

First year courses

## **Bachelor European Law School year 1 compulsory courses**

Faculty of Law

### **Constitutional Law**

#### **Full course description**

**Constitutional Law (CL)** is the first mandatory course of the European Law School bachelor programme. Together with the parallel Skills course, CL lays the foundations for the subsequent contents of the programme.

CL introduces students to core concepts of constitutional law and (multi-level) constitutionalism. These include the rule of law, democracy, and fundamental rights protection, as well as the interplay of national, European, and international norms and institutions in the legal application of these concepts.

This course introduces students to both the underlying ideas and the substantive legal form of main building blocks of Western constitutions:

- the idea of the state and statehood;
- the basic institutional setups (and differences between them) of states and the European Union
- democratic processes and representation;
- parliamentarianism;
- state forms, and systems of government;
- rules and procedures of law-making;
- judicial review of legislation and government action;
- human rights protection at national and European level.

The course follows a pattern of reasoning from concept to (different forms of) practical realisation and application, highlighting the available range of normative options. CL uses a comparative approach to explore this spectrum along a set of main legal families. However, where relevant it also makes reference a variety of other examples.

Conveying an understanding of constitutional law as a conduit between legal systems and the evolving societal and political contexts in which it operates, the course refers to ongoing large-scale societal challenges and explores their interrelation with constitutional structures.

True to the problem based learning (PBL) approach of the European Law School, students in the course Constitutional Law not only study the mentioned ideas and systems in the abstract but also train to work with concrete legal provisions from different systems to solve legal problems.

#### **Assessment Methods**

Constitutional Law uses two assessment methods at two different examination moments, namely

## Bachelor European Law School

a mid-term assignment consisting of a legal essay on a subject in the context of constitutional law (25% of the final grade), and

a final exam consisting in which students have to formulate legal opinions, i.e. reasoned solutions to hypothetical cases or legal questions.

## Course objectives

Upon completion of this course, students will:

- understand the basic concepts of constitutional law as a discipline, as well as their social contexts;
- be able to identify the main actors relevant to constitutional law at national, European, and international level;
- understand the basic concepts associated with constitutionalism;
- be able to identify and compare the defining features of the main families of Western constitutional systems, as well as of the European and international legal systems;
- be able to analyse the constitutional properties of a given (novel, foreign, or hypothetical) legal system in comparison with these main families;
- be able to use their knowledge of the positive constitutional law of various systems and of mechanisms for the protection of fundamental rights to solve legal problems and cases;
- understand the basic structure and functioning of the multi-level constitutional systems of the European Union and its member states, including the relevant influences of international law;
- be able to explain how international and EU law produce effects in domestic legal systems.
- be able to use such knowledge to solve cases involving the effect of international and EU law on (national) constitutional settings.
- have knowledge about the concepts of constitutional law from a historical, political and cultural perspective.
- recognize the historical, political, economic and societal context in which national, international and European law have developed.

## Prerequisites

None

## Recommended reading

Textbook:

- A.W. Heringa, *Constitutions Compared* (6th ed.), The Hague: Eleven, 2021.

Compilation of constitutions, treaties, and legislation

- S. Hardt & N. Kornet (eds.), *The Maastricht Collection* (8th ed.), Zutphen: Europa Law Publishing, 2024 (forthcoming: August 2024), vols. I & II.

Alternatively: A.W. Heringa & S. Hardt (eds.), *Comparative Constitutional Law Documents*, The Hague: Eleven, 2023.

Bachelor European Law School

NB: While it is possible to use this book in the course Constitutional Law as a full alternative to the Maastricht Collection, all volumes of the latter are required in other courses of the European Law School curriculum.

PUB1201

Period 1

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinator:

- [S. Hardt](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam

Keywords:

State, statehood, state forms, constitution, constitutionalism, European Union, democracy, representation, forms of government, separation of powers, checks and balances, law-making, judicial review, Human Rights, European Convention on Human Rights (ECHR)

Faculty of Law

## Introduction to Private Law

### Full course description

This course offers an introduction to private law as a system focusing on the fields of family law, contract law, property law and tort law. In this introductory course, students will become aware of the core principles and fields of private law, learn how to apply legal rules from diverse sources of private law to the core legal issues in private law, and learn how to analyse the facilitative and regulatory role of private law in society. The aim of this course is to provide students with an understanding of the fundamental building blocks that constitute the underlying system of private law. The approach of this course is comparative throughout, using examples from diverse jurisdictions such as Germany, England, France and the Netherlands to illustrate the main rules and principles from family law, contract law, property law and tort law.

### Assessment methods;

Mid-term assignment and end of term written exam

### Course objectives

Following successful completion of this course, students will:

- Understand the foundational principles of private law and analyse how they are reflected in specific concepts and rules of private law.

## Bachelor European Law School

- Understand and analyse the system of private law comprised of family law, contract law, property law and tort law.
- Understand the purpose of private law in society in the context of the facilitative and regulatory role of private law in society.
- Be able to analyse and apply foundational concepts and rules of private law to a basic case to provide a critical analysis and solution to the problem(s) presented in that case.
- Be able to analyse private law as a system and apply legal rules from diverse sources of private law to the core legal issues in private law.
- Be able to compare some foundational normative choices made in relation to the two dimensions of facilitation and regulation in different legal systems.

## Prerequisites

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

## Recommended reading

See Canvas for more information

PRI1201

Period 2

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinator:

- [K.E. O'Reilly](#)

Teaching methods:

PBL

Assessment methods:

Assignment, Written exam

Keywords:

Private law, family law, contract law, property law, tort law, Comparative Law

Faculty of Law

## International and European Law

### Full course description

The course will consist of two parts: International law and European law. In the first half of the course, we will explore the nature and foundations of international law. We will study 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 history and theories of EU integration, institutional structure, competences, conferral and legal bases, nature and principles of EU law, and judicial remedies.

## Course objectives

- identify and use the primary sources of international and European Union law;
- recognise the historical and philosophical roots of international law;
- understand and apply the international and EU law law-making rules and analyse law-making processes;
- recognise, analyse, and compare among them the key subjects of international law, most notably states and individuals;
- understand and apply the fundamental international law rules on jurisdiction, immunity, state responsibility, dispute settlement and the use of force;
- compare and contrast the main principles of international and EU law;
- understand the historical evolution of the EU and recognise the main theories on the evolution of the EU in relation with its international law roots;
- explain the composition and functioning of the main EU institutions and the relationship between them;
- understand and apply the fundamental principles on the effect of EU law in domestic legal systems: direct effect, primacy, indirect effect, State liability;
- understand and apply the main rules on judicial remedies for violations of EU law at national or EU level;
- relate the concepts of international and EU law to their historical, political, cultural, and societal context;
- use the acquired knowledge to solve legal problems and practical cases.

## Prerequisites

None

## Recommended reading

- Gleider Hernández, *International Law* (2nd ed, OUP 2022)
- Elise Muir, *Introduction to the EU Legal Order* (CUP 2022)

IER1201

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinator:

- [L. Visser](#)

Bachelor European Law School

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment

Keywords:

International law, European Union law

Faculty of Law

## **Foundations of Law**

### **Full course description**

This course will introduce students to the historical, philosophical, and economic foundations of law, a thorough understanding of which being indispensable in order to arrive at a true comprehension of the positive law. Through the lens of three meta-juridical disciplines, students will be confronted with questions regarding the nature of the law and its (ideal) role in society. First, the law will be examined from a legal-historical perspective to make students aware of the main political, social, and cultural events throughout history that shaped the (Western) European legal systems of today. The second discipline of philosophy of law will guide students through the normative foundations of law, comparing legal norms with those of a social, political, or moral nature and whilst dealing with questions concerning the justification and enforceability of state law. Third, students will be introduced to the multidisciplinary study of law and economics, to raise awareness of the economic reasoning behind - as well as the economic consequences of - legislative and contractual decisions. The course will employ a chronological approach that guides students - in the form of both lectures and tutorials - through the main events and the most influential actors which constitute the Foundations of (European) law.

### **Course objectives**

Following successful completion of this course, students will:

- understand the main theories and developments of legal history, legal philosophy, and law & economics.
- be able to explain key concepts of legal history, legal philosophy, and law & economics.
- be able to make connections between legal and meta-legal knowledge.
- be able to describe the historical context and the developments throughout history of key legal concepts in order to interpret the changes they underwent.
- be able to analyse and critically reflect on the role of law as an instrument for both societal control and societal change, that is, the law as a tool for reproducing economic, political, racial, and gendered structures of domination, and the law as a source of social emancipation.
- be able to construct the pathways and contingencies of legal developments in Europe and beyond, based on normative, and other societal factors.
- be able to formulate explicit normative standards, based on different legal-philosophical, legal-historical, and economical approaches.
- be able to evaluate possible legal solutions for contentious issues in current political debates that require a resolution through the law as a form of practical reason and place them against explicit normative standards.

## Prerequisites

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

## Recommended reading

See Canvas for more information

MET1201

Period 5

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

11.0

Instruction language:

English

Coordinators:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Faculty of Law

## English Language Proficiency

### Full course description

Language proficiency is a core competence for any legal professional. In the bachelor European Law School, students' ability to use the English language in a legal context is assessed on an ongoing basis. Separate assessments of English language proficiency form part of various course assessment components throughout the programme.

