

First year courses

Bachelor European Law School 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, Legal Reasoning, 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.

PRI1002

Period 1

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

- [A.M. Waltermann](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Comparative Government

Full course description

Comparative Government provides an introduction to the constitutional systems – that is, the rules that govern the main state institutions, the relations between them as well as the legal position of citizens vis-à-vis the state – of the United States, Germany, France, the United Kingdom, and the Netherlands. In addition, the course introduces the constitutional setup of the European Union and the system of ‘multi-level governance’, as well as the European systems of human rights protection.

The aim of the course is for students to become acquainted with 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 fundamental rights and their protection within the above-mentioned constitutional systems. The inclusion of the European Union permits a discussion of the impact the EU has had on the constitutional systems and balances of power within its member states, as well as the multi-layered constitutional orders created by EU membership. In this way, the course lays the necessary foundations for understanding the functioning of legal systems. Students learn to actively compare constitutional systems, but also to understand the vertical interconnectedness of these systems in a multi-layer legal order.

Course objectives

The student knows and understands the most important overarching concepts of constitutional law. (S)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, as well as 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. (S)he has a basic understanding of the interplay between national constitutional law and the EU legal order, as well as of the EU’s impact on domestic constitutional law. (S)he is able to compare different constitutional systems and draw critical conclusions from the analysis. (S)he has learned to analyze primary legal documents (constitutions, legislation, treaties) and to work with constitutional documents and statutory provisions. (S)he has practised to independently conduct basic comparative research and to present his/her findings orally before his/her tutorial group. (S)he has learned and practised to apply the acquired knowledge of constitutional concepts and constitutional systems as described above to (novel) cases and to do so also in the context of multi-layered constitutional systems as present within the EU and its member-states.

Prerequisites

The course does not have any specific prerequisites.

Recommended reading

- Aalt Willem Heringa, *Constitutions Compared - An Introduction to Comparative Constitutional Law*, 6th Edition (The Hague: Eleven International Publishing, 2021).
- Sascha Hardt & Nicole Kornet (eds.), *The Maastricht Collection*, 7th Edition (Groningen: Europa Law Publishing, 2021), Vols. I & II

PUB1002

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [S. Hardt](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Computertest

Keywords:

Functions of a constitution, systems of government, separation of powers, electoral systems, law-making, 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 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, using examples from diverse jurisdictions including German, English, French and Dutch law to illustrate the main rules and principles of the law of contract. The course also addresses contract law at an EU level. Topics addressed include formation of contract, defects of consent, illegality, interpretation, unfair terms, and remedies for breach.

Method of instruction

- Problem based learning in weekly tutorials and interactive plenary sessions

Examination

- Written exam and assignment

Course objectives

The main objective of this course is to gain insight into the fundamentals of contract law as such. The problems that contract law addresses are not peculiar to one specific jurisdiction, they are universal. A primary objective of the course is to become familiar with these core problems. In addition, the course allows students to obtain basic knowledge of how different jurisdictions solve these problems and to become aware of fundamental similarities and differences in the approaches of national legal systems. 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 an assignment and at the final exam.

Prerequisites

None, other than that students were admitted to the bachelor European Law School.

Recommended reading

Mandatory reading:

- Jan Smits, Contract Law: A Comparative Introduction, Edward Elgar Publishing, 3rd edition, 2021
- Sascha Hardt and Nicole Kornet (eds), The Maastricht Collection. Volume III International and European Private Law, Europa Law Publishing, 7th edition, 2021
- Sascha Hardt and Nicole Kornet (eds), The Maastricht Collection. Volume IV Comparative Private Law, Europa Law Publishing, 7th edition, 2021

LAW3011

Period 2

31 Oct 2022

23 Dec 2022

[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

States, Markets and European Integration

Full course description

The main objective of this course is to provide students with insight in the spectrum of the sciences, within which legal science is only one of the many members. The process of European integration is used as a central theme by means of which this main objective is pursued. The acquisition of rudimentary non-legal knowledge about European integration is therefore a secondary objective.

Students will be introduced to the history of European (dis)integration, theories that aim to explain or justify the process of integration, relevant aspects of the philosophy of science and of economics, social ontology and basic legal concepts, and relevant aspects of evolutionary and social psychology.

Course objectives

See Description.

Recommended reading

- Jaap Hage, European Integration: a Theme, Eleven Publishers 2020
- Additional texts, available via Canvas
- Knowledge clips

MET3007

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [K. de Smedt](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

European integration; integration theories; explanation and understanding; economics; social ontology; basic concepts of law; social and evolutionary psychology

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 Student Portal; also through printing on demand).
- CALI Self-study modules (available in Student Portal).
- Selected Readings (available in Student Portal)

MET1005

Period 3

9 Jan 2023

3 Feb 2023

[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

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 a combination of a recorded lecture/knowledge clips and plenary session every week. In the first half of the course, we will begin by exploring the nature and foundations of international law. We will then focus on the subjects and sources of international law, jurisdiction and immunities, state responsibility, peaceful settlement of disputes and the use of force. In the second half of the course, we will concentrate on European law, or to be more precise on the law of the European Union / EU law. To some extent, EU law can be considered a special type of international law, although, as we will see, the EU legal order has several unique characteristics. In this part of the course, we will study the main institutions and basic principles of the EU, the EU system of decision-making and judicial protection, and some core EU substantive policy areas.

Assesment methods

Mid-term assignment and final written exam

Course objectives

The objective of this course is to acquire basic knowledge of international and EU law. This knowledge includes: the knowledge and insight that a law student who is not specialised in either international or EU law should have; the knowledge and insight that will enable a student who wishes to specialise in either international or EU law to commence this specialisation; the skill to work with primary sources of international and EU law. Furthermore, student will gain insights into the historical development of international law and of the EU institutional structure, and will become familiar with seminal cases of international and European law, and learn how to find, read and apply them.

Prerequisites

None.

Recommended reading

Textbooks:

- **G. Hernández, International Law (2nd ed, OUP 2022)**

- **R. Schütze, Introduction to European law (3rd ed, OUP 2021)**

Case law and Treaties:

- **Elementair Internationaal Recht/Elementary International Law (T.M.C. Asser Instituut 2021)**
- **N. Foster, Blackstone's EU Treaties & Legislation (33rd ed, OUP2022)**

IER1001

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

- [L. Visser](#)

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Keywords:

International law; European Union law

Faculty of Law

Skills: Legal Research and Reasoning

Full course description

The course Skills: Legal Research and legal reasoning is the first part of the ELS Skills Track. The primary aim of Legal Research and Reasoning is to teach new 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 a first-year undergraduate law student at Maastricht University: study skills; problem-based learning (PBL); and the fundamentals of legal research and reasoning. Students will learn how to work with legal provisions and cases, analysing and applying them to practical case studies on the basis of the IRAC method. Training in the use of library resources and PBL will also be provided during the course.

Course objectives

At the end of this course, students will have learned to find, evaluate and use legal resources. Students will also have learned and practiced the basics of legal reasoning, and be able to understand and apply legal provisions and precedent to case studies using the IRAC method. In addition, students will have become familiar with the philosophy of PBL and foundational skills to succeed in their undergraduate studies.

Recommended reading

- Resources referred to in course materials/modules
- S Hardt and N Kornet (eds), The Maastricht Collection (6th edn, Europa Law Publishing 2021) vols 1-4

LAW1003

Period 1

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [W.A. Bull](#)

Teaching methods:

Skills

Assessment methods:

Take home exam, Final paper, Final take home exam

Keywords:

Research; reasoning; legal sources; working with legal rules; PBL

Faculty of Law

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: principles of criminalisation, the objective and subjective elements of an offence (actus reus and mens rea), justifications and excuses, inchoate offences, modes of participation, and corporate criminal liability. 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-ET.

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 principles of criminalisation and rules of criminal liability;
- 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, 2019.

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

CRI1011

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Bachelor European Law School

Keywords:

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

Skills: Legal Argumentation

Full course description

The course is an introduction to legal argumentation. It provides students with the tools to identify, structure, and evaluate the plausibility of legal arguments. These tools are not connected to a specific legal tradition or branch of law; they are general tools that can be used in the assessment of any legal argument presented by anyone in any jurisdiction. The course also works as a natural precursor to Academic Writing (Law 2001): in Legal Argumentation students will learn how to evaluate and develop their own legal arguments; in Academic Writing students will learn how to organise their arguments in the shape of an academic essay.

LAW1004

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [M. Ubertone](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Assignment

Keywords:

Skills, Legal Argumentation, Critical Thinking, Argumentation Theory, Informal Logics.

Second year courses

Bachelor European Law School year 2 compulsory courses

Faculty of Law

Skills: Academic Writing

Full course description

The course Academic Writing has been 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

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5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [A. Parise](#)

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 tbd
- Nigel Foster, Blackstone's EU Treaties & Legislation (*latest edition*)

IER3006

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R.A. Ott](#)

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 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

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

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.

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

IER2003

Period 6

19 Jun 2023

14 Jul 2023

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [L. Visser](#)

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Keywords:

Moot court - Pleadings - Written and oral skills - European Union Law - International Law - ECHR
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

31 Oct 2022

23 Dec 2022

[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

Comparative Property Law

Full course description

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

Course objectives

In this course we will not only focus on the black-letter law, but especially also on the underlying values and principles, policy choices and ground rules that make up systems of property law.

Even though property law systems may look very different from country to country, each system of property law adheres to a similar thought-pattern. This course will allow you to learn about the differences, but also about these underlying thought patterns.

In this course you will:

- Acquire basic knowledge and insight into the historical development of property law in Europe.
- Acquire comparative knowledge and insight of leading property law values and principles, policy choices, ground rules and technical rules in civil law systems (particularly: French,

Bachelor European Law School

German and Dutch law) and common law systems (English and Irish law). You will also acquire basic comparative knowledge from mixed legal systems (amongst others: Scotland)

- Acquire basic knowledge and insight in current developments in comparative and European property law.

