended reading

Nugent, N. (2010). The government and politics of the European Union. (7th ed.). Hampshire: Palgrave Macmillan.

MES3001

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

9.0

Instruction language:

English

Coordinator:

[A. Herranz Surralles](#)

Teaching methods:

Assignment(s), Paper(s), Presentation(s)

Assessment methods:

Assignment, Written exam

Keywords:

European Union, European integration history, institutional framework, European integration theories

Europe: a critical reflection

Full course description

The concluding course brings the whole minor together. Equipped with the knowledge gained in the previous courses, students work in pairs on a comparative research paper. The course book provides students with broadly defined topic areas from the field of European Studies, allowing them to pick a topic of their own choosing. The tutorials accompany the writing process, providing common ground for discussion on key controversies in European Studies and on the methodology of comparative analysis. Lectures provide further food for thought on what it means to conduct critical research in European Studies. At a concluding conference, students present their findings to their peers.

Course objectives

At the end of this course students are trained in key academic processes: selecting a topic for research, developing a research design, writing a co-authored research paper and presenting in a conference setting.

MES3002

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[C.M. Sommerery](#)

Teaching methods:

Work in subgroups, PBL, Presentation(s)

Assessment methods:

Presentation and paper

Faculty of Arts and Social Sciences

The Idea of Europe

Full course description

This first course of the Minor European Studies curriculum has an introductory character. It touches on a number of issues which will be dealt with more extensively later on in the programme, but it also calls attention to a fundamental question concerning Europe: Does Europe exist? Does the name "Europe" refer to a political and/or cultural identity of its own? And if so, what are the distinguishing characteristics of this identity, what have been the decisive common experiences that have fostered a sense of European community, and how has it evolved in time?

Course objectives

At the end of this course, students will:

- have a basic overview of the development of the idea and identity of Europe, which can serve as a broad historical framework for understanding the process of European integration as it has occurred after 1945;
- be more familiar with specific characteristics of European history, notably in comparison with that of other (non-European) societies;
- have an understanding of some of the basic theoretical and methodological problems in dealing with this subject matter. Students are introduced to problems concerning the study of identity, especially the social and symbolic construction of community and identity, as well as corresponding notions of representation, invention of tradition, and 'lieux de mémoire'. They are also made familiar - at a rudimentary level - with some of the most influential (and contested) theories in the historical study of society like Max Weber's concept of rationality, Norbert Elias' theory of civilisation, different views on modernisation (Sigmund Freud, Ernest Gellner, Zygmunt Bauman).

Recommended reading

Delanty, G. (1995). *Inventing Europe: Idea, identity and reality*. London: Macmillan Press

MES3000

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

9.0

Instruction language:

English

Coordinator:

[F.L. Laczo](#)

Teaching methods:

PBL

Assessment methods:

Final paper

Keywords:

The idea of Europe, Identity, History

Faculty of Arts and Social Sciences

Back to the Sources

Full course description

This research training offers a first introduction to the ways historians deal with the problems of tracing, selecting and assessing primary sources, especially those related to the (early) history of

European integration. During the course, the specific characteristics of the following types of primary sources are discussed: political speeches, archival records and public opinion sources. Each of the three assignments is devoted to a specific problem and a specific category of historical sources: the assignment on political speeches is mainly devoted to the critical analysis of sources. The assignment on archival sources focuses on the problems of selecting and combining a variety of sources. Finally, the assignment on public opinion sources addresses the problems of representativity and influence.

Course objectives

This training stimulates a critical and methodical attitude towards sources. At the end of this training, students will be able to:

- differentiate between primary and secondary sources;
- appreciate the importance of primary sources for the study of historical phenomena;
- recognise the different characteristics and pitfalls of several types of primary sources.

Recommended reading

To be announced. Please see course manual.

MES3500

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

3.0

Instruction language:

English

Coordinator:

[E.P.M. Stoffers](#)

Teaching methods:

PBL, Presentations, Work in subgroups

Assessment methods:

Final take home exam, Presentation

Keywords:

Research training, source criticism, historical methods, EU integration history

Faculty of Arts and Social Sciences

Negotiation Skills

Full course description

This six-week training is organised around three simulation games, which allow students to improve their negotiation skills and to better understand the practicalities of decision-making processes in Brussels. The purpose of this skills training course is threefold :

1. to provide a basic introduction to the main concepts of negotiation and negotiation theories;
2. to improve students' negotiation skills;
3. to arrive at a better understanding of EU decision-making (public vs. foreign policy-making, the composition and competencies of various institutions, interaction between institutions, interactions within the Council etc.).