### Assessment

Continuous assessment and portfolio

LAW1201

Year

1 Sep 2023

31 Aug 2024

[Print course description](#)

ECTS credits:

0.0

Instruction language:

English

Teaching methods:

## Introduction to Law and Legal Reasoning

### Full course description

The course Introduction to Law and Legal Reasoning is the first part of the European Law School (ELS) bachelor programme Skills Development and Legal Challenge track. The primary aim of Introduction to Law and Legal Reasoning is to teach new students the skills they need in order to study successfully in the ELS 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.

### Assessment methods

Learning development portfolio and legal challenge

### Course objectives

Following successful completion of this course, students will:

- be able to find, evaluate and use legal resources.
- understand and be able to employ the basics of legal reasoning.
- be able to understand and apply legal provisions and precedent to case studies using the IRAC method.
- be familiar with the philosophy of PBL and foundational skills to succeed in their undergraduate studies.

### Prerequisites

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

### Recommended reading

See Canvas for more information

SLC1001

Semester 1

4 Sep 2023

2 Feb 2024

[Print course description](#)

ECTS credits:

- [W.A. Bull](#)

## Thinking Like a Lawyer

### Full course description

The course Thinking Like a Lawyer has two components that run parallel to each other: a legal skills training and a legal challenge. During the legal skills training, you will focus on further developing your legal analytical, reasoning and argumentation skills. During the legal challenge, you will work in a team on a challenge that explores a substantive legal topic under the guidance of your legal challenge supervisor.

The skills development session will provide you with an in-depth introduction to legal argumentation. These skills development sessions provide you with the tools to identify, structure, and evaluate 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. While you will come across other courses in your studies that are designed to develop your knowledge of statutes, case law, codes, treaties, and regulations, this is probably the only one where you will have the opportunity to study the interaction between law and argumentation in a systematic way.

The skills development begins with an introduction to basic notions of logic and critical thinking, which are necessary for making valid legal arguments, but which are not specific to the field of law. The first part of the course follows the structure of the basic unit of any form of legal reasoning: the legal syllogism. After introducing this notion, it deals with the problem of how to justify syllogisms, both internally and externally. A legal syllogism is internally justified if the conclusion follows logically from its two premises, and it is externally justified if valid arguments are provided for the truth of each of the two premises. The external justification of the first of the two premises (the major premise) is a question of law, because it consists in providing arguments for the existence of a norm. Three sessions are devoted to classifying these arguments about questions of law according to their different functions: interpreting provisions, filling legal gaps, resolving legal conflicts. The external justification of the second premise (the minor premise) is a question of fact, because it consists in giving arguments to the effect that a certain event has taken place or, in any case, that something in the world is, has been or will be in a certain way. These are evidentiary arguments, which are dealt with in a separate session. After considering the internal and external justification of the legal syllogism, the course moves on to a number of related topics: the logical relations between rights and other legal entitlements (Hohfeldian positions); fallacies; the connection between moral and legal reasoning; arguments based on justice.

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In the legal challenge part of the course, which runs parallel to the skills development sessions, you will utilise your legal thinking skills by working in a team on a legal challenge project. The legal challenge projects aim to help you further develop your legal analytical, problem-solving, and critical thinking skills while engaging in an in-depth exploration of a substantive topic. Each of the legal challenge supervisors has designed a legal challenge project for you and your team to investigate, research, respond to and/or solve that is closely aligned to their area of expertise. We aim to match students as much as possible with legal challenge projects that align with their interests. For this reason, you will be given the opportunity to register your preferred legal challenge project. Some potential themes of legal challenge projects include: Contract law and Inequality; Access to Justice; Shaping the Future of the EU; AI and the Law; Crime and Punishment; Tackling Plastic Pollution through International Law; The Role of NGOs in the International Protection of Human Rights.

### ***Assessment Methods***

To pass the course Thinking Like a Lawyer, you must obtain a pass for both parts of the course: Skills Development and the Legal Challenge. The assessment of your Skills Development is based on an individual portfolio and the assessment of the Legal Challenge is based on a team portfolio.

### **Course objectives**

Upon successful completion of this course, students

- understand deductive, inductive and abductive inferences;
- are able to formulate legal syllogisms;
- are able to distinguish and justify the premises of legal syllogism;
- are able to distinguish and use different types of legal arguments according to their function;
- have gained further knowledge of and insight into a specific substantive topic of international, European or national law, from a comparative, European and/or meta-legal perspective;
- have developed core skills be able to effectively collaborate in a team to complete a joint project.

### **Prerequisites**

N.A.

### **Recommended reading**

Literature is available via Canvas

SLC1002

Semester 2

5 Feb 2024

5 Jul 2024

[Print course description](#)

ECTS credits:

8.0

Instruction language:

English

Coordinators:

- [M. Ubertone](#)
- [N. Kornet](#)

Teaching methods:

Research, PBL

Assessment methods:

Portfolio

Keywords:

Legal reasoning, Legal Argumentation, Critical Thinking, teamwork, project

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 for writing the Bachelor's Essay as well as academic research papers in more general. 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 question, research methodology, research proposal, structural outline, main body of text, bibliography 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 reserve 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. (e.g. criminal law, private law, EU law, International law, legal philosophy, public law).

#### **Teaching methods**

- PBL
- Knowledge Clips
- 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 through the course "Skills: Legal Research and Reasoning". 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 requires 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, after completing this course, students will be able to:**

- Identify relevant (academic) sources
- Analyse written sources and critically reflect on their quality
- Formulate relevant and disciplinary sound research questions
- Compare concepts and doctrines between different legal systems (legal comparison)
- Identify and apply different (legal) research methodologies needed to answer legal research questions
- Understand the importance of integrity and cooperation for academic citizenship
- Apply proper citation practices
- Understand the differences between different text types and audience expectations
- Identify and complete the stages of the writing process
- Construct and support written arguments in accordance with disciplinary expectations
- Reflect on the research and writing process and orally present the outcomes of your research
- Provide and receive feedback

**Prerequisites**

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

LAW2001

Period 1

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinator:

- [L. Dziedzic](#)

Teaching methods:

PBL

Assessment methods:

Final paper

Keywords:

Academic writing Legal writing Legal research methodology Writing skills Bachelor's essay Peer-review

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

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R.A. Ott](#)

Bachelor European Law School

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

5 Feb 2024

5 Apr 2024

[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 legal problem 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.

## 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 to develop students' ability to work as part of a team.

## Prerequisites

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

## Recommended reading

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

IER2003

Period 4Period 5

5 Feb 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

4.0

Instruction language:

English

Coordinators:

- [L. Visser](#)
- [C.M. Eggett](#)

Teaching methods:

PBL, Lecture(s)

Assessment methods:

Written exam, Assignment, Oral exam

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

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [C.C. van Dam](#)

Teaching methods:

Lecture(s), PBL

Bachelor European Law School

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, 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

4 Sep 2023

27 Oct 2023

[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

Bachelor European Law School  
e.g. via Studystore or the publisher).

PRI3018

Period 3

8 Jan 2024

2 Feb 2024

[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).

Bachelor European Law School

PUB2014

Period 4

5 Feb 2024

5 Apr 2024

[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.

## Bachelor European Law School

- 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

Period 1

4 Sep 2023

27 Oct 2023

[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

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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.

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 2023

31 Aug 2024

Period 6

17 Jun 2024

14 Jul 2024

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

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

Teaching methods:

Paper(s)

Assessment methods:

Final paper

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Keywords:

research skills, Writing skills, communication skills, legal analysis

Elective courses

## 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 4Period 5

5 Feb 2024

14 Jun 2024

[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 2

30 Oct 2023

22 Dec 2023

[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

15 Apr 2024

14 Jun 2024

[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

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course.

### **Assessment:**

Participants will be assessed on the basis of an exam at the end of the course.

## **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

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

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. 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.

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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

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [D. Roef](#)

Bachelor European Law School

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Faculty of Law

## **Concepts of Income and Business Taxation**

### **Full course description**

This course provides a basic introduction to income taxation.

In the first part of the course, we focus on foundational issues related to the legal nature and design of personal income tax systems. Through a comparative methodology, we reflect on different approaches to the taxation of personal income (from employment, entrepreneurship and investment) and other key elements in the architecture of personal income tax systems (e.g., tax rates, tax credits, and the determination of the taxpaying unit).

In the second half of the course, we address fundamental issues related to the taxation of legal entities. In particular, we focus on the rationale for corporate income taxation, company financing and issues related to the determination of the corporate income tax base.

This course will not focus on the tax system of any state(s) in particular, instead taking principle-based comparative law approach.

The course dedicates special focus to terminological aspects. We establish foundational knowledge of tax-specific lexicon (e.g., tax base, tax rates, tax credits, etc.) and other key terms in the area of taxation (employment, business, dividends, interest, capital gains, etc.).

### **Course objectives**

Students should be able to understand and explain basic principles of personal and corporate income taxation from a government and taxpayer perspective.