Apart from learning new knowledge you will also:

- Apply your knowledge and insight to legal cases and be able to provide a critical analysis and solution to the problem(s) presented in that case.
- Be able to identify and collect relevant materials, and form an reasoned opinion on issues of property law that is partly based on relevant social, scientific or ethic aspects.

Prerequisites

Basic knowledge of private law is required

Recommended reading

See Canvas for more information.

PRI3009

Period 1

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [B. Akkermans](#)

Teaching methods:

PBL, Work in subgroups

Assessment methods:

Written exam

Keywords:

Comparative property law, Numerus clausus, Transparency, Hierarchy of rights, Nemo dat, Potior iure, Primary rights (ownership, freehold, title), Secondary rights (use rights, Security rights, management rights), Reification of contractual rights, European Union property 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 PIL rules, but a significant portion of sources of PIL are international treaties and, in this region, EU regulations. PIL has become even more significant as a result of increasing integration within the European Union and because of globalization and increased mobility of people across borders.

This course in particular focuses on the European perspective of PIL. 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, as well as some key international treaties on PIL; 3. an overview of the impact of EU primary law in the development of PIL.

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

Teaching method:

PBL/PGO and lectures.

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

Course objectives

The general aim of the course is to provide students with an understanding of the problems inherent in legal situations involving (a) cross-border element(s) pertaining to private law (b) mainly from a European perspective.

- **Gaining knowledge**

The students will gain knowledge of the basic principles and legal rules of PIL from a European perspective.

- **Applying knowledge and understanding**

The students will learn to apply the knowledge they acquire to identify and solve concrete problems that arise in international family disputes or civil and commercial transactions.

- **Making legal assessments**

The students will develop their ability to translate knowledge (from textbooks, primary legal sources) into sound legal arguments or own legal points of view.

They will learn how to identify the pertinent questions in international civil and commercial transactions (type of dispute, relevant PIL question(s), etc.).

- **Communicating**

The students will train their abilities to express legal arguments clearly, both orally and on paper.

- **Learning Skills**

The students will develop the techniques legal experts need as regards the gathering, selecting, analyzing, interpreting and synthesizing information from primary sources of EU, international and national law (treaties, legislation, case law) as well as second sources (textbooks, law journals, etc.)

They will develop their ability to approach the law with a holistic perspective and grasp the consequences of increasingly interconnected civil and commercial transactions.

Prerequisites

Basic knowledge of law in general.

Recommended reading

- The mandatory textbook for this course is the 2019 edition of M. Bogdan & M. Pertegás Sender, 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.

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

PRI3018

Period 3

9 Jan 2023

3 Feb 2023

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [M. Pertegás Sender](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

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

Faculty of Law

Comparative Administrative Law

Full course description

The primary functions of administrative law are: a) power-establishing - to enable the government to put its policies into effect; b) power-checking - to keep the powers of the government within their legal boundaries, so as to protect those affected (citizens and companies) against their abuse.

The course Comparative Administrative Law provides an introduction into these functions of administrative law as applied in the legal systems 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 abuses of the administration.

Course objectives

Through this course, students will be able to explain and discuss the main concepts/structuring themes of administrative law as emerging from the legal systems of France, Germany, the Netherlands, and the UK. Furthermore, they will be able to compare specific differences and similarities between these four systems of administrative law. Finally, the course will instruct students to use administrative law to address legal issues in multiple legal systems.

Recommended reading

- A reader
- Casebook Judicial Review of Administrative Action - the Maastricht Edition (Hart, 2020).

PUB2014

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [M. Eliantonio](#)
- [C.M. Colombo](#)

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

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.

Recommended reading

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

CRI3005

Bachelor European Law School

Period 1

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [C. Peristeridou](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

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

Compulsory courses

Bachelor's Essay European Law School

Faculty of Law

Bachelor's Essay ELS (12)

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.

Registration for the bachelor's essay is possible once per academic year. The program starts in course period 2.6 and ends at the latest on 1 June of the following academic year.

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 field of study. 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.

Bachelor European Law School

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.

LAW2653

Year

1 Sep 2022

31 Aug 2023

Period 6

19 Jun 2023

14 Jul 2023

[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

Faculty of Law

Bachelor's Essay ELS (8)

Full course description

The Bachelor is concluded with an essay in which the student reports on legal research that is executed independently and individually.

The student chooses a topic for a bachelor's essay at the end of the second bachelor's year (period 2.6) and prepares a research proposal on a self-chosen research question within that topic. No later than 30 September, the student submits the research proposal via the Academic Paper Dossier. This proposal will be discussed between student and supervisor before 31 October. If no research proposal has been submitted, the right to supervision expires. The deadline for submitting the final version of the essay via the Academic Paper Dossier is 1 June of the academic year following registration for the Bachelor's essay module (bachelor's year 3).

Course objectives

The student is able, within a topic chosen 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 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 an academic approach to his/her field of study. 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 legal research that presupposes a high level of autonomy.

Prerequisites

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

In principle, the student must register for the bachelor's essay module during the registration period in period 2.6. If the student has not yet obtained sufficient credits at that time, (s)he can make use of the option to register for the bachelor's essay module after the registration period in period 2.6, but before the start of the next academic year by means of the contact form on the student portal. A topic can be chosen once the registration has been processed.

The bachelor's essay module with 8 ECTS is meant for European Law School students taking the minor Dutch Law (Nederlands Recht). Other European Law School students need to register for the bachelor's essay module with 12 ECTS (course code LAW2653).

LAW2658

Period 6

19 Jun 2023

14 Jul 2023

[Print course description](#)

ECTS credits:

8.0

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

Bachelor European Law School electives

Faculty of Law

Bedrijfseconomie

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

5 Sep 2022

28 Oct 2022

Period 4

6 Feb 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

9.0

Instruction language:

Dutch

Coordinators:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

European Human Rights

Full course description

The aim of this course is to study the protection of human rights in Europe under the Council of Europe system, in particular the European Convention on Human Rights (ECHR), as well as its relationship with the European Union. In this context, special attention is paid to the jurisprudence of the European Court of Human Rights (ECtHR). The content of various rights is studied such as the right to life, the prohibition of torture, freedom of religion, freedom of expression, the right to private life, the right to marry etc., as well as some general concepts such as the concept of positive obligations and the margin of appreciation doctrine.

Assessment methods

Course objectives

At the end of the course students are able to:

- Understand the main aspects of the ECHR legal system
- Analyse the case law of the European Court of Human Rights
- Apply ECHR law to hypothetical cases

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

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [S. Imamovic](#)

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

European Criminal Justice Area

Full course description

This course focuses on cooperation between the Member States of the European Union in criminal matters. Students will 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, such as the European Arrest Warrant, as well as pertinent case law of the European Court of Justice, will be examined. Furthermore, the course will deal with cornerstone principles of cooperation in criminal matters, 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 European Supervision Order 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 (the latter is the topic of the master course European Criminal Law (CRI4007)).

The aim of the European Criminal Justice Area course is identify the most salient instruments of cooperation in criminal matters, how they are applied, their problems and challenges. This seven-week course will combine seven sessions of group tutorials and lectures. According to the philosophy of problem-based learning, students shall study and debate the application of the instruments to case studies. Materials include a variety of literature and CJEU case law and EU legislation.

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. During the course students will solve several case studies regarding the use of mutual recognition instruments, identify which instrument is used when, compare instruments, critically assess their rationales and compatibility of human rights, determine the conditions for each instrument with the help of case law and examine their application in different scenarios.

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 assess 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.

At the end of the course, students will have understood how cooperation in criminal matters takes place in EU law, be able to apply in practice the main instruments, choose which one is relevant and how it works, and assess problems that might occur. The written assignment gives students the opportunity to conduct research into national law and explore how EU instruments function within national legal orders.

Prerequisites

- A solid basis on criminal law and procedure, and EU law.
- Interest in cooperation in criminal matters
- Readiness to participate in group sessions based on PBL

Recommended reading

- André Klip, *European Criminal Law*, Intersentia Antwerpen, 2021 4th edition
- *Materials on European Criminal Law*, Intersentia Antwerpen, 2022, 4th edition

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- Reader

LAW3012

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [C. Peristeridou](#)
- [E.C. Loibl](#)

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

In Law and Art - The Free Movement of Cultural Property we take a closer look at the legal dimension of the art trade, the protection of cultural heritage from various threats, and the different points at which law and cultural heritage intersect. Artworks speak to our imagination and either fascinate or irritate (or bore) us. In the public discourse works of art are described and valued for different reasons: their uniqueness, their representation of the artistic genius, expressions of the human condition... These values we ascribe to art can also lead to it being endangered during conflicts, stolen, looted, forged, or even purposefully destroyed.

Beside their artistic and historic value, art works are also goods: material objects that can be valued in money and are traded across the globe. This international element of the trade renders regulation and enforcement across legal borders difficult, and actors in the illicit trade of cultural objects take full advantage of this. 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. For example, 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 or looted painting to the original owner? Which law applies if more than one jurisdiction is involved? Which international obligations exist? 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, Private and Private International Law, Public as well as Criminal Law and criminology. 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 directly during the

Bachelor European Law School
course.

Assessment:

Participants will be assessed on the basis of an exam at the end of the course, as well as a paper on a topic of choice 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

After completing this course, students can:

- identify the special role and treatment of works of art in a variety of related legal issues.
- outline the evolution of international cultural heritage law and summarize its main instruments.
- discuss the legal difficulties of regulating the (i)licit trade in art and the protection of art and cultural heritage from forgeries and destruction.
- analyse the private (international) law issues relevant to artworks.
- rate the compatibility of laws on cultural heritage with European and international standards.

This course is also part of an interfaculty MINOR - Art, Law and Policy Making

Prerequisites

Basic 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. Students who have no background in law should in any case read the recommended literature before the course starts.

Recommended reading

The course uses a mix of literature which is available through the library and reference list. No additional literature needs to be purchased.

Non-law students are advised to consult the following book: Hage, Jaap, Waltermann, Antonia M., Akkermans, Bram (Eds.), Introduction to Law, Springer 2017, available as ebook in the UM Library.

