

INSTRUCTIONS FOR DIFFERENTIAL EXAMS FOR FOREIGN STUDENTS

Students who graduated from social sciences – humanities faculty, shall be obliged to pass certain additional qualifying exams related to the basic legal knowledge: 1. Introduction into Jurisprudence, 2. Constitutional Law, 3. Introduction into Civil Law, and 4. International Public Law.

Foreign students pass these differential exams on the basis of English textbooks, and domestic students use regular textbooks of the Faculty of Law of the University of Belgrade.

DIFFERENTIAL EXAMS IN ENGLISH – for foreign students

1. Introduction into Jurisprudence

Meyerson, Denise, *Understanding Jurisprudence*, Routledge, 2007.

(This textbook has already been segmented on the central issues basis and focus of the exam will be on understanding these central issues).

2. Constitutional Law - Material and Questions

Th. Fleiner, L. R. Basta Fleiner, *Constitutional Democracy in a Multicultural and Globalised World*, pp. 131-360 and 521-612)

List of examination questions:

1. Human Rights – Conceptual Questions
2. Development of the Legal Protection in England
3. Development of the Legal Protection on the European Continent
4. Development of Human Rights in the USA
5. Development of Human Rights Idea within Political Theory
6. Types of Fundamental and Human Rights – Conceptual Questions
7. Procedural Rights
8. Human Rights According to the Content
9. Institutional Protection of Human Rights – Constitutional Courts, Administrative Courts and Institutions of Administration
10. Institutional Protection of Human Rights – International Law
11. Limits of Human Rights – Who is Allowed to Determine the Limits of Fundamental Rights and Other Conceptual Questions
12. Which are the Legitimate Limits of Fundamental Rights?
13. Criteria of Justice
14. Pre-modern Developments of the Rule of Law in the Major Western Legal Traditions
15. Modern Developments of the Rule of Law in the Major Western Legal Traditions
16. What are the Essential Bases of Law and Justice and Other Conceptual Questions
17. Common Law – Civil Law
18. Principles of Administrative Adjudication
19. Two Types of Administrative Adjudication
20. State as Legal Entity in the Era of Globalization
21. Challenges of Globalization
22. Notion of the State
23. Nation-State
24. Territory
25. Significance of Sovereignty, Dispute Between State and Church and Bodin's Theory of Sovereignty
26. Sovereignty as a Prerequisite for Statehood and Problems of State Sovereignty
27. External Sovereignty
28. Might and Authority
29. Sovereignty and Legitimacy of Law
30. Multiculturalism, State Concept of Modernity and Causes of Conflicts Within States Fragmented by Diversity

31. Tools and Procedures Available for States in Order to Meet Growing Challenges of Multiculturalism
32. To the Theory of Federalism and Typologies of Federations and Models of Decentralization
33. What is Federalism?
34. The Constitution-Making Power and the Constituted Authority Representing the People, Parliaments and Relationship between Parliament and Executive
35. Diversity of Federal Structures and Forms of Organization and Right to Self-Determination
36. Statehood of Federal Units – Sovereignty
37. Statehood of Federal Units – the Nation
38. Inner Structure of Federal Units and Decentralization of the Three Branches of Government
39. Shared Rule as Legitimacy Bases of the Federation and Control of the Federations over Federal Units
40. Can Multicultural Federations be held together by Ethnic Federalism – Mapping the Issues
41. The Structural Challenges – Federalism and Democracy
42. The Structural Challenges – Can one Reconcile Ethnic and Political Pluralism with Democracy?
43. The Structural Challenges – Functions of the Constitutions during the Dissolution of the ex-communist countries
44. Concluding Thesis to a Theory of Federalism

3. Introduction into Civil Law

Antić, Oliver, *International Encyclopaedia of Law – Serbia and Montenegro*, Kluwer Law International, 2006.

4. International Public Law

Cassese, Antonio, *International Law*, Oxford University Press, 2005.
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