### **Prerequisites**

None

### **Recommended reading**

Provided via Canvas and the UM e-library

TAX3009

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

- [A. Draghici](#)

## European Company Law

### Full course description

The European Company Law course aims to introduce students to the discipline of company law in the European Union, including the efforts to harmonize the company laws of the Member States since the 1970s. European Company Law is a fascinating field of law, albeit complicated against the background of the harmonization efforts. To comprehend the theory of this legal discipline and the practical operation of companies, knowledge of both EU company law and national company laws is required. This course provides a solid foundation to this end.

### Course objectives

- Students will be able to define and understand the principles and fundamental features of company law. We will focus on the characteristics of business organizations in general, including private and public companies as well as the *Societas Europaea*.
- Students will be able to identify the European and cross-border aspects of conducting business, including the freedom of establishment for companies in the European Union and the opportunities and restrictions of cross-border company transfers and combinations throughout Europe.
- Students will also gain insight into the close relationship between national company law and EU company law and be able to analyse the extent to which national company law is influenced by the harmonization efforts of the EU.
- Be able to analyse EU company law and national company law as a system and apply legal rules from diverse sources of EU company law to legal issues related to companies.

### Prerequisites

EU institutional law, private law

## Recommended reading

See Canvas for more information

PRI3007

Period 5

15 Apr 2024

14 Jun 2024

[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, or Frontex's operations at the external borders of the EU 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 that 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 then 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 in which European law influences national administrative law in cases of indirect administration. All of the themes will be illustrated through concrete examples from various EU policies, such as competition, agriculture or environmental policy.

## 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

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [M. Eliantonio](#)
- [S.N. Tas](#)

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

Naast vier algemene bijeenkomsten over de rechtspsychologie, wordt een thema centraal gesteld in de navolgende bijeenkomsten. Voor het collegejaar 2021-2022 is dit het thema “De minderjarige in het strafrecht”. Dit onderwerp zal tijdens het blok door een rechtspsychologische bril bestudeerd worden aan de hand van wekelijkse thema’s. Het blok moet in het bijzonder inzicht verschaffen in de wijze waarop de minderjarige bejegend wordt in het strafrecht en welke de rechtspsychologische aandachtspunten zijn voor minderjarige slachtoffers, getuigen en verdachten afgezet tegen de algemene inzichten bij volwassenen.

### Course objectives

1. de rechtspsychologische concepten en inzichten te begrijpen en in eigen woorden toe te lichten;
2. de rechtspsychologische concepten en inzichten te bespreken en illustreren;
3. de belangrijkste risico’s te identificeren in concrete casus;
4. concrete casus kunnen analyseren vanuit rechtspsychologische inzichten met het oog op het ontwikkelen van een eigen oordeel en het formuleren van aanbevelingen.

### Recommended reading

- M. Vanderhallen, van Oosterhout, M., Panzavolta, M. & de Vocht, D. (2016). Interrogating young suspects: procedural suspects from an empirical perspective. Antwerpen: Intersentia.
- P.J. van Koppen (2022). De som van alle bewijs: Scenario's in strafzaken. Amsterdam: De Kring.
- P.J. van Koppen, M. Jelcic, J.W. de Keijser & R. Horselenberg (Eds.) (2017). Routes van het recht: Over de rechtspsychologie. Den Haag: Boom Juridisch.

MET3004

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

6.0

- [R. Horselenberg](#)

## 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. Strafbbaarstellingen 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

15 Apr 2024

14 Jun 2024

[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

5 Feb 2024

5 Apr 2024

[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 (including the draft legislative proposal itself) on the sub-topic in question, along with participation throughout the course.

### **Teaching methods**

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

### **Assessment methods**

- JOINT RESEARCH PAPER (70%) AND PARTICIPATION (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**

Given that this course relies heavily on active student involvement throughout - bearing in mind not only the participation component of the course assessment but also the need to contribute to the development of the research paper of your sub-group - physical attendance to all tutorials (as far as reasonably possible) is necessary. For this reason, any prospective students who will not be in a position to regularly attend the tutorials in the course in person (e.g. due to a planned/potential internship or period of exchange in another country for the bulk of the course period) should not register for the course, as it will not be feasible to successfully complete the course in such

## Bachelor European Law School

circumstances, and non-attendance is also likely to adversely affect the other members of the given sub-group, not to mention the working group as a whole. Similarly, and for the same reason, exam-only registration is not possible for this course.

Should you have any doubts or queries in this respect, you are strongly advised to contact the course coordinator prior to registering for the course, in order to avoid any subsequent (and unnecessary) difficulties/complications for all concerned.

### **Preknowledge**

Prior knowledge of private law (and particularly a course/courses in national and/or comparative contract law, property law and/or tort law) is preferred, but not required. Also a basic course in EU law, both institutional and substantive, is helpful but not essential.

### **Recommended reading**

None

PRI3012

Period 5

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [W.A. Bull](#)

Teaching methods:

Lecture(s), PBL, Work in subgroups

Assessment methods:

Final paper, Participation

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

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

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

Bachelor European Law School

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.

### **Recommended reading**

See reference list and coursebook

MET3005

Period 2

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

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

Teaching methods:

PBL

Assessment methods:

Presentation, Assignment

Keywords:

# Introduction to International Human Rights

## Full course description

In this course we look at human rights from the inside, examining: the nature and scope of international human rights standards; the obligations of states (under international law) to uphold these; and the mechanisms in place to transform national injustices into international concerns. These obligations and mechanisms have been created after 1948, when the Universal Declaration of Human Rights (UDHR) was adopted by the General Assembly of the United Nations (UNGA).

## Course objectives

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

Specifically, that the student is able to ...:

... identify, interpret and apply the major international (UN) human rights treaties and relevant documents related to the institutional framework of the UN.

... identify, apply and critically assess foundational human rights concepts, normative standards, state obligations and procedural mechanisms related to the UN human rights system.

... use, compare and contrast the UN treaty- and Charter-based mechanisms.

... examine and evaluate real-life situations of (potential) human rights violations in light of international human rights law.

... debate current human rights-related topics and convincingly present their (counter) arguments in oral format.

## Prerequisites

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

## Recommended reading

The main focus of the course is on the legal content (both substantive and procedural) of the UN human rights treaties (the BISSET compilation), for which the MOECKLI textbook presents general information and background reading.

- BISSET, Alison (ed.), Blackstone's International Human Rights Documents, Oxford: OUP (latest Edition); and

- MOECKLI, Daniel, et al. (eds.), International Human Rights Law, Oxford: OUP 2022 (Fourth Edition).

IER3009

Period 1

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [J.A. Sellin](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Assignment

Keywords:

Human rights (law); the UN human rights system; universality; civil and political rights; economic, social and cultural rights; equality and non-discrimination; state obligations; limitations and derogations; non-state actors; women's rights; children's rights; rights of persons with disabilities.

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

5 Feb 2024

5 Apr 2024

[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.

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.

Another part of this course is that students deepen and specialize their knowledge and understanding of intellectual property in the context of the Digital Single Market through a mock trial in week 5, in which students apply their knowledge and understanding and practice their oral presentation and writing skills.

## 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 copyright, in particular of the aspects of acquisition of rights, scope of protection and infringement;
- Solve cases regarding the intellectual property rights listed above;
- Orally argue a case concerning any of the intellectual property rights listed above;

- [A. Moerland](#)

## Personen- en Familierecht

### Full course description

Het doel van dit blok is studenten kennis en inzicht te verschaffen in het Nederlandse personen- en familierecht. Binnen het blok wordt gewerkt met innovatieve onderwijsmethoden. Er is een ruim aanbod aan simulaties van casuïstiek uit de familierechtelijke beroepspraktijk naar aanleiding waarvan studenten hun kennis zullen dienen toe te passen. Hiervoor zijn interactieve casussen ontwikkeld in nauwe samenwerking met de beroepspraktijk. Naast de theorie komt dus ook nadrukkelijk de praktische toepassing aan bod.

In dit blok wordt ingegaan op de juridische aspecten van de partner-relatie en van de ouder-kind relatie. Het blok biedt een goede en noodzakelijke basis voor het masterblok "Family Law in Europe". Meer specifiek zullen de volgende onderwerpen aan de orde komen: Relatievormen (huwelijk, samenwonen, geregistreerd partnerschap), de totstandkoming en inhoud ervan, alsmede de gevolgen ervan, het huwelijksvermogensrecht, echtscheiding en ouderschapsplan, echtscheidingsmediation, pensioenrechten, recht op levensonderhoud (partneralimentatie en kinderalimentatie), ouderlijk gezag, omgangsrecht, en afstamming. Het blok bestaat uit zeven onderwijsbijeenkomsten (ieder twee uur lang) en flankerende onderwijs. **Simultaan werken studenten aan een real-life familierechtelijk vraagstuk, waarmee zij zeer praktisch aan de slag gaan.** In het flankerend onderwijs worden interactieve colleges en kennisclips aangeboden waarvan een groot deel ook verzorgd wordt door experts uit de beroepspraktijk. Basiskennis van het personen- en familierecht is voor de meeste rechtsgebieden van onontbeerlijk belang; niet alleen voor het privaatrecht, maar zeker ook voor bijv. het strafrecht, fiscaal recht, notarieel recht en arbeidsrecht.