IER3004

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

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

- [A.M. de Jong](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

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

Faculty of Law

Law and Neurosciences

Full course description

This course introduces students to the relatively new interdisciplinary field of law, neuroscience and philosophy (in short: neurolaw). By using an integrative approach students are invited to study some potential applications, but also limitations of neuroscience in the field of law, more in particular criminal law. On a more philosophical level the course also explores how neuroscientific research may challenge the foundations and conditions of criminal 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 (in light of the insanity defence); addiction; neuroscience and violence, coercive brain-reading and human rights, and finally, we will also focus on some criminological aspects and the rehabilitative use of neuroscientific techniques

Course objectives

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

- understand the basic conditions of criminal liability and how neuroscientific research may challenge these conditions;
- 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;
- assess the value and limitations of neuroscientific evidence in court cases, especially regarding lie-detection;
- explore how coercive neuro-technologies (brain-reading) raise fundamental questions for human rights (right to respect for private life and the privilege against self-incrimination);
- reflect on the value of neuroscientific techniques as a predictive tool for risk assessment;
- reflect on the use of neuroscientific techniques (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.

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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:

- U. Maoz & G. Yaffe, 'What does recent neuroscience tell us about criminal responsibility?' Journal of Law and the Biosciences, 2015, 120-139;
- M.S. Pardo & D. Patterson, Minds, Brains , and Law. The Conceptual Foundations of Law and Neuroscience, Oxford University Press, 2015, p.1-42; 79-140.
- S. Morse, 'Determinism and the Death of Folk Psychology: Two Challenges to Responsibility From Neuroscience', J.L.Sci & Techn., 2008, 1-20;
- C. Korponay & M. Koenigs, 'The neurobiology of antisocial and amoral behaviour: insights from brain science and implications for law' in A. Moratti & D.M. Patterson, Legal insanity and the brain: science, law and European courts, Oregon, Oxford and Portland, 2016, 9-37;
- A. Poldrack, J. Monahan, P.B. Imrey, V. Reyna, M.E. Raichle, D. Faigman and J. W. Buckholtz, 'Predicting Violent Behavior: What Can Neuroscience Add?', Trends in Cognitive Science, 2018, Vol. 22, No. 2, p. 111-123;
- F.X. Shen & O.D. Jones, 'Brain Scans as Evidence: Truths, Proofs, Lies and Lessons', Mercer Law Review ,2011, 861-883;
- S. Ligthart, Th. Douglas, C. Bublitz, T. Kooijmans and G. Meynen, 'Forensic Brain-Reading and Mental Privacy in European Human Rights Law: Foundations and Challenges', Neuroethics, 2020.

LAW3021

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Bachelor European Law School

English

Coordinator:

- [D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Comparative Income and Business Taxation

Full course description

This course first introduces the legal structure and design of tax systems. In the first half of the course, we will 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 investment) and corporate income (business profits, interest, royalties and dividends). In the second half of the course, we will address selected tax issues of cross-border income-generating activity (connecting factors in international income taxation, double taxation, double tax treaties). 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

- Ault, Hugh, Arnold, Brian and Cooper, Graeme (eds.), *Comparative Income Taxation*, 4th Edition, Kluwer Law International, 2019, ISBN 9789403509327
- Articles from various journals

TAX3009

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Bachelor European Law School

English

Coordinator:

- [A. Draghici](#)

Teaching methods:

Lecture(s), PBL, Work in subgroups

Assessment methods:

Written exam, Final paper, Presentation

Keywords:

Income tax, corporation tax, international business, EU Tax 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*).

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

To be announced

PRI3007

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Hollemans](#)

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

European Administrative Law

Full course description

Most of what the EU actually does can be qualified as administrative law. A EU measure 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'), where the EU institutions adopt measures of individual and general application, 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 appraise different administrative law arrangements and their implications, and to draw critical conclusions from the analysis. He/she has practiced to independently conduct research.

Prerequisites

This course builds upon the knowledge acquired in the courses Comparative Administrative Law, European Union Law: Foundations and, to a certain extent, European Union Law: Substantive Law.

Recommended reading

Reader

PUB3003

Period 1

5 Sep 2022

Bachelor European Law School

28 Oct 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [M. Eliantonio](#)
- [A. Volpato](#)

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

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.

MET3004

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [R. Horselenberg](#)

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 welk gedrag strafbaar is gesteld. In het blok wordt allereerst aandacht besteed aan verscheidene algemene kernleerstukken, zoals bijvoorbeeld daderschap (van de rechtspersoon), opzet en schuld, en toerekenbaarheid. Daarnaast komen enkele bijzondere delictsvormen aan bod, zoals bijvoorbeeld uitingsdelicten (aanzetten tot haat), terrorismemisdrijven, prostitutie en verkeersdelicten. Deze opsomming is voornamelijk illustratief, want het is de bedoeling dat regelmatig andere delictsvormen aan bod komen, in het licht van actuele legislatieve of jurisprudentiële ontwikkelingen.

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 politieke ontwikkelingen en derhalve voortdurend aan verandering onderhevig. Zo zien we bijvoorbeeld dat de criminele politiek steeds meer wordt beheerst door veiligheidsdenken en risicomanagement. Of het nu gaat om terrorisme, zinloos geweld of milieuvervuiling, van de overheid worden meer maatregelen verlangd teneinde een veiligere samenleving te garanderen. Deze focus op veiligheid is niet alleen zichtbaar binnen het strafbaarstellingsbeleid maar ook binnen de sanctionering. Hierbij kan onder meer worden gedacht aan meer levenslang gestraften, pleidooien voor een 'soepelere' TBS-oplegging en de toepassing van 'levenslang toezicht' op ex-zeden- en geweldsdelinquenten. Deze ontwikkeling doet niet alleen talrijke vragen rijzen over de grondslagen, maar ook over de mogelijke beperkingen van het moderne strafrecht. Daarom wordt in het blok ook aandacht besteed aan meer strafrechtstheoretische beschouwingen, zoals beginselen en criteria van strafbaarstelling. Het blok heeft daardoor naast een sterke positiefrechtelijke, ook een metajuridische dimensie. En om onze blik te verruimen zal ook af en toe naar andere rechtsstelsels worden gekeken. Een centrale doelstelling van het blok is op een kritische wijze te onderzoeken hoe strafrechtstheorie, criminele politiek en materieel strafrecht zich tot elkaar verhouden.

Instructietaal

Nederlands

(hoewel een beperkt deel van de literatuur in het Engels zal zijn)

Course objectives

- Het verbreden en verdiepen van de kennis van verscheidene algemene kernleerstukken van materieel strafrecht.
- Inzicht verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid en de sanctionering.
- De ontwikkelingen in het materiële strafrecht, het strafbaarstellingsbeleid en de sanctionering in de crimineel-politieke context kunnen plaatsen.
- Aan de hand van strafrechtstheoretische en rechtsvergelijkende inzichten beargumenteerd een eigen standpunt kunnen innemen over de crimineel-politieke ontwikkelingen in het materiële strafrecht, het strafbaarstellingsbeleid en de sanctionering.

Prerequisites

Elementaire basiskennis van het materiële strafrecht is vereist.

Recommended reading

Er wordt gebruik gemaakt van een zorgvuldig samengestelde reader. De volgende teksten zijn illustratief:

- J. Keiler and D. Roef, 'Principles of Criminalisation and the Limits of Criminal Law', in J. Keiler and D. Roef (eds.), *Comparative Concepts of Criminal Law*, Cambridge-Antwerp-Chicago, Intersentia, 2019, p. 35-83;

- A.E. Hartevelt & R. Robroek, *Hoofdwegen door het verkeersrecht*, Deventer: Kluwer 2021, hoofdstukken 4, 5 en 6

- J. Bijlsma, *Stoornis en Strafuitsluiting. Op zoek naar een toetsingskader van ontoerekenbaarheid*, Wolf Legal Publishers, 2016 (hoofdstuk 3 & 5);

K. Rozemond, 'Waarom werd Wilders veroordeeld?', *Nederlands Juristenblad*, 2022, p. 246-252.

- D. Roef, 'De strafrechtelijke positie van overheden anno 2018: een stand van de rechtsontwikkeling', *O&A* 2018, p. 113-123;

- M. Lintz, 'Recente ontwikkelingen in de toepassing van de Wet terroristische misdrijven: naar een meer ideologische toepassing van strafrechtelijke antiterrorwetgeving?', *Delikt en Delinkwent*, 2022, p. 260-270

CRI3004

Period 5

17 Apr 2023

16 Jun 2023

[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

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 there is a limit to our meetings and teaching times, we acknowledge 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. 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%), Settlement Negotiation (30%), and Negotiation Strategy (10%). The Negotiation and the Negotiation Strategy will be a group assessment that the students will NOT be able to resit. The weight of the assignments is subject to change depending on the preference of/voting of the students in the pre-course survey.

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. Therefore, the course materials will consist of different formats and compositions depending on what the students wish for. 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

6 Feb 2023

7 Apr 2023

[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 2020, 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. At one time, 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'. In more recent times, however, scholarly efforts to build such a uniform contract law on the basis of comparative legal research have 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 and of 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 given rise to the view 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. In January 2008, a huge 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 then endeavoured 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 of this endeavour was a feasibility study that formed the basis for the European Commission's proposal on a Common European Sales Law (CESL), which was put forward in October 2011.

The CESL has been the subject of heavy debate not only 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 proposal would not be adopted by the Council. Hence, when the Juncker Commission took office in late 2014 it revoked the CESL proposal. Instead, using a new thematic approach, the European Commission launched proposals for further directives relating to contracts for the sale of goods as well as the supply of digital content and digital services, which have since been adopted.

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 (DGs) (perhaps best compared to the ministries of the Member States) that operate on a semi-autonomous basis. Of course there is coordination between the DGs, 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 poor 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, and talk of a European Business Code has also surfaced.