Course objectives

By the end of the course, students will:

- gain a better understanding of the decision-making in Brussels;
- gain new knowledge on the theory of negotiations;
- improve their negotiation skills in practice.

Recommended reading

To be announced. Please see course manual.

MES3501

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

3.0

Instruction language:

English

Coordinator:

[E.V. Sapir](#)

Teaching methods:

PBL, Assignment(s)

Assessment methods:

Assignment, Participation

Keywords:

Negotiations, simulation games, diplomacy

Interfaculty Minor Art, Law and Policy Making

Faculty of Arts and Social Sciences

Arts and Culture: Policy and Politics

Full course description

What is art? What is good art? What is the value of art and culture? Why and how should the government support or not support the arts: which art, whose culture? How about cultural

participation? These are the main questions of this interdisciplinary course which will provide the students with knowledge and analytical tools necessary for understanding the many different answers to the questions. The course combines an introduction in relevant literature and theories (art history, cultural history, cultural economics, sociology of culture) with real life case studies. Students will do some collective field work by preparing and conducting an interview with a professional in the arts and culture sector. Instruction language. The approach is international and comparative.

Course objectives

Students know and understand:

- different approaches towards art and cultural policy;
- main arguments in favour and against more or less state support for arts and heritage;
- effects of different forms of supporting arts and heritage;
- influence of political, societal and cultural contexts on these themes.

ACU3005

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

[J.J. de Jong](#)

Teaching methods:

PBL, Assignment(s), Lecture(s), Presentations, Work in subgroups, Working visit(s)

Assessment methods:

Final paper, Participation, Assignment, Presentation

Keywords:

Art, Culture, cultural policy

Faculty of Law

Law and Art: The Free Movement of Cultural Property

Full course description

Law and Art - The Free Movement of Cultural Property is a course analyzing the trade in artworks and cultural objects and their protection against various forms of threats from a legal perspective. Artworks speak to our imagination and either fascinate or irritate (or bore) us and in the public discourse in the media it is the uniqueness of artworks that is emphasized: their uniqueness, their representation of the artistic genius, expressions of the human condition... Nevertheless, artworks can be endangered during conflicts, can be stolen or looted, can be forged and the authenticity can

be questioned.

Beside their artistic and historic value, art works are also goods: material objects that can be valued in money. This dual character of artworks combining their economic value with a higher or aesthetic value is what makes artworks particularly interesting to study from a legal perspective. It is more challenging and interesting to discuss the possible claims and limitation periods concerning a fabulous painting stolen or looted more than 50 years ago than the restitution of a bike, which has been stolen perhaps only 10 years ago.

Another challenge for the law is the fact that the art trade (legal and illicit) is a truly international market. Since artworks are relatively easy to take across borders, stolen or looted art objects can show up all over the globe. To add to the difficulties, laws affecting the art trade differ from country to country. This is especially true for export regulations, the rules on the bona fide purchase and limitation periods. The position of the bona fide purchaser is a delicate issue. Who should be protected and for how long? Must a bona fide purchaser return a stolen painting to the original owner? Which law applies if more than one jurisdiction is involved? Which international obligations exist? What happens to former colonial cultural goods? Do they have to be returned to the country of origin or can they still be admired in the museums of the former colonial powers? Are there just and fair solutions for these types of disputes?

These examples show that this course deals with many different areas of law: International and European law, Human Rights, Private and Private International Law, Public as well as Criminal Law. However, you can easily widen the legal fields having a relation to the art market, such as for example Intellectual Property Law or Tax Law, which will not be addressed during the lectures and tutorials.

The course will examine a broad spectrum of issues including the protection of cultural property during times of war against destruction and removal as well as their restitution and the protection of cultural property in times of peace against illegal export and the illicit trade. Furthermore, the European dimension of cultural policies will be discussed including the free movement of cultural property in the European Union, resale royalty legislation, state aid and the cultural sector. Additionally, the question of cultural diversity and the issue of authenticity and fakes as well as the international and European legislative developments concerning stolen, illicitly excavated, exported and looted works of art will be discussed during the lectures and the tutorials.

In the first week, during the first lecture there is a general introduction given, in which the organization of the course is explained and the work on issues concerning the International Art Trade and the Law is commenced.