### Toetsvormen

- Praktische opdrachten naar aanleiding van gesimuleerde casussen.

### Course objectives

Het blok beoogt u

- Kennis te laten maken met de bronnen en de inhoud van het personen- en familierecht (PFR);
- In staat te stellen verworven kennis en inzicht te reproduceren alsmede toe te passen op nieuwe casuïstiek;
- Inzicht te bieden in de toepassing van het PFR in de beroepspraktijk;
- Een kritische houding te ontwikkelen ten aanzien van de grondslagen van het PFR, mede in het licht van de maatschappelijke ontwikkelingen;
- In staat te stellen ingewikkelde PFR-casuïstiek te analyseren en hierin onderbouwde standpunten in te nemen en deze te kunnen communiceren;
- In staat te stellen om te adviseren in basis PFR-casus die in de beroepspraktijk spelen.

## Recommended reading

### Aanbevolen literatuur, (voorlopig!!! houdt de laatste berichten op Canvas in de gaten!!!)

- Basishandboek: Schrama, Antokolskaia & Ruitenbergh, *Familierecht. Een introductie*, Boom juridisch 2021, Vierde druk, ISBN: 978-94-6290-901-4

PRI3005

Period 5

15 Apr 2024

14 Jun 2024

[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

De multiculturele samenleving, die in belangrijke mate het gevolg is van immigratie, stelt ons voor de vraag hoe de rechtsordes met hun eigen historisch gegroeide normen en waarden moeten reageren op deze ontwikkelingen. Al decennialang is het thema “recht en de multiculturele samenleving” een actueel en uiterst relevant maatschappelijk thema, dat, mede afhankelijk van de politieke wind die waait en de gebeurtenissen die spelen, nu eens wordt belicht vanuit mensenrechten perspectief of integratieperspectief dan weer uit het perspectief van veiligheid. Een eenduidig antwoord is nog niet gevonden. Ook niet in het recht, al zijn we anno 2023-2024 al een stuk verder gevorderd dan 50 jaar geleden. De vragen die rijzen, laten zich gelden op alle terreinen van het recht: van islamitische verstotingen in het familierecht, eerwraakkwesties in het strafrecht, discriminatie, tot de vraag naar een bestuursrechtelijk verbod op het dragen van boerka's in het openbare leven. De ontwikkeling op dit gebied vindt niet alleen in Den Haag plaats maar in

belangrijke mate ook via de rechtspraak. Verder worden ook aan het Europese Hof voor de Rechten van de Mens in Straatsburg steeds vaker zaken voorgelegd waarin het Hof zich moet uitlaten over de reikwijdte en de grenzen van de godsdienstvrijheid, de vrijheid van meningsuiting, en andere vrijheden in een multiculturele samenleving. Ook de Raad van Europa en het EU Hof van Justitie in Luxemburg laten zich niet onbetuigd en voorzien de juridische markt met enige regelmaat van rechtspraak, handreikingen en handleidingen. Centraal staat een bestudering van het recht (en beleid) van Nederland, vanuit een casuïstische benadering: bestudering van casuïstiek, rechtspraak, oordelen van het College voor de rechten van de mens, en regelgeving. Daarnaast verdiepen studenten zich in theoretische grondslagen van een multiculturele samenleving en bestuderen zij rechtspraak van het Europese Hof voor de Rechten van de Mens (EHRM), in het bijzonder op de volgende gebieden: - vrijheid van godsdienst en godsdienstuitoefening (artikel 9 EVRM) - bescherming van het gezinsleven (family life) (artikel 8 EVRM) - vrijheid van meningsuiting (artikel 10 EVRM) - verbod van discriminatie. Ruime aandacht bestaat ook voor de bestudering van achtergronden van culturen en religies, zoals de beginselen van islamitisch familierecht, traditioneel bepaalde beginselen van eerwraak en dergelijke. Bestudeerd wordt met welke kwesties Nederlandse autoriteiten in aanraking komen, hoe zij tot oplossingen komen, welke argumenten in de overwegingen worden betrokken, en op welk niveau oplossingen worden gezocht. De te bestuderen onderwerpen liggen op verschillende rechtsgebieden: mensenrechten, grondslagen van het recht, strafrecht, strafprocesrecht, internationaal privaatrecht, staats- en bestuursrecht, arbeidsrecht, familierecht, Europees recht en grondslagen van het recht.

Thema's die aan de orde komen, zijn:

- 1) denken over pluriformiteit in het recht;
- 2) strafrecht (eerwraak en andere kwesties) en strafprocesrecht (bejegening van culturele diversiteit in opsporingsonderzoeksfase, ter terechtzitting, en bij de uitvoering van straffen);
- 3) vrijheid van meningsuiting;
- 4) culturele praktijken in de opvoeding;
- 5) familierecht (religieuze huwelijken en religieuze scheidingen);
- 6) godsdienstvrijheid;
- 7) het discriminatieverbod.

Voor studenten die zich graag laten uitdagen door maatschappelijk relevante thema's, die het belang onderkennen van de juridische nuance en juridische kennis in het hedendaags multicultureel debat en die begrijpen dat de jurist van de toekomst voor meer zaken komt te staan dan alleen positiefrechtelijke, is dit blok een belangrijke, boeiende, leerzame en zeer verrijkende ervaring.

Studenten beoordelen het blok doorgaans heel positief en als een blok dat eigenlijk tot de basiskennis van iedere jurist zou moeten horen.

## Course objectives

Doel van het blok is dat de student:

- Kennis heeft van en inzicht heeft in de grondslagen van het recht in een multiculturele samenleving;

- Kennis heeft van en inzicht heeft in metajuridische aspecten van rechtspluralisme;
- Een open oog heeft ontwikkeld voor culturele achtergronden van rechtskwesties;
- Inzicht heeft in de dilemma's die de culturele diversiteit in het recht met zich meebrengt;
- Inzicht heeft in het juridisch instrumentarium waarmee de culturele diversiteit in het recht kan worden ondervangen;
- In staat is om concrete vragen over culturele diversiteit en recht beargumenteerd en beredeneerd en op een juridisch wetenschappelijk verantwoorde manier te beantwoorden, waarbij redenering, argumentatie en belangenafweging voorop staan;
- Met betrekking tot de bij het vorige punt genoemde vragen, in staat is deze te beantwoorden vanuit Nederlands, en waar relevant, Europees perspectief;
- Beschikt over de voor een bachelor noodzakelijke vaardigheden in: het omgaan met verschillende bronnen (ook digitaal) van het juridische vakgebied, casus oplossen mede vanuit een rechtsvergelijkende benadering, het analyseren van jurisprudentie en andere juridische teksten, het juridisch argumenteren, het zelfstandig op heldere wijze mondeling of schriftelijk juridische vragen beantwoorden;
- In staat is zich een kritische attitude eigen te maken.

## Prerequisites

Algemene kennis van en inzicht in de hoofdgebieden van het recht.

## Recommended reading

- Handboek: Susan Rutten, Elles Ramakers en Annick van den Eshof (eds.), Culturele diversiteit en recht, Larcier-Intersentia Antwerpen 2023
- Voorts worden rechtspraak, beleidsstukken en teksten bestudeerd.

PRI3006

Period 5

15 Apr 2024

14 Jun 2024

[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

Keywords:

Culturele diversiteit en recht, rechtspluralisme, eerwraak, verstoting, besnijdenis, shari'ah-rechtbanken, godsdienstvrijheid, hoofddoekjes, vrijheid van meningsuiting, non-discriminatie

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, the prince-bishopric of Liege, the city of Maastricht 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 recording of customary law, as ordered by the sovereigns of these territories. Although the compilers 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, legislation and Roman law, which were studied in regional legal treatises and jurisprudence in the following period. Such contemporary treatises enable us to study similarities and differences in the legal systems of the Meuse-Rhine territories.

## Assessment methods

Paper (70%) and 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 and Middle French)
- 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 European 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 Dutch is an indispensable (!) prerequisite.

## Recommended reading

Recommended literature is referred to in the course book.

Bachelor European Law School

MET3006

Period 1

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [B. van Hofstraeten](#)

Teaching methods:

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

Het consumentenrecht is ontstaan in het kader van de consumentenbeweging. In de jaren vijftig/zestig van de vorige eeuw groeide het besef dat de consument in het sterk geïndustrialiseerde economische klimaat in een zwakke positie stond ten aanzien van de professionele verkoper en producent. Dit diende gecompenseerd te worden door een hoog niveau van consumentenbescherming. Het bieden van een hoog niveau van consumentenbescherming is ook een belangrijke bekommernis van de Europese Unie (zie art. 12 VEU, art. 196 VWEU en art. 38 Handvest Grondrechten). Inmiddels is vrijwel het hele Nederlandse consumentenrecht gebaseerd op Europese richtlijnen. Dit heeft een impact op de wijze waarop het Nederlandse consumentenrecht moet worden geïnterpreteerd. Kennis van de Europese oorsprong van de Nederlandse bepalingen en van de rechtspraak van het Hof van Justitie daaromtrent is daarom van groot belang.