In short, the European Union has not been sitting still in the past years in the field of private law. The CESL 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 of 2011, which replaced some of the contract law directives existing at the time, seeking more coherence, as well as a change in approach from minimum harmonisation to full (or maximum) harmonisation. At the same time, however, 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 two weeks of introduction, be part of an expert group working on a fictive proposal on a European Private law for the European Commission. You can have particular influence on the sub-topic you are working on for this course, both in drafting legislative provisions, as well as discussing and coordinating provisions drafted by others. The course is finalised in the

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form of a joint group research paper and video presentation on the sub-topic in question, along with the draft legislative proposal itself.

Teaching methods

- Tutorials/Working Group Sessions
- Video lectures/Information Sessions
- PBL/peer-to-peer learning

Assessment methods

JOINT RESEARCH PAPER (70%) AND DRAFT LEGISLATIVE PROPOSAL/VIDEO PRESENTATION (30%)

Course objectives

At the end of this course you will have:

- Knowledge of existing EU private law as well as knowledge about past and 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 legal drafting skills and the ability to apply these in an EU private law setting.

Prerequisites

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

Recommended reading

None

PRI3012

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [W.A. Bull](#)

Bachelor European Law School

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 major theories in the field of legal theory and philosophy of law. These theories are discussed in relation to one another, and on the basis of a number of themes, including the nature of law, the relationship between law and justice, legal positivism and natural law theories, the normative foundations of the liberal legal order and fundamental rights. In addition, students learn to apply these theories to concrete cases from legal practice and case law. In doing so, the premise is that positive law as a concrete social practice is analyzed and critically evaluated from various legal philosophical and legal-theoretical perspectives. The ultimate goal is that students are challenged to develop their own critical view of applicable law, which is informed by ideas, concepts and arguments derived from the legal philosophical literature.

Questions addressed include: How does law relate to morality and justice? Are laws that are unjust nonetheless binding? Can such unjust laws be considered law at all? And to what extent should conceptions of justice play a role in the interpretation of law? What are the normative foundations of the liberal legal order? On what fundamental rights and "principles of justice" is this liberal legal order based? And how can fundamental rights such as freedom of speech or the right to privacy be philosophically justified? Are there philosophical arguments for placing certain limits on the exercise of these rights?

This course focuses on skills characteristic of normative inquiry and, more specifically, the ability to analyze legal cases using multiple legal philosophical theories. This includes the skill of applying relevant legal philosophical arguments to the case, defending a particular interpretation of the case using legal philosophical arguments, and comparing and contrasting different legal philosophical theories and arguments when evaluating the case.

Course objectives

Upon completion of this course, students will be familiar with major theories in the field of philosophy of law and legal theory; familiar with philosophical discussions of law regarding the nature of law, the relationship between law and justice, legal positivism and natural law, and the normative foundations of the liberal legal order and fundamental rights; able to describe, present in context, and critically evaluate various philosophical theories of law.

Upon completion of this course, students will have the ability to:

- recognize, distinguish between, outline, and apply dominant philosophies of law and legal theories;
- analyze a legal case from different legal-philosophical perspectives;

- apply relevant legal-philosophical arguments to this case;
- defend a particular interpretation of the case based on legal-philosophical arguments;
- compare and contrast different legal philosophical theories and arguments when evaluating the case.

Recommended reading

- Reader

MET3003

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R.H.M. Pierik](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

Legal Philosophy, Political Philosophy, Law, Justice, Fundamental Rights

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, Legal 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

See reference list and coursebook

MET3005

Period 2

31 Oct 2022

23 Dec 2022

[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

Introduction to International Human Rights

Full course description

Human rights are a universal language intended to end discrimination and violence, reduce human suffering and promote human development. In this course, we analyse human rights from the perspective of international law, specifically examining the following issues: the obligations of states to uphold universal standards and the mechanisms in place to transform national injustices into international concerns, giving rise to recommendations to governments (but not necessarily imposing sanctions *per se*). 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).

Teaching methods

The group sessions in this course are devoted to problem-based and discussion tasks. In addition, there will be a lecture and/or recorded knowledge clip(s) every week.

Assessment methods

1. Final exam with open questions, accounting for 85% of the grade of the course.
2. A mid-term assignment, in the form of an oral contribution, such as (but not necessarily) a

presentation or participation in a debate or moot court. This assignment will not be graded, but will be assessed on a pass/fail basis. The assignment will count for 15% of the final grade for the course. Therefore, a pass means that the student receives one and a half points; a fail means that the student receives no points. The final grade is calculated as follows: [Exam grade x 0.85] + [Assignment grade: pass (1.5) or fail (0)]. In the event that a student has to take a re-sit exam, the assessment for the assignment remains valid.

Course objectives

Generally:

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

Specifically:

1. The student analyses the legal status and nature of international (UN) human rights norms and state obligations.
2. The student examines the position and role of non-state actors in relation to international human rights.
3. The student finds their 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.
4. The student applies international (UN) human rights norms with critical reasoning and legal argumentation to concrete problems.
5. The student distinguishes between, and becomes familiar with, treaty- and UN Charter-based mechanisms (especially, special procedures and UPR).

Prerequisites

Students must have followed one or more law courses at Bachelor level.

Recommended reading

Obligatory 2 books:

- Bisset, Alison (ed.), *International Human Rights Documents*. Oxford: OUP (12th Edition, 2020), ISBN 9780198860921.
- Moeckli, Daniel, et al. (eds.), *International Human Rights Law*. Oxford: OUP (Third Edition, 2017): ISBN 9780198767237.

IER3009

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [J.A. Sellin](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

universality and other key concepts, human rights treaties, categories of rights, non-state actors, vulnerable groups, mechanisms, institutions, committees and courts.

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

6 Feb 2023

7 Apr 2023

[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

Intellectual Property in the Digital Single Market

Full course description

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 familiarize students with intellectual property areas and principles, through knowledge clips, interactive lectures and tutorials. The aim is two-fold: first, students are provided with an understanding of the EU's legal regime concerning the intellectual property rights (patents, trademarks and copyright), which will encompass an overview of the legislation, case law, and legislative background of these IP rights.

Bachelor European Law School

Second, we have specialised guest lectures which will deal with specific intellectual property issues in the Digital Single Market, such as the online enforcement of IP rights, IP protection for video games, etc.. These lectures will be given by invited lecturers who are experts in the particular topics covered.

Assessment methods

WRITTEN EXAM; MOCK TRIAL

Course objectives

- Understand and critically reflect upon EU intellectual property as a central element of the Digital Single Market;
- Explain the different rationales of intellectual property rights;
- Have knowledge and insight of the EU regimes for trademarks, patents and rights similar to patents, trade secrets, copyright, and design, in particular of the aspects of acquisition of rights, scope of protection and infringement;
- Solve cases regarding all of the intellectual property rights listed above;
- Orally argue a case concerning any of the intellectual property rights listed above;
- Carry out research in a group on a specific topic of intellectual property law

LAW3018

Period 1

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [A. Moerland](#)

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

17 Apr 2023

Bachelor European Law School

16 Jun 2023

[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

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

17 Apr 2023

16 Jun 2023

[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

Vennootschapsbelasting

Full course description

***** Dit blok kan enkel Takes Exam Only geboekt worden. Er zullen geen enkele onderwijsactiviteiten gepland worden. Inschrijven dient bij voorkeur te geschieden tijdens de inschrijfperiode voor onderwijs. Raadpleeg de Academische Kalender FdR 2022-23 voor de inschrijfperiodes voor onderwijs en examens! *****

Bachelor European Law School

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

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [J.J.A.M. Korving](#)

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 codificators 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

6 Feb 2023

7 Apr 2023

[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.

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

17 Apr 2023

16 Jun 2023

[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

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

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [A.J. van Doesum](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

Winst uit Onderneming

Full course description

***** Dit blok kan enkel Takes Exam Only geboekt worden. Er zullen geen enkele onderwijsactiviteiten gepland worden. Inschrijven dient bij voorkeur te geschieden tijdens de inschrijfperiode voor onderwijs. Raadpleeg de Academische Kalender FdR 2022-23 voor de inschrijfperiodes voor onderwijs en examens! *****

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

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [A.M.M. Thomassen](#)

Teaching methods:

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

Assessment methods:

Written exam, Assignment

Keywords:

undefined

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

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

Oral exam, Written exam

Faculty of Law

Comparative Civil Procedure

Full course description

Harmonization of civil procedural law in the European Union is a matter of debate. A discussion 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 traditions 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 tradition. The characteristics of each procedural tradition 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 course also 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 and the Model European Rules of Civil Procedure of the European Law Institute 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 knowledge of Article 47 of the Charter of the European Union; 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 and the ELI/UNIDROIT Model European Rules; 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

Reference List

LAW2005

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [C.H. van Rhee](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment, Participation

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 such as moral panic and sex offenders, hate speech, the use of preventive (terrorist) offences, the influence of neuroscience on criminal law, regulating prostitution, etc. 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 Anti-terrorism legislation.

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, amongst others, 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 different fields such as, amongst others, prostitution, terrorism and l 'cimmigration'

Prerequisites

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

Recommended reading

Reader

CRI3006

Period 2

31 Oct 2022

23 Dec 2022

[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

Privacy

Full course description

This elective course offers a foundational understanding 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. This course covers a panoply of issues. First, it aims to identify what is meant by notions of privacy and data protection and to explain how these concepts should be understood. Subsequently, it focuses on offering students an understanding of the legal and institutional architecture of data protection in Europe as well as the basic (key) definitions of data protection rules and principles. 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. Although privacy and data protection are regulated by EU law, the compliance therewith is to be ensured at the national level through supervisory authorities. Consequently, the course will also cover this aspect of legal regulation of privacy and data protection. Finally, the course examines the pressing issue of balancing privacy and data protection with other fundamental rights and interests, such as freedom of expression.

Course objectives

As the result of this course students will obtain the essential understanding of privacy and data protection in the European legal space. They will understand the development of data protection and the most relevant current applicable rules, most relevant rules in the GDPR and their application, tensions between privacy and freedom of expression in a comparative understanding, especially looking at American and European norms.

Prerequisites

EU Law Foundations

Recommended reading

More information of the course will be provided in the Syllabus.