Assessment:

Participants will in principal be assessed on the basis of a paper in the area of art law /cultural heritage law. The paper should be written according to academic standards. The paper should include a literature list. References should be in footnote format.

Course objectives

Aim of the course is to creating awareness of legal problems concerning the licit and illicit art market, the protection of cultural heritage and other closely related issues concerning the legal position of the art object and the artist. Hereby, the international dimension of the art market is of great importance for the solution of legal disputes. Students will become familiar with various areas of law all related to art, cultural property and heritage (International and European law, Human Rights and Private International Law, Property Law, Contract and Tort Law, Tax Law and various regulations concerning the art market etc.

This course is also part of an interfaculty MINOR

Prerequisites

Basis knowledge of law is important even if this course is open for students of the faculties of LAW, Arts and Culture and UCM and Erasmus students but students who have not a law background should in any case read before the course starts the recommended literature.

Recommended reading

As reading material we shall use

- Lyndel Prott (ed) Witnesses to History, published by UNESCO Publishers in 2009. This book is available as ebook for free.

Furthermore, students should read in advance

- Kurt Siehr, International Art Trade and the Law, Recueil des Cours 1993, Vol. 243 (to be found in the library),

The book of

- Katja Lubina, Looted Art will be made electronically available on ELEUM and provided as PDF by e-mail and

different articles will be recommended on ELEUM as well as many cases and court decisions from various jurisdictions.

IER3004

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

[H.E.G.S. Schneider](#)

V.M. Tünsmeier

Teaching methods:

Lecture(s), PBL

Assessment methods:

Participation, Final paper

Keywords:

Art law, cultural heritage protection, looted art, restitution and return, fakes, misrepresentation, warranty of title, provenance

Faculty of Law

Private International Law

Full course description

Private International Law (PIL) provides a set of legal rules for situations where one or more of the parties, facts or circumstances related to a legal dispute are connected with more than one legal system. Private International Law in particular provides: 1. legal rules which establish when a national court has international jurisdiction in any case involving an international element; 2. legal rules which determine the applicable law in cases involving international elements heard before a national court; and 3. legal rules on recognition and enforcement of foreign court judgments.

Each country has its own Private International Law rules, but a significant portion of sources of PIL are international treaties and, more increasingly, EU regulations. Private International Law has become even more significant as a result of increasing integration within the European Union and because of globalization and increased mobility of people.

This course in particular focuses on the European perspective of Private International Law. Hence it includes: 1. an examination of the general structure, main doctrines, principles and topics (family law, goods, contractual/non-contractual obligations) of PIL from the EU perspective; 2. an introduction to the most important EU-regulations, such as the Regulation 593/2008 on the law applicable to contractual obligations, Regulation 864/2007 on the law applicable to non-contractual obligations, Regulation 2201/2003 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility and Regulation 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and co-operation in matters relating to maintenance obligations, as well as some key international treaties on Private International Law. 3. an overview of the historical development of Private International Law.

For the purposes of this course, Private International Law is understood in a broad sense, thus including the conflict of laws and the law of international civil procedure.

The participants of this course come together twice a week during a period of three weeks. In addition, six lectures are provided as well.

Course objectives

The general aim of the course is to provide students with an understanding of the problems inherent in legal situations involving (a) crossborder element(s) pertaining to private law (b) in Europe. The students will gain knowledge of the basic principles and legal rules of Private International Law from the European perspective as well as of its historical developments.

Prerequisites

Basic knowledge of law in general.

Recommended reading

- The coursebook can be ordered through POD.
- The mandatory textbook for this course is the latest edition of M. Bogdan, Concise introduction to EU Private International Law, Groningen: Europa Law Publishing.
- The use of the latest edition of 'Selected National, European and International Provisions from Public and Private Law, the Maastricht Collection' by Nicole Kornet & S. Hardt (eds.), Groningen: Europa Law

Publishing, is recommended for those students who are already in possession of the book and/or participate in other ELS-courses.

• For other students, such as non-ELS-students, another option is: Prof. dr. K. Boele – Woelki (ed.), *Ars Aequi wetseditie European Private International Law 2015-2017*, Nijmegen: Ars Aequi Libri (latest edition; ISBN: 9789069165998).

(See also announcement before the start of the course, all books can be ordered e.g. via studystore or the publisher).

PRI3018

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

[M. Pertegás Sender](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

(European) Private International Law, Conflict of laws, International civil procedure

Faculty of Arts and Social Sciences

Paper Minor Arts and Heritage

Full course description

Individual and independent research and writing.