Consumentenrecht als rechtsgebied bevat een veelheid aan onderwerpen, variërend van zaken als levensmiddelen, cosmetica, warenwet, etikettering, veiligheid van producten, dienstverlening, koop en garantie, reizen, financiële aangelegenheden. Gezien de plaats van het blok (bacheloropleiding) en de omvang ervan is een keuze gemaakt uit het zeer ruime gebied van het consumentenrecht. In eerste instantie wordt kennis gemaakt met de ontwikkeling van het (Europese) consumentenrecht. Vervolgens worden een aantal belangrijke specifieke onderwerpen van consumentenrecht behandeld: consumentenkoop en garantie (titel 7.1 BW), produktenaansprakelijkheid (afd.6.3.3 BW), bepalingen voor overeenkomsten tussen overeenkomsten tussen handelaren en consumenten (afdeling 6.5.2b), in het bijzonder inzake op afstand en buiten de verkooppunten gesloten overeenkomsten die geen betrekking hebben op financiële producten en financiële diensten (afd. 6.5.2b, para 2-5 ), algemene voorwaarden (afd. 6.5.3 BW), oneerlijke handelspraktijken (afd. 6.3.3A BW), consumentenkrediet (titel 7.2a) en de reisovereenkomst (titel 7.7a BW).

## Course objectives

Het blok kent de volgende doelen:

- De student beschikt over kennis van en inzicht in de Europese en Nederlandse bronnen van het consumentenrecht.
- De student beschikt over kennis van en inzicht in de rol van het Europese consumentenrecht in het proces van de harmonisatie van het Europese privaatrecht.
- De student beschikt over kennis van en inzicht in de doorwerking van het Europese consumentenrecht in de Nederlandse rechtsorde.
- De student kent de voornaamste technieken inzake consumentenbescherming.
- De student kan concrete casussen van Nederlands consumentenrecht analyseren, oplossen en in groep bespreken.
- De student kan zich een beredeneerde opinie vormen over actuele thema's van consumentenrecht.
- De student kan een beknopte, goed gestructureerde en gedocumenteerde verhandeling schrijven over een actueel onderwerp van Europees en/of Nederlands consumentenrecht.
- De student beschikt over een grondige kennis van en inzicht in de volgende thema's van het consumentenrecht: consumentenkoop, productaansprakelijkheid, verkoop- op afstand en buiten de onderneming, algemene voorwaarden, reisrecht, oneerlijke handelspraktijken en consumentenkrediet.

## Prerequisites

Het blok Consumentenrecht sluit voor wat betreft voorkennis goed aan op de blokken 1.5 Inleiding privaatrecht en 2.4 Verbintenissenrecht.

## Recommended reading

- E.H. Hondius en G.J. Rijken (red.), Handboek Consumentenrecht, Uitgeverij Paris, laatste druk.
- Wettenbundel Consumentenrecht (printing on demand).

PRI3011

Period 5

15 Apr 2024

14 Jun 2024

[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

Keywords:

## **Inleiding Islamitisch Familierecht**

### **Full course description**

Het islamitische recht, de shari'a, is de laatste decennia in de westerse wereld steeds vaker onderwerp van politieke en maatschappelijke discussies; discussies tussen moslims en niet-moslims, tussen moslims onderling en onder derden, discussies die niet altijd van kennis van de shari'a getuigen. In dit blok krijgt u een inleiding in het islamitisch recht op diverse rechtsgebieden. Het blok beoogt een kennismaking te zijn met het recht van de klassieke islam en van de contemporaine islam-georiënteerde wereld.

Thema's die in het blok aan de orde komen zijn: een algemene inleiding tot het islamitisch recht (de opbouw van een religieus rechtssysteem; rechtsbronnen, rechtsscholen, rechtspraktijk, recente ontwikkelingen, vergelijking met het 'westerse' rechtssysteem, Mudawwanah als prototype van islamitisch rechtstelsel), het islamitisch huwelijks- en huwelijksvermogensrecht (verloving, formele/materiële vereisten huwelijk, vermogen), het islamitisch huwelijksontbindingsrecht (scheidingsgronden, gevolgen van scheiding), het islamitisch familierecht (afstamming; verhouding ouders-kinderen), en het islamitische personenrecht (geboorte, minderjarigheid, handelingsbekwaamheid, vermissing, overlijden), het islamitisch erfrecht (erfgenamen, erfporties, testeer-vrijheid, verdeling), de schenking en de waqf, het islamitisch strafrecht en het openbaar bestuur, en het islamitisch procesrecht, het islamitisch volkenrecht, het vreemdelingenrecht en het internationaal privaatrecht.

### **Course objectives**

Het blok beoogt u;

- Kennis te laten maken met en inzicht te bieden in het recht van de klassieke islam en van de contemporaine islam georiënteerde wereld, in het bijzonder betreffende het islamitisch personen- en familierecht, bestuursrecht, strafrecht, procesrecht en het internationale recht;
- Kennis bij te brengen van en inzicht te bieden in het islamitisch recht, welke u op adequate wijze kunt reproduceren en communiceren;
- Kennis bij te brengen van en inzicht te bieden in het islamitisch recht die u in staat stelt vanuit juridisch perspectief een wetenschappelijk verantwoorde en genuanceerde bijdrage te leveren aan het politieke, maatschappelijke en juridische debat over de Islam en de Islam in Nederland.

### **Prerequisites**

Algemene kennis van het recht

### **Recommended reading**

#### **Verplichte literatuur**

Bachelor European Law School

1) Frans van der Velden, Inleiding in de shari'a; een kennismaking met het recht van de islam en van de islam-georiënteerde wereld, Boom juridisch (Boom juridische studieboeken), Den Haag 2016, ISBN: 978-94-6290-102-5

2) Mudawwana. Marokkaanse familiewet. Vertaald uit het Arabisch door M.S. Berger. Ars Aequi Wetseditie 2004

PRI1006

Period 4

5 Feb 2024

5 Apr 2024

[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

Keywords:

Islamitisch recht

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

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

Presentation and paper

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

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Bachelor European Law School

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 addresses the increasingly topical issues of privacy and data protection, their scope, limitations, and protection. Issues surrounding privacy and data protection are manifold. The advancement of technology leads to the collection, storage, and analysis of an abundance of (private) data: ranging from the applications we use, the calls we make, our search behaviour on the Internet and covert surveillance, to name but a few examples.

Content and meta-data are retained for surveillance purposes or analysed and sold for commercial purposes. For example, public authorities may take fingerprints or store DNA samples; intelligence services can store data obtained through CCTV surveillance in public areas; cameras for monitoring traffic might be used for traffic purposes and for criminal investigations. Another pressing issue is the balancing of privacy and data protection with other fundamental rights and interests, such as free speech, the right to property and transparency. What limitations does the law impose on data collection and, even more importantly, who supervises compliance with the privacy and data protection rules?

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

### Assessment methods

Closed book in person exam

## 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 gain awareness of the range of issues protected under relevant provisions of the EU law. Students will develop the basic understanding of the regulatory framework for personal data protection and its practical implications.

## Recommended reading

Mandatory and recommended literature is provided for enrolled students in Canvas

LAW3067

Period 5

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [V. Abazi](#)

Teaching methods:

Lecture(s), PBL

Keywords:

privacy, data protection, EU law, GDPR, Fundamental Rights

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

## 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

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [G. van Dijck](#)
- [K.A.S. Kollnig](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Keywords:

legal analytics, research design, data science, data analysis, data visualization, Python programming, statistical inference

Faculty of Law

## Internet Law & Governance

## Full course description

Over the past 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.

The course follows three Internet eras and addresses some of the most important economic and societal disruptions arising during these periods and compares regulatory approaches (statutory laws and self-regulation) taken by the European Union and the United States. It addresses opinions and theories primarily arising out of law and computer science, but also includes references to sociology, communication and media studies.

Topics each week:

- The Foundations of the World Wide Web
- Platform Regulation
- Data Protection & Privacy
- Apps & IoT
- AI & Machine Learning
- Intellectual Property in the age of AI
- Cybercrime & Cyberwar

## Course objectives

- Understand the underpinning technologies of the Internet and the developments towards the World Wide Web as well as the societal drivers behind current regulatory developments.
- Understand the global regulatory challenges that are posed by the Internet and World Wide Web in particular and the patchwork of regulations within the EU that aim to provide a strong backbone for data governance.
- Understand how regulation of digital services has worked in practice and how 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

Bachelor European Law School  
approaches.

## Prerequisites

None

## Recommended reading

Interdisciplinary readings of scientific articles from law and computer science will be provided.

LAW3026

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [K.A.S. Kollnig](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

internet, World Wide Web, online platforms, privacy, cybersecurity, artificial intelligence

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

Bachelor European Law School

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

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Nanda](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Faculty of Law

## **International and European Tax and Customs Law**

### **Full course description**

This course addresses the key areas, topics and sources of law relevant to international taxation.

In the first half of the course, we focus on the taxation of cross-border income-generating activities under double tax treaties and EU law. We will address the treatment of international business, investment and employment income, including the incidence of double taxation and the application of mechanisms for its relief. Anti-tax avoidance legislation will also be discussed at a basic level.