LAW3067

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [V. Abazi](#)

Bachelor European Law School

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final take home exam

Faculty of Law

Legal Analytics

Full course description

The world is increasingly dominated by information technology and data. Economic and social relations are digitized. Technological innovation is already disrupting the practice of law and the legal professions. In Legal Analytics, you will learn how to use legal information as data and apply quantitative methods to law. The computational approach to law of this course provides an understanding about how data science techniques can help improve our understanding of the law and may help design innovative legal services and legal solutions.

In this course, you will learn about the following major topics:

- Introduction to Legal Analytics
- Quantitative Research Design
- Data and the Data Science Pipeline
- Exploratory Data Analysis
- Visualization
- Statistical Inference

Teaching methods

Lectures and tutorials. Online courses in DataCamp Academic will be used for learning Python.

Course objectives

Upon completion of the course, a student is able to:

- Explain and apply fundamental concepts and principles of data-driven research;
- Explain and apply fundamental concepts of statistics and data science;
- Clean and manipulate a dataset in Python;
- Perform quantitative and visual exploratory (legal) data analysis in Python
- Communicate (written and oral) and visualize (legal) data and results.

Prerequisites

None. This course is intended for students without any statistics or computer programming experience.

Recommended reading

- Epstein L & Martin AD (2014). An Introduction to Empirical Legal Research. Oxford: OUP. <http://empiricallegalresearch.org>
- Kelleher, J. D., & Tierney, B. (2018). Data Science. Cambridge, MA: The MIT Press. Available

Bachelor European Law School
at UM e-library.

LAW3025

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Nanda](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Faculty of Law

Internet Law & Governance

Full course description

Over the last forty years, the Internet has developed at an incredible pace. While the Internet in the 1980s consisted of a handful of computers, nowadays, the Internet connects us to billions of people around the globe. This rapid growth brought a need for a system of governance. In the first years of the Internet, its users consisted of a relatively homogenous group, mainly academics, experimenting with new possible features. When the number of users started to grow, and the personal computer became accessible to the general public, a new group of users emerged that saw the potential of the Internet for illegal activities. Governments responded to these kinds of activities by regulating and monitoring Internet activity. Besides unlawful activity, legal conduct can also be problematic. The Internet brought a number of companies that obtained very powerful positions in our society. They can control what kind of content we watch or the results we get in our searches. Moreover, they can gather vast data and profile us with increasing accuracy.

Within this course, students will get familiarized with the infrastructure that underpins the Internet and Internet of Things movement, the changes brought by the platformization and centralization of power by service providers, and the challenges that the increase in data collection and processing poses to individuals (also in light of newer developments within the field of artificial intelligence). These three themes -- infrastructure, platformization, and data -- will structure the course. Students will first learn how the Internet developed and what core technologies enabled the Internet of Things. They will become familiar with the main actors involved in the political discourse on how to regulate the Internet, the design principles of the Internet, and how the (global) regulatory discussions changed over time. Students will then learn how platforms shape the Internet and the impact of platforms on society and regulation. They will understand how platforms regulate the Internet and how globally policymakers have reacted to such developments. Concepts such as net neutrality and intermediary liability will be analyzed in more depth. Lastly, students will learn about the impact of data processing not only on an individual level but a societal one. Privacy and data protection as a core foundation of a functioning society will be analyzed as regulatory tools to shape

the data processing practices occurring online. Moreover, the means of profiling used to surveil society will be analyzed and newer regulatory developments to keep such practices in check will be discussed. Also, students will become familiar with how policymakers try to curtail cybercrime and enhance cybersecurity. The course will end with an outlook on the future of Internet governance.

Topics each week:

- The Basics of the Internet
- Net Neutrality
- Intermediary Liability
- Privacy and Data Protection
- Surveillance and Artificial Intelligence
- Cybercrime and Cybersecurity
- The Future of Internet Governance

Course objectives

- Understand the underpinning technologies of the Internet and the developments towards the Web as well as the societal drivers behind current regulatory developments.
- Understand the global regulatory challenges that are posed by the Internet and Web in particular and the patchwork of regulations within the EU that aim to provide a strong backbone for data governance.
- Understand how regulation on intermediary liability has worked in practice and how digital service providers have responded to such regulation.
- Understand the core concepts of informational privacy and data protection regulation as well as current cybercrime and cybersecurity frameworks and debate the role of harmonized regulation, industry regulation, technology, and society in creating secure, privacy-friendly, and trustworthy infrastructure.
- Understand the actors involved in “Internet Governance” and evaluate European regulatory approaches.

Prerequisites

None

Recommended reading

An interdisciplinary reader of scientific articles from law and computer science.

LAW3026

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [G. van Dijck](#)

- [A. Tamo - Larrieux](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

internet, Web, Platforms, data governance, privacy, cybersecurity, surveillance

Faculty of Law

Advanced Legal Analytics

Full course description

Information about the law is stored in legal texts: legislation, administrative decrees, court decisions, and other legal writings. Lawyers use this information to apply and reason about the law, and to predict legal outcomes. Legal reasoning, analysing legal texts, and predicting legal outcomes can also be done, in part, by artificial intelligence (AI). More recently, researchers have developed legal information retrieval systems by effective use of sophisticated machine learning and natural language processing technologies on publicly available legal documents to assist legal practice. The availability of such legal information retrieval systems has created opportunities for improving the efficiency and consistency of existing legal systems. The main challenge for semantic analysis is that legal texts are predominantly unstructured data. In Advanced Legal Analytics, you will learn about the following major topics:

1. Introduction to Artificial Intelligence and Law
2. Cleaning and Pre-processing unstructured legal texts
3. Legal Information Retrieval Systems
4. Machine Learning for Legal Texts
5. Natural Language Processing for Legal Texts

Teaching methods

Lectures and tutorials. Online courses in DataCamp Academic will be used for learning Python programming language.

Course objectives

Intended Learning Outcomes

Upon completion of the course, a student is able to:

- write regular expressions to retrieve relevant text patterns from a (legal) document;
- apply different steps of the natural language processing pipeline for cleaning and pre-processing (legal) texts;
- apply named entity recognition (NER) models to extract and classify (legal) entities from unstructured texts;
- explain and interpret the results of the exploratory data analysis using correlation and regression;
- apply and evaluate machine learning methods for computational analysis of law and legal prediction; and

Bachelor European Law School

- identify and evaluate issues of fairness and bias in Artificial Intelligence (AI)-based legal information retrieval systems

Prerequisites

Legal Analytics (LAW3025)

Recommended reading

- Katz, D. M., Dolin, R., & Bommarito, M. J. (Eds.). (2021). Legal Informatics. Cambridge University Press
- Kelleher, J. D., & Tierney, B. (2018). Data Science. Cambridge, MA: The MIT Press.
- Ashley, Kevin D. (2017). Artificial Intelligence and Legal Analytics. Cambridge: Cambridge University Press.

Other recommended reading and literature will be provided during the course.

LAW3027

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Nanda](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

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.

More info for students:

Bachelor European Law School

<https://intranet.maastrichtuniversity.nl/en/faculty-law-studenten/registration-course-periods/internships>.

New students more info per email: internships@maastrichtuniversity.nl.

LAW3312

Year

1 Sep 2022

31 Aug 2023

[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.

More info for students:

<https://intranet.maastrichtuniversity.nl/en/faculty-law-studenten/registration-course-periods/internships>.

New students more info per email: internships@maastrichtuniversity.nl.

LAW3306

Year

1 Sep 2022

31 Aug 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Teaching methods:

PBL

Minor Familie en Recht

Faculty of Law

Internationaal Privaatrecht

Full course description

Dit blok bouwt voort op de Inleiding in het Internationaal Privaatrecht zoals dit werd aangeboden in NNR semester 3 in jaar twee dan wel, voor studenten die nog de 'oude' bachelor Rechtsgeleerdheid volgden, op het blok Inleiding Internationaal Privaatrecht uit het tweede jaar Rechtsgeleerdheid (of het blok PIL uit de bachelor European Law School). In het tweede jaar werden de eerste basis van het IPR alsook de hoofdregels op het gebied van het huwelijk, de echtscheiding, de onrechtmatige daad en de overeenkomst bestudeerd. In het keuzeblok IPR zal een aantal nieuwe onderwerpen aan de orde komen, alsook bijzondere overeenkomsten en bijzondere onrechtmatige daden. Het blok wordt op een diepgaander niveau aangeboden.

Zeker voor degenen die overwegen om zich in het privaatrecht verder te gaan verdiepen, of dat althans op dit moment nog niet willen uitsluiten, is het blok eigenlijk een must.

Grensoverschrijdende privaatrechtelijke issues maken tegenwoordig deel uit van iedere juridische praktijk; of u nu de advocatuur, rechterlijke macht, het notariaat, bedrijfsleven, bemiddeling of anderszins ingaat, u zult met het IPR te maken krijgen. De casuïstiek is rijk, en vaak ook niet zo eenvoudig. Materieel privaatrecht, processueel internationaal privaatrecht, en buitenlands recht komen allemaal samen. Mensen begeven zich niet alleen maar op de interne Nederlandse markt; zij kopen producten over de grens, door naar het buitenland te reizen, maar veel vaker nog via internet; er wordt geïnvesteerd in aandelen of onroerend goed, zonder rekening te houden met landsgrenzen; werken kan overal en leidt in allerlei opzichten tot grensoverschrijdende arbeidssituaties; rechtspersonen verplaatsen zich van het ene land naar het andere en ontwikkelen activiteiten over de hele wereld. Migratie en internationaal verkeer van personen leiden tot internationale en grensoverschrijdende familieverhoudingen.

Evenals in het blok Inleiding IPR zal de focus in het keuzeblok liggen op de drie hoofdvragen van IPR: de bevoegde rechter, het toepasselijke recht en de erkenning en tenuitvoerlegging van buitenlandse uitspraken. Deze worden bestudeerd vanuit het Europese recht (incl. rechtspraak van het Hof van Justitie EU) en het Nederlandse recht.