Course objectives

Students are able to conduct independent research and write a paper on a topic from the minor courses.

Prerequisites

Course ACU/CWE3004 and/or ACU/CWE3005

ACU3904

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

[J.J. de Jong](#)

Teaching methods:

Coaching, Paper(s), Research

Assessment methods:

Final paper

Keywords:

Arts, Culture, heritage

Faculty of Arts and Social Sciences

Museum Meanings

Full course description

The central focus of this course is on museums, museum education and the dynamic relation between museums and society. Museums had and still have various tasks such as collecting, conservation, research and education. However there are many different types of museums and the contemporary museum differs from museums in the nineteenth century, which were mainly visited by the middle classes. Nowadays participation and reaching a broad and diverse audience are important for the legitimization of museums. In order to fulfill this new societal function museums changed their presentations from object centered to context and visitor centered, and cultural or museum education has gained importance.

In this course students will study the historic development of the museum as a institution, museum architecture, organisation, funding, exhibitions, education programmes, information and websites, through reading, lectures, discussions and working visits to museums.

Course objectives

- Students know, are able to identify and do understand different forms of museums;
- Students know and understand main issues in museum studies and the historic development of museums;
- Students know, understand are able to apply relevant learning and teaching theories in the context of museums;
- Students are able to evaluate a museum exhibition;
- Students are able to analyse debates with respects to cultural participation, the reach of museums and their role and mission.

ACU3004

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

[J.J. de Jong](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Presentation and paper

University College Maastricht

Introduction to Art: Representations, Performances and Interactions

Full course description

The traditional term for the many ways in which artworks represent reality is mimesis. The mimetic talent for imitation and representation has been the subject of admiration, study and debate throughout the history of Western art. The notion of mimesis is employed to describe painting, literature, music, theater, dance, and more; it is still used to characterize the domain of the arts in general.

In engaging with the concept of mimesis, this course focuses on three central themes and approaches. The first part of the course is concerned with representations of reality in nineteenth and early twentieth century literature, painting, and music. The second part deals with modern and contemporary performance art. The academic field of Performance Studies is introduced in an attempt at dealing with the blurring of genres, cultures and conventions that are typical for contemporary art shaped by mass media and processes of globalization. The third and last part of the course discusses sociological perspectives on art as a social practice and a collective activity.

This course, through its emphasis on representations, performances and interactions, constitutes a basis for courses on the arts in all their diversity, as well as courses on culture in general. The course includes a practical exercise in stylistic representation at the Charles Nypels lab, the print workshop of the Jan van Eyck Academy (<http://www.janvaneyck.nl/en/labs/charles-nypels-lab>).

Course objectives

- To provide students with an advanced introduction to the visual and performing arts.
- To broaden the students' theoretical understanding of art.

Prerequisites

The courses IER3004 and ACU3004 or ACU3005 are compulsory courses within this Interfaculty minor.

Recommended reading

- Auerbach, Erich. *Mimesis: The Representation of Reality in Western Literature*. Princeton University Press, Princeton, 2003.
- Gombrich, Ernst. *Art and Illusion. A Study in the Psychology of Pictorial Representation*. Princeton University Press, Princeton, 2000.
- Schechner, Richard. *Performance Studies: An Introduction*. Routledge, London, 2002.
- Becker, Howard S. *Art Worlds*. University of California Press, Berkeley, 1984.

MIN0001

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.0

Coordinator:

[C. Rausch](#)

University College Maastricht

The Presence of Art: Reinterpreting Modern and Contemporary Art

Full course description

Since the late 19th century and certainly up until the mid-20th century artists have issued avant-garde manifestoes of change, claiming their art to be ahead of the times. Critical of conventions and traditions, they regarded art as a revolutionary means to social, political, cultural, and intellectual emancipation and progress. Through what has been called the “shock of the new,” by making tabula rasa with the existing, art was to create a better world. Were it not for the fact that art effectively served the ideologies of both the socialist and fascist totalitarianisms of the last century, such radical ambitions might even sound a bit naïve, nowadays. Indeed, as yesterday’s future has become today’s past, the utopias of a bygone era seem to have been disappointed, at last - or have they not? Do we need to rescue avant-garde virtues and ideals for the sake of the relevance of contemporary art? What precisely is the legacy of the modern avant-garde besides its success on the global art market?

In the early 21st century and under the spell of a “new spirit of capitalism”, is there any hope left for effective artistic critique? Or does the current “economy of enrichment” simply reduce the value of art to a financial speculation tool?

This course considers histories and theories of modern and contemporary art. It provides an overview of the heterogeneous and experimental development of modern and contemporary art. Artistic responses to society, politics, science, and technology are discussed. A further emphasis is on the

practices governing institutions of the contemporary art world, such as art markets and museums. The course features a visit to the Bonnefanten museum in Maastricht, as well as a studio visit and debate with an artist in residence at the Jan van Eyck Academy in Maastricht.

Course objectives

- To study historical and theoretical approaches to modern and contemporary art.
- To enable critical reflection and debate on the meaning and relevance of artistic practices.
- To learn how to write an art review.

Prerequisites

The courses IER3004 and ACU3004 or ACU3005 are compulsory courses within this Interfaculty minor.

Recommended reading

- Hal Foster, Rosalind Krauss, Yve-Alain Bois, Benjamin H.D. Buchloh, David Joselit, *Art Since 1900: Modernism, Antimodernism, Postmodernism*. Thames and Hudson, London, 2011.
- Sarah Thornton, *Seven Days in the Art World*. Granta, London, 2008.
- Georgina Adam, *Big Bucks: The Explosion of the Art Market in the 21st Century*. Lund Humphries, Farnham, 2014.
- Gilda Williams, *How to Write about Contemporary Art*. Thames and Hudson, London, 2014.

MIN0002

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.0

Coordinator:

[C. Rausch](#)

Interfaculty Minor Entrepreneurship

School of Business and Economics

Commercialising Science & Technology

Full course description

The course Commercializing Science & Technology aims to help you understand and master core entrepreneurial challenges of turning science into products and products into businesses. In so doing, we will adopt a strongly entrepreneurial lens. That means that we will look at important technology commercialization activities through the eyes of a potential technology entrepreneur.

Adopting the view of technology entrepreneurs means that market-related aspects of science commercialization move center stage. In that, one of the most important tasks entrepreneurs have to

perform is to understand their full opportunity space, i.e. the range of potential opportunities and the conditions of value creation within those opportunities. Opportunity validation and development becomes the key focus, all the while paying attention to the challenges of developing the technology in parallel. If this process is mastered it can be a highly rewarding task—not only for individual inventors and their team, but also for stakeholders such as future employees, research and other value chain partners, the region, and the country.

The competencies you will acquire in this course will help you prepare for your own entrepreneurial journey. They will also be extremely valuable should you choose a career in managing technology at an established firm or within a public or private research lab. In particular university labs and corporate R&D department rely increasingly on professionals that help bridging the gap between science production (conference presentations, scientific publications, and patents) and commercial value creation (revenues, funding for scientific and applied research). In both settings efforts in research and development need to be legitimized and be able to answer to which extent they will ultimately result in economic performance—a core learning goal in this course.

Course objectives

Primary goal:

To understand how science-based research and technological breakthroughs can be transformed into new business.

Secondary goals:

1. To develop a solid theoretical understanding of the process of market opportunity identification and evaluation in the context of new technologies.
2. To explore the frontier of current knowledge when it comes to creating value from technological inventions and managing early-stage commercialization processes.
3. To practically apply your knowledge on early stage commercialization efforts.
4. To channel back your practically acquired knowledge into theoretical conceptualizations of the entrepreneurial opportunity identification and evaluation process.

Prerequisites

The courses of the Entrepreneurship minor (see also <http://www.mc4e.nl/minor>) draw on the scholarly entrepreneurship literature. You do NOT need to have prior knowledge in the functional domains of business administration or small business management (e.g. strategy, marketing, accounting, HRM, finance, operations). However, we strongly encourage you to take the two introductory courses of the minor (Birthing new ventures & Mobilising resources [EBC2145; EBC2146]) BEFORE taking this course. Your command of English in speech and writing needs be adequate to actively prepare for, participate in, and contribute to the classes. Also, make sure you can commit sufficient time during this block to accommodate the work load this course will bring with it.

Recommended reading

- e-Reader with papers
- set of teaching cases (sold by MC4E for approx. € 30)

EBC2144

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinator:

[J. Thiel](#)

Teaching methods:

PBL, Lecture(s), Assignment(s), Paper(s), Presentation(s), Work in subgroups

Assessment methods:

Attendance, Participation

School of Business and Economics

Birthing new ventures

Full course description

Not many will contest the societal impact of enterprising individuals and entrepreneurial ventures on our economies. Entrepreneurs may start-up new companies with the intent to challenge (and sometimes even overthrow) incumbents. In the process, they create new jobs and apply competitive pressure on established firms. Entrepreneurs supposedly have an important direct and indirect effect on driving innovation.

Not surprisingly, academics have sought to unravel the entrepreneurial process. From their findings we learn that all that happens prior to a formal launch of a new venture is critical to understand the essence of entrepreneurship. For example, we know that many more people see opportunities than those that actually seek to exploit the opportunities they have discovered.

In this course you will explore why and how opportunities are created and/or discovered by more or less enterprising individuals. In addition you will explore why only a few of those that see an opportunity will actually engage in efforts to further explore and exploit the opportunities that they have spotted. You will identify factors that drive entrepreneurship at the level of the individual. You will explore how personality characteristics, experience, education, and social embeddedness shape entrepreneurial journeys. You will learn that entrepreneurship is not necessarily about taking risk, since many entrepreneurs put a lot of effort in minimizing (or even outsourcing) risk prior to the launch of their venture.

Course objectives

This course aims to highlight the importance of the process stages that precede the launch of an entrepreneurial venture. We learned that the developmental process that results in the birthing of new ventures has a long-lasting impact on venture survival and/or entrepreneurial growth, therefore it is important to study it. This course provides a bird's eye view on factors and processes that lead to the launch of entrepreneurial ventures. It builds a foundational understanding of the initial stages of the entrepreneurial process that will allow you to deepen your understanding of entrepreneurship in the subsequent courses of the Entrepreneurship minor.

Primary course objective:

You understand the critical role of the individual-opportunity nexus in initiating new ventures;

Secondary course objectives:

1. You understand how disciplinary perspectives have enriched (and continue to enrich) the scholarly understanding of the entrepreneurial process.
2. You understand why the stages that precede the formal start-up of a new venture are so critical to understanding the outcomes of enterprising behaviour.
3. You know how personalities and cognitive characteristics shape the emergence of new ventures.
4. You understand how and why new entrepreneurial opportunities arise.
5. You are able to explain how entrepreneurs screen and select opportunities.
6. You can decide on approaches to assess and enhance the value promise of embryonic business concepts.

Prerequisites

The courses of the Entrepreneurship minor (see also <http://www.mc4e.nl/minor>) draw on the academic entrepreneurship literature. They do NOT expect students to have already developed an understanding of the functional domains of business administration or small business management (e.g. strategy, marketing, accounting, HRM, finance, operations). We encourage students to take the two introductory courses of the minor (Birthing new ventures and Mobilising resources [EBC2145; EBC2146]) BEFORE taking the other courses in the Minor. As this minor is delivered in English, your command of the English language (speaking and writing) should be good enough to actively prepare, participate, and contribute to class.

Recommended reading

- e-Reader with papers;
- Set of teaching cases (costing approx. €20)

EBC2145

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinators:

[W.E.J. Bodewes](#)

C.M. Do Rosário Costa

[M.A. Carree](#)

Teaching methods:

PBL, Assignment(s), Work in subgroups

School of Business and Economics

Mobilising resources for entrepreneurial start-up and growth

Full course description

The societal impact of enterprising individuals cannot be contested. They found companies that challenge (and often replace) incumbents and they have an important role in introducing innovative products and services to new or established markets. However, entrepreneurs never operate in isolation; many entrepreneurs cofound their venture with others and establish partnerships to gather the resources necessary for launching and growing their ventures.

This course covers co-founder enrollment, customer enrollment and financial enrollment. For instance, you will explore how to put together an entrepreneurial team, examine team dynamics as well as how to recruit the best employees. You will review different types of financial resources available to entrepreneurs as well as how to select the best one for a specific type of venture. Based on this, you will also examine the role of business modeling and customer validation as part of a venture's resource mobilisation. This course will explore the concept of bootstrapping or how to get things done when you do not have the required resources. In all of the above, attention will be paid to how a venture's resource mobilisation strategy is not a static concept, but is one that changes dynamically over the lifecycle of a venture.

Course objectives

This course aims to provide you insight into how to launch and grow a high-impact venture from a resource-based perspective. In other words, after having taken this course you should understand which resources are crucial to venture success, how to gather them, what elements to take into account when mobilizing resources as well as how you can get things done without resources.

Prerequisites

The courses of the Entrepreneurship minor (see also <http://www.mc4e.nl/minor>) draw on the scholarly entrepreneurship literature. They do NOT expect that you have already developed an understanding of the functional domains of business administration or small business management (e.g. strategy, marketing, accounting, HRM, finance, operations). We encourage you to take the two introductory courses of the minor (Birthing new ventures and Mobilising resources [EBC2145; EBC2146]) BEFORE taking the other courses of the Minor. As this minor is delivered in English, your command of the English language in speech and writing should be good enough to actively prepare for, participate in, and contribute to the classes.

Recommended reading

- Academic journal articles

EBC2146

Period 1

3 Sep 2018

26 Oct 2018

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinators:

[W.E.J. Bodewes](#)

[J. Thiel](#)

[Y.P.M. Bammens](#)

Teaching methods:

PBL, Lecture(s), Assignment(s), Paper(s)

Assessment methods:

Participation, Final paper, Attendance

School of Business and Economics

Creativity & Concept Development

Full course description

Creativity plays an important role in several, maybe all, aspects of what makes Organisations work and flourish. Creativity is also an essential skill for entrepreneurs to master if they want to start, build and grow a company. But on the other hand, the concept of creativity is barely understood. Is creativity a personality trait, or is it something you can learn by exercise? Is it the outcome of an individual process, or something that is greatly dependent on the environment of the creative person? If you want to build a creative company is it sufficient to hire creative people, do creative individuals make up a creative team, does the 'creative personality' exist?

During this skills course we will touch upon all these important aspects of creativity. But, most of all, we will try to find ways to develop your own creativity. The starting point of the training is the fact that everyone is creative, that creativity is a skill that can be learned and trained. We will follow different paths to help you to investigate your own creativity and to find the best way to improve your creative skills.

In this course you will explore how existing products and novel technologies can provide a starting point for product ideation and business concepting.

Course objectives

This skills course is focused on developing your competence at two important tasks for the launching of entrepreneurial ventures:

1. spotting opportunities
2. developing business concepts that could be deployed to exploit discovered opportunities

Entrepreneurial opportunities are rarely discovered through systematic search, yet systematic search can play a critical role in the enhancement of embryonic ideas for new business. Creativity plays a key role in entrepreneurship as it affects opportunity recognition, ideation, and business concepting. Furthermore, entrepreneurs usually also need to be creative in mobilising resources (people, capital, equipment etc.), in starting-up (winning initial customers), and in adapting their organisation to the requirements of sustainable growth. That is why this skills course helps you to develop your creative

problem solving skills. Of course, competence at creativity and concept development could also prove valuable outside entrepreneurship.

Throughout the course you will not be working in a classroom but in a true creativity lab: the ideas that you develop may have merit beyond this course.

Prerequisites

The courses of the Entrepreneurship minor (see also <http://www.mc4e.nl/minor>) draw on the scholarly entrepreneurship literature. They do NOT expect that you have already developed an understanding of the functional domains of business administration or small business management (e.g. strategy, marketing, accounting, HRM, finance, operations). We encourage you to take the two introductory courses of the minor (Birthing new ventures and Mobilising resources [EBC2145; EBC2146]) BEFORE taking the other courses of the Minor. As this minor is delivered in English, your command of the English language in speech and writing should be good enough to actively prepare for, participate in, and contribute to the classes.

Recommended reading

- Lumsdaine, E., & Binks, M. 2006. Entrepreneurship from Creativity to Innovation: Effective Thinking Skills for a Changing World: Trafford Publishing (this is suggested not required literature).
- Epstein, R. 2000. The big book of creativity games: quick, fun activities for jumpstarting innovation. New York: McGraw-Hill (this is suggested not required literature).
- e-Reader with papers.

EBS2144

Period 3

7 Jan 2019

1 Feb 2019

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

[M.A. Carree](#)

Teaching methods:

Lecture(s), Assignment(s), Paper(s), Presentation(s), Work in subgroups

Assessment methods:

Attendance, Final paper, Participation

School of Business and Economics

Social & Environmental Entrepreneurship

Full course description

This course will provide you the opportunity to learn how you can apply your knowledge and skills to

address complex social and environmental problems. Social and environmental entrepreneurs are committed to furthering a social and/or environmental mission, and rank social, environmental or cultural impact on a par with, or above, profit. At the intersection of business, government and not-for-profit organisations, these social and environmental entrepreneurs are now visible and having an impact on a global scale. This course is structured around experiential problem-based learning, providing you the opportunity to synthesise theory and practice alongside real-world social and environmental enterprises. Topics will include: critically reviewing concepts; the challenges of scaling social and environmental enterprises; frameworks for understanding and strategising; mobilising funding and resources from a variety of stakeholders; understanding and reporting social/environmental impact; and cross-sector collaboration.

Course objectives

1. You can critically reflect on social and environmental entrepreneurship theory and practice
2. You can conduct primary research and analyse primary and secondary data in the field of social and environmental entrepreneurship
3. You can identify and evaluate social and environmental entrepreneurship opportunities
4. You can develop strategic recommendations for a social/environmental enterprise
5. You can prepare and present documentation to secure stakeholder support
6. You learn to cope with the chaos and complexity of doing social and environmental entrepreneurship in the real world

Prerequisites

This course is part of the Entrepreneurship Minor. The courses of the Entrepreneurship Minor (see also <http://www.mc4e.nl/minor>) draw on the scholarly and practical entrepreneurship literature. They do NOT expect that you have already developed an understanding of the functional domains of business administration or small business management (e.g. strategy, marketing, accounting, HRM, finance, operations). We encourage you to take the two introductory courses of the minor (Birthing New Ventures and Mobilising Resources [EBC2145; EBC2146]) BEFORE taking the other courses of the Minor. As this minor is delivered in English, your command of the English language in speech and writing should be good enough to actively prepare for, participate in, and contribute inside and outside of class.

Recommended reading

- Nicholls, A. (2006). Social entrepreneurship: New models of sustainable social change. Oxford: Oxford University Press. (this is a suggested background reader not required literature).
- Papers from scholarly journals, case studies, podcasts, and videos

EBC2147

Period 2

29 Oct 2018

21 Dec 2018

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinator:

[J.L.J. Ormiston](#)

Teaching methods:

PBL, Lecture(s), Assignment(s), Paper(s), Presentation(s), Work in subgroups

Assessment methods:

Final paper, Participation, Attendance

Compulsory courses

Bachelor essay European Law School English Language Track

Faculty of Law

Bachelor's essay European law school English language track

Full course description

The Bachelor is concluded with an essay in which the student reports on a legal research that is executed independently and individually. For writing this essay, two course periods are reserved (period 3 and period 6). A student either begins his procedure in course period 3 and completes his bachelor's essay in period 6 or he begins in course period 6 and completes it in period 3.

Prerequisites

In order to register for the bachelor essay a minimum of 60 credits must be obtained in the Bachelor's degree.

LAW3532

Period 3

7 Jan 2019

12 Jul 2019

Period 6

17 Jun 2019

31 Jan 2020

[Print course description](#)

ECTS credits:

8.0

Instruction language:

English

Coordinator:

[C.N.M.Y. Cauffman](#)

Teaching methods:

Paper(s)

Assessment methods:

Final paper

Faculty of Law

Bachelor's Essay European Law School English Language Track

Full course description

The Bachelor is concluded with an essay in which the student reports on a legal research that is executed independently and individually. For writing this essay, two course periods are reserved (period 3 and period 6). A student either begins his procedure in course period 3 and completes his bachelor's essay in period 6 or he begins in course period 6 and completes it in period 3.

Course objectives

The student is able, within a theme chosen by the student himself/herself or from a list provided by the staff, to formulate a research question at Bachelor's level and to provide an answer to this question in a legally and linguistically correct and structured manner and with adequate references.

The student is able to collect and interpret relevant legal sources, and where necessary also social and scientific data, with the aim of formulating an opinion on a legal question. This opinion is based on the weighing of relevant legal and possibly societal or ethical aspects.

In answering the research question, the student is able to apply his/her knowledge and insight in such a way that this shows a professional approach to his/her work or profession. In this context, the student demonstrates in particular that (s)he has the required competences for substantiating and solving problems in the field.

The student demonstrates that (s)he is capable of effectively communicating information, ideas and solutions to a scientific audience that consists primarily of lawyers.

The student demonstrates that (s)he possesses the research and writing skills necessary to successfully complete a follow-up study that presupposes a high level of autonomy.

Prerequisites

In order to register for the bachelor essay a minimum of 60 credits must be obtained in the Bachelor's degree.

LAW3531

Period 3

7 Jan 2019

12 Jul 2019

Period 6

17 Jun 2019

31 Jan 2020

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

[C.N.M.Y. Cauffman](#)

Teaching methods:

Paper(s)

Assessment methods:

Final paper

Keywords:

research skills, Writing skills, communication skills, legal analysis