In the second half of the course, we cover issues of indirect taxation, with a focus on EU value added tax ('VAT') and customs law. We address the legal nature, architecture and functioning of the EU VAT and customs law frameworks, with an emphasis on application to real-life scenarios.

The course combines the discussion of legal instruments and legislation with topical policy discussions (e.g., the impact of the digitalization of the economy on tax matters and the role of taxation in regulating environmental protection).

### **Course objectives**

Students should gain a basic understanding of principles of international tax law and EU law in connection with aspects of direct and indirect taxation.

### **Prerequisites**

This course builds on knowledge established in the course Concepts of Income and Business Taxation (TAX3009) and it is therefore not intended to provide a pure introduction to tax law. For this reason, we firmly recommend that students only register for this course after having completed the Concepts of Income and Business Taxation (TAX3009) or an equivalent introductory course to tax law.

### **Recommended reading**

Provided via Canvas and the UM e-library

Course reader with legislation

TAX3013

Period 5

15 Apr 2024

Bachelor European Law School

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [A. Draghici](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam

Keywords:

International tax, double tax treaties, EU fundamental freedoms, VAT, customs law

## **Bachelor internship European Law School**

Faculty of Law

### **Bachelor's internship ELS (12)**

#### **Full course description**

The Maastricht Faculty of Law considers the internship to be a fully-fledged programme component of law school. A practical internship provides students with work experience that is tightly connected to their studies. It supports students in developing the necessary legal and social skills. The internship is not compulsory but many students use the opportunity of an internship to gain practical experience.

LAW3312

Year

1 Sep 2023

31 Aug 2024

[Print course description](#)

ECTS credits:

12.0

Instruction language:

Dutch

Coordinators:

- [K.G.M. Mertens](#)
- [C.A.E. Franssen](#)

Assessment methods:

Final paper

Faculty of Law

## Bachelor's internship ELS (6)

### Full course description

The Maastricht Faculty of Law considers the internship to be a fully-fledged programme component of law school. A practical internship provides students with work experience that is tightly connected to their studies. It supports students in developing the necessary legal and social skills. The internship is not compulsory but many students use the opportunity of an internship to gain practical experience.

LAW3306

Year

1 Sep 2023

31 Aug 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Dutch

Coordinators:

- [K.G.M. Mertens](#)
- [C.A.E. Franssen](#)

Assessment methods:

Final paper

Minor

## Minor Familie en Recht

Faculty of Law

## Internationaal Privaatrecht

### Full course description

Dit blok bouwt voort op de basiskennis van het IPR die u in het derde semester (jaar 2) heeft opgedaan. Naast de thema's waarmee u in het tweede jaar kennis heeft gemaakt (zoals de onrechtmatige daad in het IPR en familierechtelijke vragen), en waarop in dit keuzeblok IPR wordt voortgebouwd, zal ook een aantal nieuwe onderwerpen aan de orde komen. Te denken is aan grensoverschrijdende arbeidsovereenkomsten, grensoverschrijdende (ook online) smaaddelicten, het IPR goederenrecht en familierechtelijke thema's.

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 familieverbanden.

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.

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:

Inleiding in het IPR of in private international law

## Recommended reading

- Ten Wolde, Handboek Internationaal privaatrecht, Uitgeverij Paris 2021, of Strikwerda/Schaafsma, Inleiding tot het Nederlandse Internationaal privaatrecht, Wolters Kluwer (laatste druk)  
Daarnaast dient u te beschikken over een bundel met IPR-wetgeving, bijvoorbeeld:
- F. Ibili e.a., Wetgeving internationaal privaatrecht, Den Haag: Boom juridisch
- K. Boele-Woelki (red.) Internationaal Privaatrecht, Verordeningen, Verdragen en Wetten, Nijmegen: Ars Aequi Libri.

PRI3004

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

- [J. Israël](#)

## Personen- en Familierecht

### Full course description

Het doel van dit blok is studenten kennis en inzicht te verschaffen in het Nederlandse personen- en familierecht. Binnen het blok wordt gewerkt met innovatieve onderwijsmethoden. Er is een ruim aanbod aan simulaties van casuïstiek uit de familierechtelijke beroepspraktijk naar aanleiding waarvan studenten hun kennis zullen dienen toe te passen. Hiervoor zijn interactieve casussen ontwikkeld in nauwe samenwerking met de beroepspraktijk. Naast de theorie komt dus ook nadrukkelijk de praktische toepassing aan bod.

In dit blok wordt ingegaan op de juridische aspecten van de partner-relatie en van de ouder-kind relatie. Het blok biedt een goede en noodzakelijke basis voor het masterblok "Family Law in Europe". Meer specifiek zullen de volgende onderwerpen aan de orde komen: Relatievormen (huwelijk, samenwonen, geregistreerd partnerschap), de totstandkoming en inhoud ervan, alsmede de gevolgen ervan, het huwelijksvermogensrecht, echtscheiding en ouderschapsplan, echtscheidingsmediation, pensioenrechten, recht op levensonderhoud (partneralimentatie en kinderalimentatie), ouderlijk gezag, omgangsrecht, en afstamming. Het blok bestaat uit zeven onderwijsbijeenkomsten (ieder twee uur lang) en flankerende onderwijs. **Simultaan werken studenten aan een real-life familierechtelijk vraagstuk, waarmee zij zeer praktisch aan de slag gaan.** In het flankerend onderwijs worden interactieve colleges en kennisclips aangeboden waarvan een groot deel ook verzorgd wordt door experts uit de beroepspraktijk. Basiskennis van het personen- en familierecht is voor de meeste rechtsgebieden van onontbeerlijk belang; niet alleen voor het privaatrecht, maar zeker ook voor bijv. het strafrecht, fiscaal recht, notarieel recht en arbeidsrecht.

### Toetsvormen

- Praktische opdrachten naar aanleiding van gesimuleerde casussen.

### Course objectives

Het blok beoogt u

- Kennis te laten maken met de bronnen en de inhoud van het personen- en familierecht (PFR);
- In staat te stellen verworven kennis en inzicht te reproduceren alsmede toe te passen op nieuwe casuïstiek;
- Inzicht te bieden in de toepassing van het PFR in de beroepspraktijk;

- Een kritische houding te ontwikkelen ten aanzien van de grondslagen van het PFR, mede in het licht van de maatschappelijke ontwikkelingen;
- In staat te stellen ingewikkelde PFR-casuïstiek te analyseren en hierin onderbouwde standpunten in te nemen en deze te kunnen communiceren;
- In staat te stellen om te adviseren in basis PFR-casus die in de beroepspraktijk spelen.

## Recommended reading

### Aanbevolen literatuur, (voorlopig!!! houdt de laatste berichten op Canvas in de gaten!!!)

- Basishandboek: Schrama, Antokolskaia & Ruitenberg, Familierecht. Een introductie, Boom juridisch 2021, Vierde druk, ISBN: 978-94-6290-901-4

PRI3005

Period 5

15 Apr 2024

14 Jun 2024

[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

De multiculturele samenleving, die in belangrijke mate het gevolg is van immigratie, stelt ons voor de vraag hoe de rechtsordes met hun eigen historisch gegroeide normen en waarden moeten reageren op deze ontwikkelingen. Al decennialang is het thema “recht en de multiculturele samenleving” een actueel en uiterst relevant maatschappelijk thema, dat, mede afhankelijk van de politieke wind die waait en de gebeurtenissen die spelen, nu eens wordt belicht vanuit mensenrechten perspectief of integratieperspectief dan weer uit het perspectief van veiligheid. Een eenduidig antwoord is nog niet gevonden. Ook niet in het recht, al zijn we anno 2023-2024 al een stuk verder gevorderd dan 50 jaar geleden. De vragen die rijzen, laten zich gelden op alle terreinen van het recht: van islamitische verstotingen in het familierecht, eerwraakkwesties in het strafrecht, discriminatie, tot de vraag naar een bestuursrechtelijk verbod op het dragen van boerka's in het openbare leven. De ontwikkeling op dit gebied vindt niet alleen in Den Haag plaats maar in belangrijke mate ook via de rechtspraak. Verder worden ook aan het Europese Hof voor de Rechten van de Mens in Straatsburg steeds vaker zaken voorgelegd waarin het Hof zich moet uitlaten over de reikwijdte en de grenzen van de godsdienstvrijheid, de vrijheid van meningsuiting, en andere vrijheden in een multiculturele samenleving. Ook de Raad van Europa en het EU Hof van Justitie in

Luxemburg laten zich niet onbetuigd en voorzien de juridische markt met enige regelmaat van rechtspraak, handreikingen en handleidingen. Centraal staat een bestudering van het recht (en beleid) van Nederland, vanuit een casuïstische benadering: bestudering van casuïstiek, rechtspraak, oordelen van het College voor de rechten van de mens, en regelgeving. Daarnaast verdiepen studenten zich in theoretische grondslagen van een multiculturele samenleving en bestuderen zij rechtspraak van het Europese Hof voor de Rechten van de Mens (EHRM), in het bijzonder op de volgende gebieden: - vrijheid van godsdienst en godsdienstuitoefening (artikel 9 EVRM) - bescherming van het gezinsleven (family life) (artikel 8 EVRM) - vrijheid van meningsuiting (artikel 10 EVRM) - verbod van discriminatie. Ruime aandacht bestaat ook voor de bestudering van achtergronden van culturen en religies, zoals de beginselen van islamitisch familierecht, traditioneel bepaalde beginselen van eerwraak en dergelijke. Bestudeerd wordt met welke kwesties Nederlandse autoriteiten in aanraking komen, hoe zij tot oplossingen komen, welke argumenten in de overwegingen worden betrokken, en op welk niveau oplossingen worden gezocht. De te bestuderen onderwerpen liggen op verschillende rechtsgebieden: mensenrechten, grondslagen van het recht, strafrecht, strafprocesrecht, internationaal privaatrecht, staats- en bestuursrecht, arbeidsrecht, familierecht, Europees recht en grondslagen van het recht.