De onderwerpen die in ieder geval aan de orde komen zijn het goederenrecht, echtscheiding en huwelijksvermogensrecht, alimentatie, rechtspersonenrecht, onrechtmatige daad, bijzondere overeenkomsten (consumenten, arbeid), erfrecht, kinderontvoering, en geschiedenis en grondslagen van het IPR.

Het blok kent zeven onderwijsbijeenvakken waarin casusgericht (PGO) wordt gewerkt. In de flankerende onderwijsstroom worden colleges aangeboden. Het blok biedt kennis waarop in verscheidene masterblokken wordt voortgebouwd. Dat geldt in het bijzonder voor het masterblok Family Law in Europe en het blok International Commercial and Economic Dispute Resolution.

Course objectives

Het blok beoogt u

- Aantoonbare kennis bij te brengen van en inzicht te bieden in de leerstukken van het IPR en in de technieken en de juridische instrumenten van het IPR;
- In staat te stellen om in concrete casus de voor het IPR relevante analyses te maken;
- In staat te stellen verworven kennis en inzicht te reproduceren alsmede toe te passen op o.a. nieuwe casuïstiek;
- Een kritische houding te ontwikkelen ten aanzien van de grondslagen en techniek van het IPR;
- In staat te stellen om te adviseren in (eenvoudige) IPR-casus die in de beroepspraktijk spelen.

Prerequisites

Voorkennis: Inleidend IPR

Recommended reading

- L. Strikwerda en S.J. Schaafsma, Inleiding tot het Nederlandse Internationaal Privaatrecht, twaalfde druk, Deventer: Kluwer 2019
- Ars Aequi Wetseditie: Internationaal Privaatrecht; Verordeningen, Verdragen & Wetten laatste druk, Ars Aequi Libri Nijmegen

PRI3004

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

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

Teaching methods:

PBL, Lecture(s)

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

Bachelor European Law School

Period 5

17 Apr 2023

16 Jun 2023

[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

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

17 Apr 2023

16 Jun 2023

[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

Bachelor European Law School
the website.

PRI1006

Period 4

6 Feb 2023

7 Apr 2023

[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).

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

To be announced

PRI3007

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Hollemans](#)

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

Comparative Income and Business Taxation

Full course description

This course first introduces the legal structure and design of tax systems. In the first half of the course, we will 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 investment) and corporate income (business profits, interest, royalties and dividends). In the second half of the course, we will address selected tax issues of cross-border income-generating activity (connecting factors in international income taxation, double taxation, double tax treaties). 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

- Ault, Hugh, Arnold, Brian and Cooper, Graeme (eds.), *Comparative Income Taxation*, 4th Edition, Kluwer Law International, 2019, ISBN 9789403509327
- Articles from various journals

TAX3009

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [A. Draghici](#)

Teaching methods:

Lecture(s), PBL, Work in subgroups

Assessment methods:

Written exam, Final paper, Presentation

Keywords:

Income tax, corporation tax, international business, EU Tax law

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 there is a limit to our meetings and teaching times, we acknowledge 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. 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%), Settlement Negotiation (30%), and Negotiation Strategy (10%). The Negotiation and the Negotiation Strategy will be a group assessment that the students will NOT be able to resit. The weight of the assignments is subject to change depending on the preference of/voting of the students in the pre-course survey.

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. Therefore, the course materials will consist of different formats and compositions depending on what the students wish for. 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

6 Feb 2023

7 Apr 2023

[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 2020, 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. At one time, 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'. In more recent times, however, scholarly efforts to build such a uniform contract law on the basis of comparative legal research have 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 and of 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 given rise to the view 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. In January 2008, a huge 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 then endeavoured 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 of this endeavour was a feasibility study that formed the basis for the European Commission's proposal on a Common European Sales Law (CESL), which was put forward in October 2011.

The CESL has been the subject of heavy debate not only 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 proposal would not be adopted by the Council. Hence, when the Juncker Commission took office in late 2014 it revoked the CESL proposal. Instead, using a new thematic approach, the European Commission launched proposals for further directives relating to contracts for the sale of goods as well as the supply of digital content and digital services, which have since been adopted.

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 (DGs) (perhaps best compared to the ministries of the Member States) that operate on a semi-autonomous basis. Of course there is coordination between the DGs, 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 poor 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, and talk of a European Business Code has also surfaced.

In short, the European Union has not been sitting still in the past years in the field of private law. The CESL 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 of 2011, which replaced some of the contract law directives existing at the time, seeking more coherence, as well as a change in approach from minimum harmonisation to full (or maximum) harmonisation. At the same time, however, 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 two weeks of introduction, be part of an expert group working on a fictive proposal on a European Private law for the European Commission. You can have particular influence on the sub-topic you are working on for this course, both in drafting legislative provisions, as well as discussing and coordinating provisions drafted by others. The course is finalised in the form of a joint group research paper and video presentation on the sub-topic in question, along with the draft legislative proposal itself.

Teaching methods

- Tutorials/Working Group Sessions
- Video lectures/Information Sessions
- PBL/peer-to-peer learning

Assessment methods

JOINT RESEARCH PAPER (70%) AND DRAFT LEGISLATIVE PROPOSAL/VIDEO PRESENTATION (30%)

Course objectives

At the end of this course you will have:

- Knowledge of existing EU private law as well as knowledge about past and 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 legal drafting skills and the ability to apply these in an EU private law setting.

Prerequisites

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

Recommended reading

None

PRI3012

Bachelor European Law School

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [W.A. Bull](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Presentation

Keywords:

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

Minor Human and Legal Decision-Making

Faculty of Law

Law and Neurosciences

Full course description

This course introduces students to the relatively new interdisciplinary field of law, neuroscience and philosophy (in short: neurolaw). By using an integrative approach students are invited to study some potential applications, but also limitations of neuroscience in the field of law, more in particular criminal law. On a more philosophical level the course also explores how neuroscientific research may challenge the foundations and conditions of criminal 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 (in light of the insanity defence); addiction; neuroscience and violence, coercive brain-reading and human rights, and finally, we will also focus on some criminological aspects and the rehabilitative use of neuroscientific techniques

Course objectives

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

- understand the basic conditions of criminal liability and how neuroscientific research may challenge these conditions;
- 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;
- assess the value and limitations of neuroscientific evidence in court cases, especially regarding lie-detection;
- explore how coercive neuro-technologies (brain-reading) raise fundamental questions for human rights (right to respect for private life and the privilege against self-incrimination);
- reflect on the value of neuroscientific techniques as a predictive tool for risk assessment;
- reflect on the use of neuroscientific techniques (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:

- U. Maoz & G. Yaffe, 'What does recent neuroscience tell us about criminal responsibility?' *Journal of Law and the Biosciences*, 2015, 120-139;
- M.S. Pardo & D. Patterson, *Minds, Brains , and Law. The Conceptual Foundations of Law and Neuroscience*, Oxford University Press, 2015, p.1-42; 79-140.
- S. Morse, 'Determinism and the Death of Folk Psychology: Two Challenges to Responsibility From Neuroscience', *J.L.Sci & Techn.*, 2008, 1-20;
- C. Korponay & M. Koenigs, 'The neurobiology of antisocial and amoral behaviour: insights from brain science and implications for law' in A. Moratti & D.M. Patterson, *Legal insanity and the brain: science, law and European courts*, Oregon, Oxford and Portland, 2016, 9-37;
- A. Poldrack, J. Monahan, P.B. Imrey, V. Reyna, M.E. Raichle, D. Faigman and J. W. Buckholtz, 'Predicting Violent Behavior: What Can Neuroscience Add?', *Trends in Cognitive Science*, 2018, Vol. 22, No. 2, p. 111-123;
- F.X. Shen & O.D. Jones, 'Brain Scans as Evidence: Truths, Proofs, Lies and Lessons', *Mercer Law*

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Review ,2011, 861-883;

- S. Ligthart, Th. Douglas, C. Bublitz, T. Kooijmans and G. Meynen, 'Forensic Brain-Reading and Mental Privacy in European Human Rights Law: Foundations and Challenges', Neuroethics, 2020.

LAW3021

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [D. Roef](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

School of Business and Economics

Economic Psychology

Full course description

Increasingly, economists are discovering insights from psychology as a means to enrich their models of economic behaviour. 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. After a review of basic principles of rational decision-making under uncertainty, the first part of the course gives an overview of psychological research related to judgment and decision-making. Examples include insights from psychology on how decision-makers assess probabilities and how they evaluate the outcomes resulting from their decisions. Actual patterns of judgment and decision-making are compared to basic principles of rational decision-making in order to detect systematic behavioral regularities and biases of real decision-makers. The second part of the course deals with examples of how psychological regularities influence economic decision-making in the field and the importance of these regularities for law and policy. Finally, the course gives an introduction to the field of neuroeconomics.

Course objectives

Acquiring a structured insight into the important roles of psychological factors and processes in judgment and decision-making of economic agents

Learning about the relations between psychology and economics

Learning about practical implications of insights into behavioral regularities

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

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinator:

- [P. Werner](#)

Teaching methods:

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

Assessment methods:

Participation, Presentation, Written exam

Faculty of Psychology and Neuroscience

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 criminal behaviour, and will understand problems associated with witnesses who have brain disorders.

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PSY3375

Period 1

5 Sep 2022

28 Oct 2022

[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

School of Business and Economics

Crisis Management in Organisations

Full course description

The aim of this course is to provide you with an understanding of the phenomenon crisis, its attributes, and to discuss ideas on what can help us to avoid and handle a crisis intelligently. A crisis is a low probability, high-impact event that threatens the viability of the organization and is characterized by ambiguity of cause, effect and means of resolution, as well as by a belief that decisions must be made swiftly. Well-known examples are the BP oil spill and the Space Shuttle Challenger Disaster. Hence, this is not a course about financial crises.

An enormous amount of articles have been written on how to solve crisis situations. Often these solutions are presented in easy to use -to do- lists. Unfortunately, solving organizational crises is not that simple. The objective of this course is to offer you a clear framework that helps you in understanding how organizational crises arise, and to give you more insight in the complexity of crisis management.

The course consists of two main parts: (1) conditions that affect the vulnerability to an organizational crisis; and (2) crisis management. The first part concentrates on the factors that make an organization crisis prone. We thereby focus on human nature; social-cultural causes; and organizational-technological causes. The second part discusses crisis management. We will discuss what organizations can do to prevent crises, and how to contain and resolve organizational crises. Specific attention will be paid to crisis decision making by individuals and groups; communication, and leadership in times of crises.

Course objectives

After successfully completing this course, students should be able to:

- understand the nature and types of organizational crises;
- discuss the possible outcomes of organizational crises;
- recognize how individual, social/organizational/cultural, and technological factors have contributed to the emergence of organizational crises;

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- explain which factors help in preventing organizational crises;
- explain which factors help in containing and resolving organizational crises;
- appreciate the role of individual/group decision-making, communication, and leadership in the crisis management process.

Prerequisites

An advanced level of English

Recommended reading

The literature in this course is of an advanced level as it draws from frontline scientific journals that often can be challenging. Furthermore, students are required to apply the literature to real-life crisis situations.

EBC2100

Period 1

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

6.5

Instruction language:

English

Coordinator:

- [C. Marques dos Santos](#)

Teaching methods:

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

Assessment methods:

Attendance, Final paper, Participation

Minor Strafrecht en Forensica

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. Students will 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, such as the European Arrest Warrant, as well as pertinent case law of the European Court of Justice, will be examined. Furthermore, the course will deal with cornerstone principles of cooperation in criminal matters, 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 European Supervision Order 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 (the latter is the topic of the master course European Criminal Law (CRI4007)).

The aim of the European Criminal Justice Area course is identify the most salient instruments of cooperation in criminal matters, how they are applied, their problems and challenges. This seven-week course will combine seven sessions of group tutorials and lectures. According to the philosophy of problem-based learning, students shall study and debate the application of the instruments to case studies. Materials include a variety of literature and CJEU case law and EU legislation.

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. During the course students will solve several case studies regarding the use of mutual recognition instruments, identify which instrument is used when, compare instruments, critically assess their rationales and compatibility of human rights, determine the conditions for each instrument with the help of case law and examine their application in different scenarios.

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 assess 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.

At the end of the course, students will have understood how cooperation in criminal matters takes place in EU law, be able to apply in practice the main instruments, choose which one is relevant and how it works, and assess problems that might occur. The written assignment gives students the opportunity to conduct research into national law and explore how EU instruments function within national legal orders.

Prerequisites

- A solid basis on criminal law and procedure, and EU law.
- Interest in cooperation in criminal matters
- Readiness to participate in group sessions based on PBL

Recommended reading

- André Klip, European Criminal Law, Intersentia Antwerpen, 2021 4th edition
- Materials on European Criminal Law, Intersentia Antwerpen, 2022, 4th edition
- Reader

LAW3012
Period 5
17 Apr 2023

Bachelor European Law School

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [C. Peristeridou](#)
- [E.C. Loibl](#)

Teaching methods:

PBL

Assessment methods:

Written exam, Assignment

Keywords:

Cooperation in criminal matters/ mutual recognition/ European arrest warrant

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.

MET3004

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinator:

- [R. Horselenberg](#)

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 welk gedrag strafbaar is gesteld. In het blok wordt allereerst aandacht besteed aan verscheidene algemene kernleerstukken, zoals bijvoorbeeld daderschap (van de rechtspersoon), opzet en schuld, en toerekenbaarheid. Daarnaast komen enkele bijzondere delictsvormen aan bod, zoals bijvoorbeeld uitingsdelicten (aanzetten tot haat), terrorismemisdrijven, prostitutie en verkeersdelicten. Deze opsomming is voornamelijk illustratief, want het is de bedoeling dat regelmatig andere delictsvormen aan bod komen, in het licht van actuele legislatieve of jurisprudentiële ontwikkelingen.

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 politieke ontwikkelingen en derhalve voortdurend aan verandering onderhevig. Zo zien we bijvoorbeeld dat de criminele politiek steeds meer wordt beheerst door veiligheidsdenken en risicomangement. Of het nu gaat om terrorisme, zinloos geweld of milieuvervuiling, van de overheid worden meer maatregelen verlangd teneinde een veiligere samenleving te garanderen. Deze focus op veiligheid is niet alleen zichtbaar binnen het strafbaarstellingsbeleid maar ook binnen de sanctionering. Hierbij kan onder meer worden gedacht aan meer levenslang gestraften, pleidooien voor een 'soepelere' TBS-oplegging en de toepassing van 'levenslang toezicht' op ex-zeden- en geweldsdelinquenten. Deze ontwikkeling doet niet alleen talrijke vragen rijzen over de grondslagen, maar ook over de mogelijke beperkingen van het moderne strafrecht. Daarom wordt in het blok ook aandacht besteed aan meer strafrechtstheoretische beschouwingen, zoals beginselen en criteria van strafbaarstelling. Het blok heeft daardoor naast een sterke positiefrechtelijke, ook een metajuridische dimensie. En om onze blik te verruimen zal ook af en toe naar andere rechtsstelsels worden gekeken. Een centrale doelstelling van het blok is op een kritische wijze te onderzoeken hoe strafrechtstheorie, criminele politiek en materieel strafrecht zich tot elkaar verhouden.

Instructietaal

Nederlands

(hoewel een beperkt deel van de literatuur in het Engels zal zijn)

Course objectives

- Het verbreden en verdiepen van de kennis van verscheidene algemene kernleerstukken van materieel strafrecht.
- Inzicht verkrijgen in het hoe en waarom van het door de overheid gevoerde strafbaarstellingsbeleid en de sanctionering.
- De ontwikkelingen in het materiële strafrecht, het strafbaarstellingsbeleid en de sanctionering in de crimineel-politieke context kunnen plaatsen.
- Aan de hand van strafrechtstheoretische en rechtsvergelijkende inzichten beargumenteerd een eigen standpunt kunnen innemen over de crimineel-politieke ontwikkelingen in het materiële strafrecht, het strafbaarstellingsbeleid en de sanctionering.

Prerequisites

Elementaire basiskennis van het materiële strafrecht is vereist.

Recommended reading

Er wordt gebruik gemaakt van een zorgvuldig samengestelde reader. De volgende teksten zijn

illustratief:

-J. Keiler and D. Roef, 'Principles of Criminalisation and the Limits of Criminal Law', in J. Keiler and D. Roef (eds.), *Comparative Concepts of Criminal Law*, Cambridge-Antwerp-Chicago, Intersentia, 2019, p. 35-83;

- A.E. Harteveld & R. Robroek, *Hoofdwegen door het verkeersrecht*, Deventer: Kluwer 2021, hoofdstukken 4, 5 en 6

- J. Bijlsma, *Stoornis en Strafuitsluiting. Op zoek naar een toetsingskader van ontoerekenbaarheid*, Wolf Legal Publishers, 2016 (hoofdstuk 3 & 5);

K. Rozemond, 'Waarom werd Wilders veroordeeld?', *Nederlands Juristenblad*, 2022, p. 246-252.

- D. Roef, 'De strafrechtelijke positie van overheden anno 2018: een stand van de rechtsontwikkeling', *O&A* 2018, p. 113-123;

- M. Lintz, 'Recente ontwikkelingen in de toepassing van de Wet terroristische misdrijven: naar een meer ideologische toepassing van strafrechtelijke antiterreurwetgeving?', *Delikt en Delinkwent*, 2022, p. 260-270

CRI3004

Period 5

17 Apr 2023

16 Jun 2023

[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

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

Bachelor European Law School

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Coordinator:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

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

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

- [W.B.J. Goossens](#)

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

In Law and Art - The Free Movement of Cultural Property we take a closer look at the legal dimension of the art trade, the protection of cultural heritage from various threats, and the different points at which law and cultural heritage intersect. Artworks speak to our imagination and either fascinate or irritate (or bore) us. In the public discourse works of art are described and valued for different reasons: their uniqueness, their representation of the artistic genius, expressions of the human condition... These values we ascribe to art can also lead to it being endangered during conflicts, stolen, looted, forged, or even purposefully destroyed.

Beside their artistic and historic value, art works are also goods: material objects that can be valued in money and are traded across the globe. This international element of the trade renders regulation and enforcement across legal borders difficult, and actors in the illicit trade of cultural objects take full advantage of this. 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. For example, 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 or looted painting to the original owner? Which law applies if more than one jurisdiction is involved? Which international obligations exist? 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, Private and Private International Law, Public as well as Criminal Law and criminology. 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 directly during the course.

Assessment:

Participants will be assessed on the basis of an exam at the end of the course, as well as a paper on a topic of choice 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

After completing this course, students can:

Bachelor European Law School

- identify the special role and treatment of works of art in a variety of related legal issues.
- outline the evolution of international cultural heritage law and summarize its main instruments.
- discuss the legal difficulties of regulating the (i)licit trade in art and the protection of art and cultural heritage from forgeries and destruction.
- analyse the private (international) law issues relevant to artworks.
- rate the compatibility of laws on cultural heritage with European and international standards.

This course is also part of an interfaculty MINOR - Art, Law and Policy Making

Prerequisites

Basic 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. Students who have no background in law should in any case read the recommended literature before the course starts.

Recommended reading

The course uses a mix of literature which is available through the library and reference list. No additional literature needs to be purchased.

Non-law students are advised to consult the following book: Hage, Jaap, Waltermann, Antonia M., Akkermans, Bram (Eds.), Introduction to Law, Springer 2017, available as ebook in the UM Library.

IER3004

Period 2

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [L.P.W. van Vliet](#)
- [A.M. de Jong](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

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

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 legitimation 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

31 Oct 2022

22 Dec 2022

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinators:

- [J.A. Post](#)
- [V.E.J.P. van Saaze](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Presentation and paper

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

5 Sep 2022

28 Oct 2022

[Print course description](#)

ECTS credits:

6.0

Bachelor European Law School

Coordinator:

- [C. Rausch](#)

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 ACU3004 and/or ACU3005

ACU3904

Period 3

9 Jan 2023

3 Feb 2023

[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 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 PIL rules, but a significant portion of sources of PIL are international treaties and, in this region, EU regulations. PIL has become even more significant as a result of increasing integration within the European Union and because of globalization and increased mobility of people across borders.