Thema's die aan de orde komen, zijn:

- 1) denken over pluriformiteit in het recht;
- 2) strafrecht (eerwraak en andere kwesties) en strafprocesrecht (bejegening van culturele diversiteit in opsporingsonderzoeksfase, ter terechtzitting, en bij de uitvoering van straffen);
- 3) vrijheid van meningsuiting;
- 4) culturele praktijken in de opvoeding;
- 5) familierecht (religieuze huwelijken en religieuze scheidingen);
- 6) godsdienstvrijheid;
- 7) het discriminatieverbod.

Voor studenten die zich graag laten uitdagen door maatschappelijk relevante thema's, die het belang onderkennen van de juridische nuance en juridische kennis in het hedendaags multicultureel debat en die begrijpen dat de jurist van de toekomst voor meer zaken komt te staan dan alleen positiefrechtelijke, is dit blok een belangrijke, boeiende, leerzame en zeer verrijkende ervaring.

Studenten beoordelen het blok doorgaans heel positief en als een blok dat eigenlijk tot de basiskennis van iedere jurist zou moeten horen.

## **Course objectives**

Doel van het blok is dat de student:

- Kennis heeft van en inzicht heeft in de grondslagen van het recht in een multiculturele samenleving;
- Kennis heeft van en inzicht heeft in metajuridische aspecten van rechtspluralisme;
- Een open oog heeft ontwikkeld voor culturele achtergronden van rechtskwesties;
- Inzicht heeft in de dilemma's die de culturele diversiteit in het recht met zich meebrengt;
- Inzicht heeft in het juridisch instrumentarium waarmee de culturele diversiteit in het recht

kan worden ondervangen;

- In staat is om concrete vragen over culturele diversiteit en recht beargumenteerd en beredeneerd en op een juridisch wetenschappelijk verantwoorde manier te beantwoorden, waarbij redenering, argumentatie en belangenafweging voorop staan;
- Met betrekking tot de bij het vorige punt genoemde vragen, in staat is deze te beantwoorden vanuit Nederlands, en waar relevant, Europees perspectief;
- Beschikt over de voor een bachelor noodzakelijke vaardigheden in: het omgaan met verschillende bronnen (ook digitaal) van het juridische vakgebied, casus oplossen mede vanuit een rechtsvergelijkende benadering, het analyseren van jurisprudentie en andere juridische teksten, het juridisch argumenteren, het zelfstandig op heldere wijze mondeling of schriftelijk juridische vragen beantwoorden;
- In staat is zich een kritische attitude eigen te maken.

## Prerequisites

Algemene kennis van en inzicht in de hoofdgebieden van het recht.

## Recommended reading

- Handboek: Susan Rutten, Elles Ramakers en Annick van den Eshof (eds.), Culturele diversiteit en recht, Larcier-Intersentia Antwerpen 2023
- Voorts worden rechtspraak, beleidsstukken en teksten bestudeerd.

PRI3006

Period 5

15 Apr 2024

14 Jun 2024

[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

Keywords:

Culturele diversiteit en recht, rechtspluralisme, eerwraak, verstoting, besnijdenis, shari'ah-rechtbanken, godsdienstvrijheid, hoofddoekjes, vrijheid van meningsuiting, non-discriminatie  
Faculty of Law

## Inleiding Islamitisch Familierecht

### Full course description

Het islamitische recht, de shari'a, is de laatste decennia in de westerse wereld steeds vaker

onderwerp van politieke en maatschappelijke discussies; discussies tussen moslims en niet-moslims, tussen moslims onderling en onder derden, discussies die niet altijd van kennis van de shari'a getuigen. In dit blok krijgt u een inleiding in het islamitisch recht op diverse rechtsgebieden. Het blok beoogt een kennismaking te zijn met het recht van de klassieke islam en van de contemporaine islam-georiënteerde wereld.

Thema's die in het blok aan de orde komen zijn: een algemene inleiding tot het islamitisch recht (de opbouw van een religieus rechtssysteem; rechtsbronnen, rechtsscholen, rechtspraktijk, recente ontwikkelingen, vergelijking met het 'westerse' rechtssysteem, Mudawwanah als prototype van islamitisch rechtstelsel), het islamitisch huwelijks- en huwelijksvermogensrecht (verloving, formele/materiële vereisten huwelijk, vermogen), het islamitisch huwelijksontbindingsrecht (scheidingsgronden, gevolgen van scheiding), het islamitisch familierecht (afstamming; verhouding ouders-kinderen), en het islamitische personenrecht (geboorte, minderjarigheid, handelingsbekwaamheid, vermissing, overlijden), het islamitisch erfrecht (erfgenamen, erfporties, testeer-vrijheid, verdeling), de schenking en de waqf, het islamitisch strafrecht en het openbaar bestuur, en het islamitisch procesrecht, het islamitisch volkenrecht, het vreemdelingenrecht en het internationaal privaatrecht.

## Course objectives

Het blok beoogt u;

- Kennis te laten maken met en inzicht te bieden in het recht van de klassieke islam en van de contemporaine islam georiënteerde wereld, in het bijzonder betreffende het islamitisch personen- en familierecht, bestuursrecht, strafrecht, procesrecht en het internationale recht;
- Kennis bij te brengen van en inzicht te bieden in het islamitisch recht, welke u op adequate wijze kunt reproduceren en communiceren;
- Kennis bij te brengen van en inzicht te bieden in het islamitisch recht die u in staat stelt vanuit juridisch perspectief een wetenschappelijk verantwoorde en genuanceerde bijdrage te leveren aan het politieke, maatschappelijke en juridische debat over de Islam en de Islam in Nederland.

## Prerequisites

Algemene kennis van het recht

## Recommended reading

### Verplichte literatuur

1) Frans van der Velden, Inleiding in de shari'a; een kennismaking met het recht van de islam en van de islam-georiënteerde wereld, Boom juridisch (Boom juridische studieboeken), Den Haag 2016, ISBN: 978-94-6290-102-5

2) Mudawwana. Marokkaanse familiewet. Vertaald uit het Arabisch door M.S. Berger. Ars Aequi Wetseditie 2004

PRI1006

Period 4

5 Feb 2024

Bachelor European Law School

5 Apr 2024

[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

Keywords:

Islamitisch recht

## Minor Business and Law

Faculty of Law

### European Company Law

#### Full course description

The European Company Law course aims to introduce students to the discipline of company law in the European Union, including the efforts to harmonize the company laws of the Member States since the 1970s. European Company Law is a fascinating field of law, albeit complicated against the background of the harmonization efforts. To comprehend the theory of this legal discipline and the practical operation of companies, knowledge of both EU company law and national company laws is required. This course provides a solid foundation to this end.

#### Course objectives

- Students will be able to define and understand the principles and fundamental features of company law. We will focus on the characteristics of business organizations in general, including private and public companies as well as the Societas Europaea.
- Students will be able to identify the European and cross-border aspects of conducting business, including the freedom of establishment for companies in the European Union and the opportunities and restrictions of cross-border company transfers and combinations throughout Europe.
- Students will also gain insight into the close relationship between national company law and EU company law and be able to analyse the extent to which national company law is influenced by the harmonization efforts of the EU.
- Be able to analyse EU company law and national company law as a system and apply legal rules from diverse sources of EU company law to legal issues related to companies.

## Prerequisites

EU institutional law, private law

## Recommended reading

See Canvas for more information

PRI3007

Period 5

15 Apr 2024

14 Jun 2024

[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

## Concepts of Income and Business Taxation

### Full course description

This course provides a basic introduction to income taxation.

In the first part of the course, we focus on foundational issues related to the legal nature and design of personal income tax systems. Through a comparative methodology, we reflect on different approaches to the taxation of personal income (from employment, entrepreneurship and investment) and other key elements in the architecture of personal income tax systems (e.g., tax rates, tax credits, and the determination of the taxpaying unit).

In the second half of the course, we address fundamental issues related to the taxation of legal entities. In particular, we focus on the rationale for corporate income taxation, company financing and issues related to the determination of the corporate income tax base.

This course will not focus on the tax system of any state(s) in particular, instead taking principle-based comparative law approach.

The course dedicates special focus to terminological aspects. We establish foundational knowledge of tax-specific lexicon (e.g., tax base, tax rates, tax credits, etc.) and other key terms in the area of

## Course objectives

Students should be able to understand and explain basic principles of personal and corporate income taxation from a government and taxpayer perspective.

## Prerequisites

None

## Recommended reading

Provided via Canvas and the UM e-library

TAX3009

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [A. Draghici](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Written exam, Oral exam

Keywords:

tax, personal income tax, corporate income taxation, tax base, income, tax accounting

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

5 Feb 2024

5 Apr 2024

[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 (including the draft legislative proposal itself) on the sub-topic in question, along with participation throughout the course.

## Teaching methods

## Bachelor European Law School

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

### **Assessment methods**

- JOINT RESEARCH PAPER (70%) AND PARTICIPATION (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**

Given that this course relies heavily on active student involvement throughout - bearing in mind not only the participation component of the course assessment but also the need to contribute to the development of the research paper of your sub-group - physical attendance to all tutorials (as far as reasonably possible) is necessary. For this reason, any prospective students who will not be in a position to regularly attend the tutorials in the course in person (e.g. due to a planned/potential internship or period of exchange in another country for the bulk of the course period) should not register for the course, as it will not be feasible to successfully complete the course in such circumstances, and non-attendance is also likely to adversely affect the other members of the given sub-group, not to mention the working group as a whole. Similarly, and for the same reason, exam-only registration is not possible for this course.

Should you have any doubts or queries in this respect, you are strongly advised to contact the course coordinator prior to registering for the course, in order to avoid any subsequent (and unnecessary) difficulties/complications for all concerned.

### **Preknowledge**

Prior knowledge of private law (and particularly a course/courses in national and/or comparative contract law, property law and/or tort law) is preferred, but not required. Also a basic course in EU law, both institutional and substantive, is helpful but not essential.

### **Recommended reading**

None

PRI3012

Period 5

Bachelor European Law School

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [W.A. Bull](#)

Teaching methods:

Lecture(s), PBL, Work in subgroups

Assessment methods:

Final paper, Participation

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 Review* ,2011, 861-883;

Bachelor European Law School

- 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

30 Oct 2023

22 Dec 2023

[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

30 Oct 2023

22 Dec 2023

[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.

Bachelor European Law School

PSY3375

Period 1

4 Sep 2023

27 Oct 2023

[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;

Bachelor European Law School

- 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

4 Sep 2023

27 Oct 2023

[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  
15 Apr 2024

Bachelor European Law School

14 Jun 2024

[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

Naast vier algemene bijeenkomsten over de rechtspsychologie, wordt een thema centraal gesteld in de navolgende bijeenkomsten. Voor het collegejaar 2021-2022 is dit het thema "De minderjarige in het strafrecht". Dit onderwerp zal tijdens het blok door een rechtspsychologische bril bestudeerd worden aan de hand van wekelijkse thema's. Het blok moet in het bijzonder inzicht verschaffen in de wijze waarop de minderjarige bejegend wordt in het strafrecht en welke de rechtspsychologische aandachtspunten zijn voor minderjarige slachtoffers, getuigen en verdachten afgezet tegen de algemene inzichten bij volwassenen.

### Course objectives

1. de rechtspsychologische concepten en inzichten te begrijpen en in eigen woorden toe te lichten;
2. de rechtspsychologische concepten en inzichten te bespreken en illustreren;
3. de belangrijkste risico's te identificeren in concrete casus;
4. concrete casus kunnen analyseren vanuit rechtspsychologische inzichten met het oog op het ontwikkelen van een eigen oordeel en het formuleren van aanbevelingen.

### Recommended reading

- M. Vanderhallen, van Oosterhout, M., Panzavolta, M. & de Vocht, D. (2016). Interrogating young suspects: procedural suspects from an empirical perspective. Antwerpen: Intersentia.
- P.J. van Koppen (2022). De som van alle bewijs: Scenario's in strafzaken. Amsterdam: De Kring.
- P.J. van Koppen, M. Jelicic, J.W. de Keijser & R. Horselenberg (Eds.) (2017). Routes van het recht: Over de rechtspsychologie. Den Haag: Boom Juridisch.

MET3004

- [R. Horselenberg](#)

## 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. 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

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

Bachelor European Law School

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

5 Feb 2024

5 Apr 2024

[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 are the values 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 these questions. The course combines an introduction in relevant

Bachelor European Law School

literature and theories (art history, cultural history, cultural economics, sociology of culture) with real life case studies.

Students will do some collective work by preparing and conducting an interview with a professional in the arts sector. 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 (public/private) of supporting arts and heritage;
- influence of political, societal and cultural contexts on these themes.

## Prerequisites

n/a

ACU3005

Period 1

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinator:

- [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.

## **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

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

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

Teaching methods:

Lecture(s), PBL

Assessment methods:

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 legitimization of museums. In order to fulfill these 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 an 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 respect to cultural participation.

## Prerequisites

n/a

ACU3004

Period 2

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

12.0

Instruction language:

English

Coordinators:

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

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.

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- 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

4 Sep 2023

27 Oct 2023

[Print course description](#)

ECTS credits:

6.0

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

8 Jan 2024

Bachelor European Law School

2 Feb 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- E. Sitzia
- [E.L. Sitzia](#)

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).

Bachelor European Law School

Period 3

8 Jan 2024

2 Feb 2024

[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 19<sup>th</sup> century and certainly up until the mid-20<sup>th</sup> 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 21<sup>st</sup> 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 21<sup>st</sup> Century*. Lund Humphries, Farnham, 2014.
- Gilda Williams, *How to Write about Contemporary Art*. Thames and Hudson, London, 2014.

MIN0002

Period 2

30 Oct 2023

22 Dec 2023

[Print course description](#)

ECTS credits:

6.0

Coordinator:

- [C. Rausch](#)

## Minor Law and Technology

Faculty of Law

### Privacy

#### Full course description

This elective course addresses the increasingly topical issues of privacy and data protection, their scope, limitations, and protection. Issues surrounding privacy and data protection are manifold. The advancement of technology leads to the collection, storage, and analysis of an abundance of (private) data: ranging from the applications we use, the calls we make, our search behaviour on the Internet and covert surveillance, to name but a few examples.

Content and meta-data are retained for surveillance purposes or analysed and sold for commercial purposes. For example, public authorities may take fingerprints or store DNA samples; intelligence services can store data obtained through CCTV surveillance in public areas; cameras for monitoring traffic might be used for traffic purposes and for criminal investigations. Another pressing issue is the balancing of privacy and data protection with other fundamental rights and interests, such as free speech, the right to property and transparency. What limitations does the law impose on data collection and, even more importantly, who supervises compliance with the privacy and data protection rules?

This course covers a panoply of issues. First, it aims to identify what is meant by notions of privacy and data protection and to explain how these concepts should be understood.

## Bachelor European Law School

Moreover, the course sheds light on the pertinent EU rules on privacy and data protection and identifies the relevant case law of the CJEU. As the notion of privacy is rapidly gaining importance in EU law, a large proportion of time will be devoted to the analysis of various EU legal sources and case law. Finally, although privacy and data protection are regulated by EU law, the compliance therewith is to be ensured at the national level through supervisory authorities. Consequently, the course will also cover this aspect of legal regulation of privacy and data protection.

### Assessment methods

Closed book in person exam

### 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 gain awareness of the range of issues protected under relevant provisions of the EU law. Students will develop the basic understanding of the regulatory framework for personal data protection and its practical implications.

### Recommended reading

Mandatory and recommended literature is provided for enrolled students in Canvas

LAW3067

Period 5

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [V. Abazi](#)

Teaching methods:

Lecture(s), PBL

Keywords:

privacy, data protection, EU law, GDPR, Fundamental Rights

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

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinators:

- [G. van Dijck](#)

- [K.A.S. Kollnig](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment

Keywords:

legal analytics, research design, data science, data analysis, data visualization, Python programming, statistical inference

Faculty of Law

## Internet Law & Governance

### Full course description

Over the past 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.

The course follows three Internet eras and addresses some of the most important economic and societal disruptions arising during these periods and compares regulatory approaches (statutory laws and self-regulation) taken by the European Union and the United States. It addresses opinions and theories primarily arising out of law and computer science, but also includes references to sociology, communication and media studies.

Topics each week:

- The Foundations of the World Wide Web
- Platform Regulation
- Data Protection & Privacy
- Apps & IoT
- AI & Machine Learning
- Intellectual Property in the age of AI
- Cybercrime & Cyberwar

### Course objectives

- Understand the underpinning technologies of the Internet and the developments towards the World Wide Web as well as the societal drivers behind current regulatory developments.
- Understand the global regulatory challenges that are posed by the Internet and World Wide

Web in particular and the patchwork of regulations within the EU that aim to provide a strong backbone for data governance.

- Understand how regulation of digital services has worked in practice and how 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

Interdisciplinary readings of scientific articles from law and computer science will be provided.

LAW3026

Period 4

5 Feb 2024

5 Apr 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [K.A.S. Kollnig](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Final paper, Written exam

Keywords:

internet, World Wide Web, online platforms, privacy, cybersecurity, artificial intelligence

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

Bachelor European Law School

- 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

15 Apr 2024

14 Jun 2024

[Print course description](#)

ECTS credits:

6.0

Instruction language:

English

Coordinator:

- [R. Nanda](#)

Teaching methods:

Lecture(s), PBL

Assessment methods:

Assignment