This course in particular focuses on the European perspective of PIL. 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, as well as some key international treaties on PIL; 3. an overview of the impact of EU primary law in the development of PIL.

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

Teaching method:

PBL/PGO and lectures.

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

Course objectives

The general aim of the course is to provide students with an understanding of the problems inherent in legal situations involving (a) cross-border element(s) pertaining to private law (b) mainly from a European perspective.

- **Gaining knowledge**

The students will gain knowledge of the basic principles and legal rules of PIL from a European perspective.

- **Applying knowledge and understanding**

The students will learn to apply the knowledge they acquire to identify and solve concrete problems that arise in international family disputes or civil and commercial transactions.

- **Making legal assessments**

The students will develop their ability to translate knowledge (from textbooks, primary legal sources) into sound legal arguments or own legal points of view.

They will learn how to identify the pertinent questions in international civil and commercial transactions (type of dispute, relevant PIL question(s), etc.).

- **Communicating**

The students will train their abilities to express legal arguments clearly, both orally and on paper.

- **Learning Skills**

The students will develop the techniques legal experts need as regards the gathering, selecting, analyzing, interpreting and synthesizing information from primary sources of EU, international and national law (treaties, legislation, case law) as well as second sources (textbooks, law journals, etc.)

They will develop their ability to approach the law with a holistic perspective and grasp the consequences of increasingly interconnected civil and commercial transactions.

Prerequisites

Basic knowledge of law in general.

Recommended reading

- The mandatory textbook for this course is the 2019 edition of M. Bogdan & M. Pertegás Sender, 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.

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

PRI3018

Period 3

9 Jan 2023

3 Feb 2023

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [M. Pertegás Sender](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

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

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

31 Oct 2022

23 Dec 2022

[Print course description](#)

ECTS credits:

6.0

- [C. Rausch](#)

Minor Law and Technology

Faculty of Law

Privacy

Full course description

This elective course offers a foundational understanding 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. This course covers a panoply of issues. First, it aims to identify what is meant by notions of privacy and data protection and to explain how these concepts should be understood. Subsequently, it focuses on offering students an understanding of the legal and institutional architecture of data protection in Europe as well as the basic (key) definitions of data protection rules and principles. 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. Although privacy and data protection are regulated by EU law, the compliance therewith is to be ensured at the national level through supervisory authorities. Consequently, the course will also cover this aspect of legal regulation of privacy and data protection. Finally, the course examines the pressing issue of balancing privacy and data protection with other fundamental rights and interests, such as freedom of expression.

Course objectives

As the result of this course students will obtain the essential understanding of privacy and data protection in the European legal space. They will understand the development of data protection and the most relevant current applicable rules, most relevant rules in the GDPR and their application, tensions between privacy and freedom of expression in a comparative understanding, especially looking at American and European norms.

Prerequisites

EU Law Foundations

Recommended reading

More information of the course will be provided in the Syllabus.

LAW3067

Period 5

17 Apr 2023

16 Jun 2023

Bachelor European Law School

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [V. Abazi](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final take home exam

Faculty of Law

Legal Analytics

Full course description

The world is increasingly dominated by information technology and data. Economic and social relations are digitized. Technological innovation is already disrupting the practice of law and the legal professions. In Legal Analytics, you will learn how to use legal information as data and apply quantitative methods to law. The computational approach to law of this course provides an understanding about how data science techniques can help improve our understanding of the law and may help design innovative legal services and legal solutions.

In this course, you will learn about the following major topics:

- Introduction to Legal Analytics
- Quantitative Research Design
- Data and the Data Science Pipeline
- Exploratory Data Analysis
- Visualization
- Statistical Inference

Teaching methods

Lectures and tutorials. Online courses in DataCamp Academic will be used for learning Python.

Course objectives

Upon completion of the course, a student is able to:

- Explain and apply fundamental concepts and principles of data-driven research;
- Explain and apply fundamental concepts of statistics and data science;
- Clean and manipulate a dataset in Python;
- Perform quantitative and visual exploratory (legal) data analysis in Python
- Communicate (written and oral) and visualize (legal) data and results.

Prerequisites

None. This course is intended for students without any statistics or computer programming experience.

Recommended reading

- Epstein L & Martin AD (2014). An Introduction to Empirical Legal Research. Oxford: OUP. <http://empiricallegalresearch.org>
- Kelleher, J. D., & Tierney, B. (2018). Data Science. Cambridge, MA: The MIT Press. Available at UM e-library.

LAW3025

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Nanda](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Faculty of Law

Internet Law & Governance

Full course description

Over the last forty years, the Internet has developed at an incredible pace. While the Internet in the 1980s consisted of a handful of computers, nowadays, the Internet connects us to billions of people around the globe. This rapid growth brought a need for a system of governance. In the first years of the Internet, its users consisted of a relatively homogenous group, mainly academics, experimenting with new possible features. When the number of users started to grow, and the personal computer became accessible to the general public, a new group of users emerged that saw the potential of the Internet for illegal activities. Governments responded to these kinds of activities by regulating and monitoring Internet activity. Besides unlawful activity, legal conduct can also be problematic. The Internet brought a number of companies that obtained very powerful positions in our society. They can control what kind of content we watch or the results we get in our searches. Moreover, they can gather vast data and profile us with increasing accuracy.

Within this course, students will get familiarized with the infrastructure that underpins the Internet and Internet of Things movement, the changes brought by the platformization and centralization of power by service providers, and the challenges that the increase in data collection and processing poses to individuals (also in light of newer developments within the field of artificial intelligence).

These three themes -- infrastructure, platformization, and data -- will structure the course. Students will first learn how the Internet developed and what core technologies enabled the Internet of Things. They will become familiar with the main actors involved in the political discourse on how to regulate the Internet, the design principles of the Internet, and how the (global) regulatory discussions changed over time. Students will then learn how platforms shape the Internet and the impact of platforms on society and regulation. They will understand how platforms regulate the Internet and how globally policymakers have reacted to such developments. Concepts such as net neutrality and intermediary liability will be analyzed in more depth. Lastly, students will learn about the impact of data processing not only on an individual level but a societal one. Privacy and data protection as a core foundation of a functioning society will be analyzed as regulatory tools to shape the data processing practices occurring online. Moreover, the means of profiling used to surveil society will be analyzed and newer regulatory developments to keep such practices in check will be discussed. Also, students will become familiar with how policymakers try to curtail cybercrime and enhance cybersecurity. The course will end with an outlook on the future of Internet governance.

Topics each week:

- The Basics of the Internet
- Net Neutrality
- Intermediary Liability
- Privacy and Data Protection
- Surveillance and Artificial Intelligence
- Cybercrime and Cybersecurity
- The Future of Internet Governance

Course objectives

- Understand the underpinning technologies of the Internet and the developments towards the Web as well as the societal drivers behind current regulatory developments.
- Understand the global regulatory challenges that are posed by the Internet and Web in particular and the patchwork of regulations within the EU that aim to provide a strong backbone for data governance.
- Understand how regulation on intermediary liability has worked in practice and how digital service providers have responded to such regulation.
- Understand the core concepts of informational privacy and data protection regulation as well as current cybercrime and cybersecurity frameworks and debate the role of harmonized regulation, industry regulation, technology, and society in creating secure, privacy-friendly, and trustworthy infrastructure.
- Understand the actors involved in “Internet Governance” and evaluate European regulatory approaches.

Prerequisites

None

Recommended reading

An interdisciplinary reader of scientific articles from law and computer science.

LAW3026

Bachelor European Law School

Period 4

6 Feb 2023

7 Apr 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [G. van Dijck](#)
- [A. Tamo - Larrieux](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

internet, Web, Platforms, data governance, privacy, cybersecurity, surveillance

Faculty of Law

Advanced Legal Analytics

Full course description

Information about the law is stored in legal texts: legislation, administrative decrees, court decisions, and other legal writings. Lawyers use this information to apply and reason about the law, and to predict legal outcomes. Legal reasoning, analysing legal texts, and predicting legal outcomes can also be done, in part, by artificial intelligence (AI). More recently, researchers have developed legal information retrieval systems by effective use of sophisticated machine learning and natural language processing technologies on publicly available legal documents to assist legal practice. The availability of such legal information retrieval systems has created opportunities for improving the efficiency and consistency of existing legal systems. The main challenge for semantic analysis is that legal texts are predominantly unstructured data. In Advanced Legal Analytics, you will learn about the following major topics:

1. Introduction to Artificial Intelligence and Law
2. Cleaning and Pre-processing unstructured legal texts
3. Legal Information Retrieval Systems
4. Machine Learning for Legal Texts
5. Natural Language Processing for Legal Texts

Teaching methods

Lectures and tutorials. Online courses in DataCamp Academic will be used for learning Python programming language.

Course objectives

Intended Learning Outcomes

Upon completion of the course, a student is able to:

- write regular expressions to retrieve relevant text patterns from a (legal) document;
- apply different steps of the natural language processing pipeline for cleaning and pre-processing (legal) texts;
- apply named entity recognition (NER) models to extract and classify (legal) entities from unstructured texts;
- explain and interpret the results of the exploratory data analysis using correlation and regression;
- apply and evaluate machine learning methods for computational analysis of law and legal prediction; and
- identify and evaluate issues of fairness and bias in Artificial Intelligence (AI)-based legal information retrieval systems

Prerequisites

Legal Analytics (LAW3025)

Recommended reading

- Katz, D. M., Dolin, R., & Bommarito, M. J. (Eds.). (2021). Legal Informatics. Cambridge University Press
- Kelleher, J. D., & Tierney, B. (2018). Data Science. Cambridge, MA: The MIT Press.
- Ashley, Kevin D. (2017). Artificial Intelligence and Legal Analytics. Cambridge: Cambridge University Press.

Other recommended reading and literature will be provided during the course.

LAW3027

Period 5

17 Apr 2023

16 Jun 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Nanda](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment