

# **STUDENT MANUAL FOR THE CROATIAN LEGAL HISTORY**

Instructions and Guidelines for Writing Seminars and Final Papers

ver. 1.0

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Zagreb, December 2012

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## **1. NOTES FOR THE STUDENTS**

### **1.1. Introduction**

The Student Manual for the Croatian Legal History is aimed for the students who attend classes at the Chair of Croatian History of Law and State at the Faculty of Law at Zagreb University (further: Chair). It targets all those students, seminar attendants and potential prosperous authors of final but also scientific papers researching on the Croatian legal history. However, we also believe that readers other than law students will find this Manual useful and inspiring for their academic work.

This Student Manual has been the result of multiple extensions and improvements of the existing instructions and guidelines which had been, over the time, composed by the Chair for attendants of their seminars as well as authors of the final thesis. While being in use for many years, the Chair have experienced that some anticipated “frequently asked questions” should be tackled well in advance and thus answered them with great attention. Moreover, the Chair also considers as important to provide all others interested in academic writing with at least one “upgradeable” framework as the milestone in a wide area of the Croatian historical legal sources and literature.

In the preparation of this Student Manual we used other publications on this thematic. We should specially stress these: *Upute za izradu studentskih pisanih radova* (Zagreb 2002–2003; edited by Alan Uzelac, Dalibor Čepulo as the author of the paper on the research of legal and historical sources) and *Uvod u studij povijesti* by Zrinka Nikolić Jakus (Zagreb 2008).

We also sincerely hope that our future obligations will give us a chance and opportunity to further extend and deepen this short Student Manual. While waiting for this moment, we are also looking forward to your comments and suggestions aimed to help improve the content of this Manual in the future.

## **1.2 Why Legal History Matters?**

As some informal surveys have recently indicated, there are not too many students whose particular goal for obtaining diploma was to become a legal historian. However, many of them are very well aware that the knowledge of law and its development in the historical dimension is inherent part of being excellent legal specialist.

The modern creators of laws and regulations will be more successful in their intentions if they are familiar with the acquired knowledge of older laws and provisions. It is very important to know in advance to what extent they may cause any unwished impact in practice. However, it is useful to be aware how their creators were dealing with particular legal issues. For example, they may have different understanding of the role of the law, respecting the durability (static) over its frequent changes (dynamic) – if this is so, and if so, why it is, is also one of the issues on which legal history seeks to answer.

Even though some particular legal terminology, terms such as ownership, culpability etc. are considered as not changeable, they can sometimes more or less defer in their original meaning, because they are not exclusively closed legal terms but also complex legal formations that very often depend on political, economic, cultural and social environments.

However, law does not only consist of its provisions – which are the products of several legal individuals - but also it consist of its wide implementation (legal practice) by judges, lawyers, governing clerks, others jurists but also including all citizens. While in some occasions that implementation proved not to be quite demanding, in some others cases it required a lot of creativity that derived from wide legal and general knowledge as well as from the real life (even if we are not dealing with complex legal sentences or with the composition of atypical contract). By studying of past finished legal situations, court cases and similar examples, the legal history helps face all complexity of unpredictable professional challenges. By reviewing of the past experience that

suggests at least an approximate model for the solution of particular problems in some legal cases, could thus infrequently provide an elusive precedence from those who are not familiar with past experience and problem solving models at all.

Finally, the legal system also consists of its institutions and people who work in them, people who create a law, implement it and live with it by applying various procedural, educational and other principles. They also foster certain legal solutions and regulations that are deeply rooted in diverse objectives of value system based in society. Good perception of them is important for the understanding of legal system in general, especially when the analysis of some opinions, decisions, etc, can have a twofold role: to serve (on an individual level naturally) as an inspiration and as warning.

### **1.3. Why We Need to Write Seminar Papers?**

During graduate study, full- time and part-time students from the Faculty of Law from Zagreb University are obliged to write certain number of seminar papers and a final thesis at the end. To be more precise, there are two types of written papers; a seminar paper that is written at least once during the academic year, and the final thesis (earlier it was known as diploma thesis), which is written at the end of graduate education. Beside this, more successful students are eligible to apply for the special Awards granted by the Faculty Dean or the University Rector but only if they produce such a scientific paper of academic excellence previously agreed by their mentor. Even if the written papers are not awarded, good quality papers (including seminars and final thesis too) could be published in a specialized legal journal. Sometimes it could be extended by the help of supervisor as a co-author which could be a very useful reference for obtaining the scholarship or might have considerable precedence while looking for a job.

All in all, each of these papers play corresponding role in the education of future lawyers. The writing of seminar papers and the final thesis during the graduate education is primarily aimed to develop their habit of independent education, acquiring of additional education together with gaining new techniques and skills for the development of critical opinion. While writing the seminar paper, the students are exploring new themes independently, they learn how to pose the hypothesis (research question), acquire and assess the required sources. Students also need to put sources into a logic order and, finally, to formulate composition of the paper in writing. While going through this process they also train the method how to present their results clearly and how to make conclusion from the research. Although in focus of this Student Manual is not a real scientific paper, students should not underestimate the importance of seminar papers at all. On the contrary, students should consider it as a valuable exercise that will help them during their study to prepare and write the final thesis i. e. diploma thesis.

There is an obvious distinction between seminar and the final paper, because seminar paper should not be defended in front of the academic committee as the final. Further on, the author of the seminar will be in the situation to gain useful experience when holding the presentation on seminar theme in front of his/her class colleagues. Sometimes the oral presentation with demonstration in a class can influence not only the mark of the paper, but even have an influence on the final mark of the seminar course.

It is a duty of each student to write at least one seminar paper during one academic year. For this reason, the first year students from the course of the Croatian Legal History in the European Context are in the situation to decide to write a seminar paper from this course.

## **2. INSTRUCTIONS FOR WRITING SEMINAR PAPER**

### **2.1. What should Students Consider before Writing?**

Before students seriously grasp at writing the seminar paper from the Croatian Legal History it is worth considering several principal rules:

- a. After the selection of the theme for your seminar paper (its title), and after obtaining the final date for its submission from your supervisor, it is highly recommended to start writing it on time to avoid possible inconveniences. For this reason, you are expected to write good quality seminar paper and to submit it not after the agreed deadline. Being late with the submission of your work can considerably influence the final assessment of your grade. However, in some cases, your mentor can also reject your seminar paper if it is submitted after the deadline.
- b. Writing a seminar is never an easy job. For this reason it is very important to optimally organize your time and utilize it for rational writing.
- c. During writing of your seminar paper it is very important to practice your independent research and writing skills. If you have any doubts or you are not sure in the research question it is always very useful to ask for an advice from your supervisor, but only in case if you on your own are not able to find the solution.
- d. Before students start to write their papers it is important to collect and study all relevant literature, or eventually sources. While reading specialized literature take notes or write down thoughts that you come across in the text because they will be of big help while writing.
- e. Student should also bear in mind that the content of their seminar papers corresponds with the given title of the paper.
- f. The scope and the volume of the paper depend on its type. The seminar paper should not be shorter than 10 pages (1 page = 1800 characters,

including footnotes and empty space), however, it should not be longer than 16 pages. The final paper (thesis) should not be longer than 48 pages. In any case we advise you to contact your supervisor and agree upon its final volume.

- g. It is important to pay attention to the meaningfulness of your argument to the interpretation, language style, grammar, punctuation and finally, to graphic design (front page, content, line space, margins, fonts, etc.)
- h. Whatever happens, do not consider giving it up because you can do it, especially if you invest enough time and effort. Many students before you managed to complete this task (there are several excellent examples of seminar papers that you can find on the web site of our Chair).

## **2.2. Selection of the Research Topic**

The beginning of every writing starts with the selection of the paper's topic. It has been proved from experience that the selection of the topic is not an easy task. If the research theme was adequately selected, it can greatly influence on time and effort that student invest during writing. Moreover, if the selected theme is the result of great interest of student, it can be one of the most important preconditions for completing the whole process successfully.

Option for selecting the research theme for student's seminars has been frequently limited due to the seminar class curriculum that is usually given much in advance. Usually, it means that lecturer who runs the seminar course will offer the list of possible topics. Depending on their specific interests, students can select one from the offered topics (the list of topics for the seminar from the Croatian Legal History in the European Context has been published on the web site of the Chair). If you have an interesting theme which has not been on the list and you would like to investigate it, it is also possible (after the consultation with your supervisor) that he/she permits you writing the paper if its content is compatible with the expectation of your supervisor.



In general, the topics of the final papers i. e. thesis and seminar papers are the result of student's independent selection process and their interest for particular area. During the selection of the final thesis students should bear in mind two important principles: firstly, if it is possible to complete writing during appropriate time including all available sources and secondly, if the topic has not been exhausted by others to such extent that it is not possible to write anything with considerable personal contribution.

Regardless on the mode you decide in your topic, it is important to bear in mind several recommendations: a) literature and/or sources for studying, b) available time for writing (research and writing), c) anticipated volume.

### **2.3. The First Draft**

While selecting the topic for the seminar paper a student could have already had a certain ideas about the concept and structure of her/his work. In order to plan each step, it is required to undertake preliminary research. This implies that it is preferable to gain some basic knowledge or to refresh the existing on the theme of seminar paper by using general literature such as textbooks, encyclopaedias, lexicons, and scientific works of broader nature. By studying of general literature students will be able to draft a first concept and the content of seminar paper, but also apply to anticipated methods for the continuation of their research and its future development. In any case, the first draft should definitively comprise the approximate layout of chapters, content of particular chapters together with the estimation of the final number of pages.

In the concept of the first draft of the paper it is very important to formulate the research question, namely, the questions (hypothesis). During your subsequent research and while writing the paper, it is very important to keep the theme of your research strictly and simultaneously to follow the research questions in order not to forget what you want to claim in your paper.

## **2.4. How to Use/Apply Available Sources and Literature**

The good quality of the first draft (including the draft of the content too) will help students to collect literature and sources indispensable for writing of their paper. Finding required literature and sources is sometimes an independent duty of the student, but it is possible that in many occasions some guidelines can be obtained from your supervisor (mentor). In case when the list of required literature and sources is given in advance, it should not be considered as final and only possible, but rather as the direction for independent search for further literature and sources.

Student papers from the Croatian Legal History have been characterized by the use of already published (legal) historical articles and collections of (legal) historical sources. Although these are valuable sources of information needed for writing, the consulted published papers and articles refer very frequently to further relevant literature and additional sources definitively worth considering while writing your own paper.

When writing some of legal history papers students are expected to find and study certain legal provisions and regulations. Provisions and regulations issued in the official publications are the most reliable source to use. However if they are not available, there are special issues with comments that will serve the purpose.

While writing seminar paper, students will probably use the analysis of court decisions as well as decisions of other legal bodies which can be found in published or unpublished form. Once the court decisions are announced students can find them in various collections or specialized publications. Depending on the historical context, unpublished court decisions can be consulted in archives. Archives are important institutions which hold sources of various natures needed for writing of your paper. Although there are no too many undergraduate students who conduct their research with unpublished archival sources in an archive, we advise you to inform yourself with the

functioning of archives and services they provide. Once as graduate lawyers, you may return and use their services intensively.

If some of the titles are not accessible, it is also useful to inform yourself with the library and interlibrary networks together with online databases.

Finally, it is important to stress that, when studying literature and sources you should rather apply critical analysis than use them mechanically. The selection of literature and sources should not depend on their quantity but rather on the method they apply when dealing with a given theme. Sometimes a short article can be more useful than a lengthy book or an old literature better than new, but also it can be *vice versa* too. Ponder very well where the information, that author is using, is coming from. Check if some of the statements are maybe too emotional, ideologically grounded or just outdated. If there are two authors with opposing views that are important for your paper, you have to argue which opinion and for what reason you support. Even if you do not agree with the opposing argumentations it is worth explaining their differences and not just accepting them. Try to imagine yourself in the role of the judge who must investigate all available proofs. However, if some of the terms are not enough clear, in this case students should not copy them "blindly" but should rather consult additional literature.

## **2.5. Structure and the Beginning of Writing**

After the effort you have invested in collecting and studying the selected themes it is necessary to adequately present the results. The collected information can be presented in several modes (descriptive narrative, analytic, argumentation and matrix). Each of these methods has its advantages and limitations and it is up to student to decide which of the methods he/she prefers the most. However it is important to stick to one of mentioned method from the beginning to the end of writing depending on particular thematic unit.

During writing of seminar papers, students should not forget to consult their mentors. It is appropriate and quite usual that students who write their papers consult his/her supervisor at least once during writing and obtain comments on the progress of a paper, all this to avoid possible embarrassing misunderstandings and surprises after the submission of paper or while getting the final mark.

For the sake of clarity and better organization of your paper it is necessary to make a suitable **inner structure** i. e. text composition. In this stage of writing it might be necessary to change earlier draft of the paper depending on newly found results in your study.

Every seminar paper or thesis starts with the **introduction** in which the author elaborates on the theme, emphasizes its importance, puts the theme in a broader context, explains research question, and presents author's methodological approach, together with the paper's final structure. Although it is not a habit, in this part of the seminar papers students can also reflect on the current state of research on this field/theme.

Introduction is followed by the **main part** of the paper in which author (student) elaborates on the given theme. From the quantitative point of view, concerning the introduction, conclusion, literature, etc. this part is usually the biggest one. Due to its prolixity and for the sake of obtaining the clarity, it is necessary to fragment the main text into smaller thematic units - chapters. Chapters are smaller thematic units, i. e. separated parts of the general theme sorted in logical order for the better and more systematic interpretation.

The structure of the paper should be well articulated thus, that the following chapters should be in a logical order, good organized and cumulative. The quantity of the main part usually depends from (in advance) planned volume of the entire paper. Consequently, out from this, it is possible to adjust the length of the remaining chapters. If the author decides to further structure the text, it is also important to separate the chapters into smaller parts that will be

connected with the common theme which should be of the same length. It is more than desirable to divide these parts into smaller sections; however student should bear in mind not to overdo and get to the extreme so that their paper becomes too fragmented. Each section consists of fragments which together with sections, parts and chapters should be written by applying important rule: the introduction, the main part and the conclusion.

The smallest element in producing the seminar paper is a sentence. It has to be conceptually justifiable, logically set up correctly and factually accurate. Beside this, sentences must be congruent to the level of seminar paper and constantly support the research idea. Students should write in the way as they should explain to somebody their paper orally (linguistically correct!). There is no need to use the vocabulary that sound not understandable or to use ceremonial style. However, there is no sense of writing your paper if it has to be read by the help of dictionaries of foreign words.

While making the inner structure of the paper it is important (sometimes this proved to be an extremely challenging task) to select titles for the chapters, and sub titles for parts and sections. It is not recommended to use titles that are too long (i. e. the titles that occupy several rows). When creating the titles of chapters, parts and sections, be aware that they clearly reflect on the theme they are dealing with.

The closing part of the paper is the **conclusion** in which the author summarizes his/her final thoughts and the research thesis deriving from the research questions. The writing of good quality conclusion also depends on the development of the inner structure of the main part of the work. This means that the each chapter and section of the paper will have its own closing remarks which will be easily used in the final conclusion.

While still on the beginning of writing we recommend you to start writing with the major part of the paper first, and then continue with drafting of chapters and, at the end, to finish with the conclusion. Please note that the introduction

you should write at the very moment when you are almost done. At the end you also attach possible addendum or appendix (more on this will be mentioned later).

While in the final phase of writing, it is highly recommended to print out the entire paper because the printed (paper) outlook can have a different perspective and it also makes possible to easily check whether the text requires some modifications/corrections or not.

## **2.6. How to avoid plagiarism**

Plagiarism is usually defined as submitting paper or other scientific work that in part or whole is not your own work without attributing those same portions to their authentic source. Besides writing plagiarism thus can occur in many forms: art, music, computer code, mathematics etc.

In all academic work, and especially when writing papers, we are building upon the ideas and words of others. A conscientious writer always distinguishes clearly between what has been learned from others and what he or she is personally contributing to the reader's understanding. To avoid plagiarism, it is important to understand how to properly cite words and ideas of other authors' use. More on citations you will learn from the next chapter.

It doesn't matter how desperate you are, because of the short term for paper submission, do not consider to plagiarize (rewrite) parts or the entire content of already written paper or to invent footnotes, etc. In such a situation it is much better not to submit your paper as there are good chances that you will be caught in such a deed, rather than to be exposed for disgrace and sanction from your Department.

### **3. CITATION AND BIBLIOGRAPHY**

#### **3.1. On the Notes (Footnote, Endnote)**

Very important element of your seminar paper consists of notes. They can be written as endnotes (written at the end of your paper) or notes written on the bottom of the page (also known as footnotes). Using each of these forms has certain advantages and disadvantages. If there is no earlier prescribed rule on how to write notes it is always good to consult with your supervisor. Once agreed upon the notes rule, you should keep it strictly. However, it is a custom that the majority of students who write their seminar papers decide for footnotes.

Nowadays, the making of notes is not a problem because great majority of computer software programs make the inserting of notes a very easy task by executing orders such as "insert footnote" or "insert endnote".

When writing and inserting notes students should always bear in mind what is the purpose of the note and what would you like to achieve. Thus, the notes are important for several reasons:

- we indicate literature and sources from which ideas, facts and thoughts were taken for seminar paper
- we indicate literature and sources in which the particular research topic or problem has been elaborated in more details
- with notes we also elaborate on less known terms or phrases and further refer to the discussions and argumentations, opposing or different opinions and conclusions from those elaborated in your paper
- contrary to previous reason, footnotes or endnotes do not explain or refer to generally accepted attitudes, facts or known phrases and sayings

When preparing notes it is very important to be aware of their quantity. Students should know what has been considered as modest, optimal or too extensive number of them. While those seminar papers consisting of too many foot or endnotes could be considered as being extremely difficult to grasp, the other extreme is if notes in paper are rare. Having too little notes could suggest that your paper is not enough argumentative or even that, the paper partially or as a whole is transcribed or copied and thus plagiarized. You can reach the optimum number of notes only when you bear in your mind what you want to achieve with your paper.

It is extremely important to correctly and consistently refer to the literature and sources used in the paper. There are different rules of citations of literature and sources, but for us it is important that you select one and continue to be consistent using it till the very end of writing. The information on citations and rules is usually provided by student's supervisor. No matter which citation rule you prefer it is crucial, as already mentioned, to be consistent in applying it from the beginning of writing till the end.

### **3.2. On the Citation of Sources and Literature**

Very frequently, while writing a seminar paper, we use citations or quotation marks. It is very important to always indicate when you stop developing your own assertions and ideas and when you start elaborating on others. Everything that has been word by word copied into your paper must be properly indicated (i. e. by using quotation marks). By attaching a proper footnote the text should be precisely designated to its origin, i. e. attributed to its author. It is recommended to use literally citation or quoting only of those parts of your paper that are of crucial importance for your own argumentation. The rest of the work on which you have been building your theme try to paraphrase and summarize substantially and correctly. At the end, do not miss to unambiguously indicate the title of the work and its author.



There are three basic types of citations: the complete citation, the cut citation and the repeated citation. The complete citation consists of all integral parts needed for the identification of literature and sources mentioned in the paper. The cut citation emphasizes only some parts while the repeated citation refers to the same or other places in a paper already quoted. In this case particular standardized abbreviations have been in use.

### **3.2.1. Examples of Citations**

**A. The Complete Citation** – It provide us with the name and surname of author; if the work has several authors their names are separated with semicolon however, it is possible to mention only name of the first author and then with Latin abbreviation "et al." (and others); further on, the title of the work is cited in its full length; if there is a subtitle, it should be indicated too and separated from the main title with semicolon; if the article was published in a journal the number of journal and the year of publishing should be indicated; and finally, the number and/or range of a pages that you quote:

#### **Book Citation**

Čepulo, Dalibor. *Prava građana i moderne institucije. Europska i hrvatska pravna tradicija*. Zagreb, 2003, p. 109.

Engelsfeld, Neda. *Povijest hrvatskog prava i države. Razdoblje od 18. do 20. stoljeća*, third and extended edition. Zagreb, 2006, p. 117.

Gross, Mirjana; Szabo, Agneza. *Prema hrvatskom građanskom društvu*. Zagreb, 1992, p. 75.

#### **Citation of Articles in Journals, Encyclopaedia or Lexicon**

Ravlić, Slaven. *Pravna kultura i pravna promjena: za novi pristup Bogišiću. Bogišić i kultura sjećanja* (Editor Kregar, Josip et al.). Zagreb, 2011, p. 55.

Sirotković, Hodimir; Tkalčević, Mladena. Kostrenčić, Marko. *Hrvatski biografski leksikon*, vol. 7 (Chief Editor Macan, Trpimir). Zagreb, 2009, p. 698-699.

*Stol sedmorice. Pravni leksikon* (Chief Editor Pezo, Vladimir). Zagreb, 2007, p. 1530-1531.

## Citations of Articles in Periodicals

Bayer, Vladimir. Stogodišnjica donošenja hrvatskog Zakonika o krivičnom postupku iz 1875. god. *Zbornik Pravnog fakulteta u Zagrebu*, 26/1976, vol. 1, p. 16.

Sirotković, Hodimir. Ustavni položaj i organizacija rada Sabora kraljevine Hrvatske i Slavonije u građanskom razdoblju njegovog djelovanja (1848-1918). *Rad Jugoslavenske akademije znanosti i umjetnosti*, 1981, vol. 20, p. 39-86.

Radić, Stjepan. Dioba državne vlasti. *Novi list*, 5/1902, June 3<sup>rd</sup>, p. 1.

**B. The Cut Citation** – Indicates the family name of author, and several words from the main title of his/her cited work; when you use it for the first time in your paper it is required to put the complete citation at the beginning and then you indicate the cut form which will be used from that note on.

Čepulo, Dalibor. *Prava građana i moderne institucije. Europska i hrvatska pravna tradicija*. Zagreb, 2003, p. 109. (further: Čepulo, *Prava građana*, 2003)

**C. The Repeated Citation** – has been used in the situation when the complete or cut citations have been already mentioned in a paper; it has been used in the situation when several quotations from the same work at several places in a paper are mentioned; instead of every time repeating the full name of author and his/her title, we rather use suitable Latin abbreviations; several situations are predictable;

**a.** mentioning of the same place in a same work in two or more sequential notes – we use abbreviation *ibid.* (in Latin *ibidem* – at the same place):  
*Ibid.*

**b.** mentioning of different place in the same work in two or more sequential notes – we use abbreviation *ibid.* and the page number from where the citation is taken: *Ibid.* p. 47.

**c.** mentioning of the same place of the same work in some of the following notes, however without continuity, i.e. if there are other notes from different authors – we indicate name of author and the abbreviation *loc. cit.* (from Latin *locus citatum* – at referred place): Čepulo, *loc. cit.*

**d.** mentioning of different place in the same work in some of following notes, without continuity – we use abbreviation *op. cit.* (from Latin *opus citatum* – referred work) and indication of place (page) that has been quoted from. It is advisable to put in parenthesis the number of note in which the work was mentioned in completed citation for the first time: Čepulo, *loc. cit.* (note 2), p. 86.

### **3.2.2. Citation of Rules and Regulations - Sources**

When citing rules and regulations students should indicate the name of the official body which published it (usually this is the official periodical), the year of issuance, the date and the year of publishing together with other official volumes in which later amendments and modifications of cited text were published; it is also possible to cite regulations that have been published in some other book collections (not necessarily from the official publisher) thus, in such situation the full title together with the author who edited collection (editor), with the full title of the collection and the page number - must be indicated:

Zakon od 3. ožujka 1874. o zadrugah. In: *Sbornik zakonah i naredabah valjanih za kraljevinu Hrvatsku i Slavoniju*, 1874, vol. IX, p. 163.

Zakon od 14. siečnja 1875. o pravu sakupljati. In: Vežić, Milivoj. *Pomoćnik za javnu upravu. Sbirka najvažnijih zakonah i naredabah*. Zagreb, 1884, p. 81-82.

Rucner, Josip; Strohal, Petar. *Zbirka rješidaba Stola sedmorice o građanskim pravnim stvarima*, vol. I, Rješidbe No. 1-503, Zagreb, 1939.

**Citation of the Archival Collections** – The name of the institution (Archives) is indicated together with the call number of the collection and/or funds:

Državni arhiv u Zagrebu (The Croatian State Archives) – 1054, Kotarski sud II (Municipal Court) u Zagrebu (1918-1941), serija ostavine (Probate Court Records), sign. 22, Os-IV-51/1940.

### **Citation of Correspondence**

Nacionalna i sveučilišna knjižnica (National and University Library), Zagreb – Zbirka rukopisa i starih knjiga (Collection of manuscripts and old books), R 6965, Josip Jedlowski to Vladimir Mažuranić, letter dated June 3<sup>rd</sup>, 1919.

**Citation from the World Wide Web** – depending on which context is cited from the world wide web, (e-book, an article in e-journal, newspaper article, database etc.), it is important to fully indicate as many as possible (as previously mentioned), detailed data including the name of author, title of the book or article or database and finally the internet address (URL address) and then the date when the web site was visited for the last time.

*Međunarodni znanstveni skup u povodu sto godina od osnivanja Katedre za povijest hrvatskog prava i države Pravnog fakulteta Sveučilišta u Zagrebu i dvjesto godina od proglašenja Općega građanskoga zakonika. (International Scientific Conference marking the Centenary of the Foundation of the Chair of Croatian History of Law and State and the Bicentenary of the General Civil Code Proclamation).* URL address:  
<http://www.historiografija.hr/news.php?id=243> (retrieved on June 15<sup>th</sup>, 2012).

## **4. THE STYLE**

### **4.1. Punctuation and Grammar**

The final version of the seminar paper should be critically edited in a way to remove all punctuation problems and grammatical errors. Repetition of the same words or phrases and possible clumsiness in a text should be also avoided. When editing your paper it is possible to revise what has been written

in a way to complete with thorough checking and editing. If you doubt in quality of some parts of your chapters, you can still change entire sentences and their syntax or add completely new one. The existing paper can be considerably improved if there are some parts which have been additionally supported with some new arguments.

Although the style of expression is very personal matter, scientific i. e. administrative style is framed with many rules. It means that your ideas, information gathered as well as the results of the research work must be transferred in articulated and comprehensive way.

#### **4.2. Graphic Outlook**

Students from the Faculty of Law have access to the computers where they can write and print out their finished papers. Students who do not possess personal computers, laptops etc. have on their disposal facilities in the Informatics Hall of the Faculty (Maršal Tito Square 14, first floor left). Concerning the final graphic outlook of the paper you should consider the following parameters:

- margins: 2,5 centimetres from each side of the page (up and down, and left and right);
- line spacing: in the main paper it should be 1,5 while in the notes they should be 1;
- suggested font type: Courier, Courier New, Times New Roman, Ariel;
- font size: in main text: 12, and in notes: 10;
- margins from the left and right side of the text should be justified;
- pages must be numerated (upper right corner) except for the front page;
- the text is printed out on standard white paper A4 format and spirally bound;

- independent from the above, students should send their papers in electronic format to their supervisor (MS Word) for archiving and proper authenticity control.

In any case it is extremely important to always bear in mind the composition of entire paper.

**Content** – is always written on a separate page in which all numerated chapters of the paper (introduction, parts, chapters, sections, conclusion, etc.) are indicated. The content also contains the list of used literature and sources with numerated pages too.

**Front page** – must contain the full name and the family name of the student, a title of the seminar paper, the type of the paper, full name of a faculty and Department for which the paper is written, date and the year when the paper is submitted.

**Summary and key words** - although not accustomed for the student's papers we also recommend writing them. The summary implies a short review of the content that introduces readers with the research topic of the author.

Front Page and Content – an example:

Faculty of Law  
University of Zagreb  
Department for History of the Croatian Law and State

Fran Franković

**Reforms of Ban Ivan Mažuranić**

Seminar Paper

Supervisor of Seminar:  
prof. dr. sc. ....

Zagreb, July 2012

Content

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## **5. WHERE TO SEARCH FOR SOURCES AND LITERATURE?**

At the end of each seminar or final paper there is part that we call **Bibliography, Literature, or Sources and Literature**. It is a list of all sources, books, articles and other texts that have been used during writing the paper. The list should contain only that literature which has been actually used, i. e. that is cited in the notes. Sources and the literature can be edited in several styles but always in a way to be clear and articulated. Standard list of literature when dealing with books and articles is prepared by following the alphabetical order, i. e. according to authors' family and Christian names, however, we can also put first few words from the main title in the alphabetic order if the cited work is not attributed. Concerning the sources, they can be of various natures and therefore, there are various modes for their listing. Legal regulations, court sentences, administrative reports, the collection of historical and archival sources can all be treated separately.

### **5.1. Libraries, Archives and Databases**

This section of the Student Manual is designed to help students attending seminar class at the Chair of Faculty of Law at the Zagreb University to find literature for writing their papers. The most important institutions worth visiting is the main library of the Faculty of Law and the National and University Library in Zagreb and then, all other libraries from other Faculties and institutions together with the Zagreb city libraries.

**The Library of the Faculty of Law at Zagreb University** – the richest and the best equipped library on legal history in Croatia and most likely in the region. It is located at two locations, the first one at maršal Tito Square 14 (first floor, Department of books) and at maršal Tito Square 3 (ground floor, Department of periodicals); their services are available for students of the Faculty of Law but also for the external users too. The search of the library catalogue is twofold. Next to the old card catalogue there is an electronic catalogue based on subject headings, key words and authors. The majority of data on the library holding is stored in electronic catalogue available at this



web site: <http://knjiznica.pravo.hr>, which is accessible from the computers from the locations inside the University but also external locations too. Data regarding older books and articles are available only through the card catalogue accessible in the Department of books.

Before borrowing the book users should consult the catalogue first and identify the correct call number for the specific book title. Generally, when dealing with works from the legal history we use the works from the following sections: "Legal history - General history up to the end of the 19<sup>th</sup> century" (sign. IX), "Laws and Regulations Collections" (sign. XII), "Politics - Recent History" (sign. XVIII). List of publications published in various journals and periodicals (sign. XIV). Students are advised to conduct their own search independently however it is always possible to ask for the assistance of library staff who will help you through specialized thematic search. The library funds can be used in the library's reading room. Part of the literature (textbooks and books) that have been frequently used in the curriculum, are already prepared and available in the Seminar reading room (Maršal Tito Square 14, Room 23). The rest of the literature students need to request in advance.

**The National and University Library (NUL)** - (Hrvatska bratska zajednica Street 4) is unavoidable in identifying and collecting required literature. In her complex there are several reading rooms whose rich holdings could be of great interest for the authors on the legal history.

The great part of the third floor is occupied with the reading room dedicated to the social and humanistic sciences where you can find many books (not older than several decades) which are freely accessible from the shelves. As they have been sorted out according to thematic units some of these themes can be easily detectable with your visual search. When following the call numbers from the shelves, you will find number 34 – Law (legal history, predominantly Croatian, partly general/world history can be also found in the subdivision 34(091)); 35 – Public administration; 36 – Social work; 940 – European history (Former Yugoslavia, together with South Slavic neighbourhood can be

found in the subdivision 949); 949.75 – Croatian general history; 929 – Bibliography, genealogy, heraldic; 930 – historical science (methodology and general questions); 32 – Political science including one part of the 20<sup>th</sup> century history.

Reference publications (encyclopaedias, lexicons, bibliographies, and time lines) are partly separated next to the above mentioned specialized thematic units however the majority of reference materials are easily accessible on shelves on the mezzanine of the building.

For the students of legal history it is also useful to consult a specialized collection of the library holdings on the Croatian homeland war, located on the first floor. Beside free accessible monographs located on the shelves, there is a specialized reading room in which you can read digitized articles from the newspapers and magazines published in the period from 1991 to 1993.

Recent issues of the social and humanistic scientific journals can also be freely accessible on the shelves on the 4<sup>th</sup> floor. You can also find numerous official publications especially those containing legal norms and regulations, statistical reports and similar official material dealing with the Republic of Croatia, the European Union, the United Nations, other states and international organizations.

All newspapers and majority of social and humanistic scientific journals together with books published before the 20<sup>th</sup> century and which are stored in the storage must be requested from the reading room on the 3<sup>rd</sup> floor in advance. The same principle is applied for the majority of new books. You can order them on the south desk of the reading room for social and humanistic sciences. Part of the newspapers ranging up to 1945 is on microfilm and easily accessible in the reading room for periodicals.

Old and rare books, periodicals and manuscripts (e. g. the facsimile of Vinodolski zakonik (Vinodol Law) from the 16<sup>th</sup> century), including the

correspondence can be requested in a special reading room on the first floor (-1 floor) beneath the ground floor.

Master (M. A.) and Doctoral Thesis (Ph. D.) from the Croatian universities (Zagreb, Rijeka, Split, Osijek, Pula, Zadar, Dubrovnik) are located in the reading room on the first floor, while similar works from other countries of former Yugoslavia have to be requested from the storage.

In general, the library funds are principally available for on-site study and as such cannot be taken out from the reading room. Although in the case that there is more than one copy of a book on shelves it is possible to take it off-site by simple registration on the western desk of the third floor.

In addition to this, there is the inter-library project in function aimed to digitize the majority of library collections and make them available on internet <http://www.nsk.hr/> by using several suitable gateways. Apart from the rare manuscripts (e.g. we have already mentioned the Vinodol Law, the Istrian Perambulation, or the Statute from Vrbnik, etc.) there are books, newspapers and journals that have been processed digitally. However, there has been constituted the "Academic digital repository" which contains not only parts of old dissertations but also growing number of modern master's and doctoral thesis.

The reference on-line catalogue contains the most data on library holding, in particular on the call numbers needed for borrowing. The interface of the catalogue contains "search" engine which gives opportunity for other search options: by using "scanned card catalogue" when several older catalogues will be open that contain titles which have not been entered in the on-line version. Unlike on-line catalogue, the catalogues of periodicals, as well as specialized catalogues, are only available in the reference card format on the ground floor, left from the main entrance.

**The Library of the Faculty of Humanities and Social Sciences of Zagreb University** is a very rich library located quite close to NUL (Ivan Lucić Street

3), where the historical literature (including legal history too) can be found. Situated on the second floor, you will also find the open access policy in practice. Further information concerning the on-line catalogue and the access to (not quite big) digital collections of exam literature is available at this web site: <http://www.ffzg.hr> by using suitable search engine.

**The Main Library of the Croatian Academy of Sciences and Arts** is located closer to the Faculty of Law library (Strossmayer Square 14). Next to it you will also find the Library of the Academy Institute for Historical Sciences (Strossmayer Square 4), and the Library of the Adriatic Institute (still in move). These libraries are important especially for the study of the legal history of the Croatian Middle Ages and events concerning the Croatian coastline and littoral. The access to the catalogue is possible at: <http://www.hazu.hr> while some other digital collections are available at: <http://dizbi.hazu.hr/?sitetext=111>

**The Library of the Supreme Court of the Republic of Croatia** (Nikola Šubić Zrinski Square 3) – inherited a valuable book collections originating from the historical Ban's Court and the Table of Seven Court. The Collections contain those works that were published from the middle of the 18<sup>th</sup> century. There is also a special collection called "The Croatian Legal History 1790-1918" which is split between sources and literature dealing with legislative and juridical powers which is also accessible via on-line catalogue at: <http://www.vsrh.hr/EasyWeb.asp?pcpid=44> . Naturally, students also have an open access to the general library electronic catalogue at this site: <http://www.vsrh.hr/EasyWeb.asp?pcpid=655>.

The physical access to the library holdings of the mentioned libraries implies certain difficulties and limitations. Although for most of them your student status should be sufficient for registration, it is advisable to check if there are new regulations concerning the access policy (prior to your visit). A sizable number of relevant books, articles and journals on legal history can be found in (by all citizens accessible) the network of the **Zagreb City Libraries**

(<http://www.kgz.hr>). The City Library (Starčević Square 6) and the Božidar Adžija Library (Petar Krešimir IV. Square) contain books mostly from the period after the establishment in 1927, and 1945 respectively. The later one is particularly rich on the periodical collections predominantly after WWII.

Concerning the public Archives, those students interested in the legal history the most important institution is the **Croatian State Archives** (CSA, Marulić Square 21). The State Archive is the central place and the most important archival institution that shelter, preserves, and professionally process written heritage originating from the central institutions of the state bodies, educational, cultural, health and military agencies. The archive shelters funds of prominent individuals and families from the Croatian political and cultural life (<http://www.arhiv.hr>). Depending on the topic of your seminar, there are also 18 regional state archives and 8 smaller retaining centres.

Generally, the archives funds and collections are constituted on the principle of provenance i.e. on their creator and/or their geographical and chronological criteria. However in some cases we can find some exceptions and have mixed archival standards. For example, the archival sources that emerged as a result of the activity of the Croatian Diet (Sabor) and the Provincial Government are in the custody of the Croatian State Archives while all archival documents originating from the Zagreb municipal representation (City Council) are preserved and stored in the State Archive of Zagreb (Opatička Street 29; <http://www.daz.hr>). It is also important to emphasize that mentioned Archives have more archival collections on their holdings concerning the activity of former attorney offices and some other interesting documents. Another example, court sentences issued by the Yugoslav People's Army (usually rare and not available) can be also found in archival holdings of the municipal bodies that were managing city housing affairs (because those sentenced by the court had to move out).

In any case, before making decision to visit any archive, it is always useful to ponder in advance what kind of the archival sources you will need for the

research, to which they belong, where they are stored and what is the call number. The best place to start with your search is the **National Archival Information System ARHiNET** (<http://arhinet.arhiv.hr>) which has been updated with the list of literature of particular funds and their creators with the growing number of digital images of documents. However, we advise you to definitively consult the *Review of Archival Funds and Collections of the Republic of Croatia* printed in two volumes as still extremely valuable reference tool (Zagreb 2006-2007). The middle level between ARHiNET and single archival boxes in which the holdings are usually stored is covered by the information aid such as the list of summary or analytic inventories aimed for more detailed study of the inner structure of particular collections (for example, the holding of The Department for Inner Affairs of the Provincial Government created in a period from 1869 - 1921, has 715 linear meters of archival materials which consists of 817 registry books and 5772 boxes which is not an easy task to check).

Apart from domestic archives, very important role in studying legal history have the archives in the neighbouring countries. The **Hungarian State Archive** in Budapest (Magyar Országos Levéltár, <http://www.mol.gov.hu>) or the **Austrian State Archive** in Vienna (Österreichisches Staatsarchiv, <http://www.oesta.dv.at>) we should also mention the Archives of Yugoslavia located in Belgrade (<http://www.arhivyu.gov.rs/active/sr-latin/home.html>), which at its on-line pages offer scanned documents and legal acts such as the Vidovdan Constitution (1921). Also, we should mention that the great part of archives have libraries adequately equipped with old and recent legal bibliography.

Several **databases** established at some libraries were already mentioned in this review. Data bases accessed via Internet containing only bibliographies, summaries or even entire texts of scientific papers are today indispensable in the scientific work. Although many of these databases are not free of charge, and their accessibility can vary from time to time, it is always the best to

inquire in advance and check their access regime on the Internet pages of the Faculty Library.

Due to its extent and unlimited accessibility it is important to emphasize **Hrčak – the Internet gateway of scientific journals in Republic of Croatia** (<http://hrcak.srce.hr/>). You can find there scientific articles published in the majority of the Croatian social and humanistic journals during last 10 years including collection of papers from almost all Faculties of the universities in Zagreb, Rijeka and Split together with great majority of historical journals.

Largely complementary to Hrčak is the **Croatian Scientific Bibliography** (<http://bib.irb.hr/>) that is operated by the Croatian scientists in which they should entry of every scientific work they publish. Due to some imprecision the database is considered as disadvantageous but at the same time it is praised as very useful because their internet pages are regularly updated with new articles, but also books, paper collections, journals, conference presentations, patents etc. Unlike Hrčak, the full version of articles cannot be found in this database moreover, they are considered as an exception.

In the menu of the new web site of the **Croatian Institute for History** (<http://www.isp.hr/>) in the main menu concerning "Publications" students can find bibliographies of two scientific journals of that institution, among which is the long lasting "*Časopis za suvremenu povijest*" and "*Povijesni prilozi*" However, as well as recent historical monographs published in joint publishing ventures.

On the website **Historiografija.hr** (<http://www.historiografija.hr/>) students can find "Bibliografija hrvatske historiografije u povijesnim časopisima 2000-2004" (Bibliography of the Croatian historiography in the historical journals 2000-2004) (Zagreb 2008). There are altogether 2601 processed units from 16 periodicals with their extended internet version. However, in some cases these internet versions go deep to 1990 year. Data presented at the website

originates from 30 scientific journals. From there, you will find a link to digitized volumes of *Historijski zbornik* (Historical almanac) 1948-1990.

As for the beginning of your search, students could also start with **Hrvatski znanstveni portal** (The Croatian Scientific Portal) (<http://www.znanstvenici.hr/>) that provides link to data bases on active scientists and their projects which have been financed by the support of the Ministry of Science, Education and Sport.

Concerning other existing data bases, the period from 1945 up to 2000 is very meagrely covered, however regarding articles in the newspapers **Hrvatska novinska izvještajna agencija** - HINA, (The Croatian Information News Agency) provides researchers with digital copies of the news articles from their archive with the commercial charge (<http://www.hina.hr>).

Basic information on majority of articles published in the period from the end of 18<sup>th</sup> century up to 1945, some 6000 periodicals from the South Slavic peoples, can be found on the website of **The Miroslav Krleža Institute of Lexicography** (Leksikografski zavod Miroslav Krleža, <http://www.lzmk.hr/hr/>). More than two million of their bibliographical units are available online. They can be searched according to author, and soon will be according to the main subject; however, the specialized search engine will be introduced too. (Today it is possible to physically do research in the offices of the Institute in Frankopanska Street 26). If you are interested in the way the Hungarian-Croatian Compromise of 1868 was treated in the press and journals up to 1945, or in writings of Ivo Politeo, this is a right place to start your research.

Integral normative texts such as laws, legal acts or regulations that have been ineffective for many years are meagrely existent in digital space. Apart from the **Repository on the website of our Chair** (<http://www.pravo.unizg.hr/PHPD/materijali>) for the regulations that came into effect up to 1918 it is worth visiting the **website of the Austrian**



**National Library** (<http://alex.onb.ac.at>), for the period after the proclamation of the Croatian independence we should mention "Narodne novine" the Official Journal of the Republic of Croatia. All issues from the beginning of 1990 are available on internet by visiting this website: (<http://www.nn.hr/Default.aspx>).

By the initiative of the members of our Chair and in the framework of the international project "The Rise of Modern Constitutionalism 1776-1849", students can find a great number of foreign constitutional documents as well as those from the Croatian Diet (Sabor) from 1848 at this online address: (<http://www.modern-constitutions.de/>).

## **5.2. Literature and Sources for the Croatian Legal History**

The final list of the potential literature and sources for the seminar papers from the Croatian legal history is almost impossible to prepare due to its constantly growing number. Beside this, for the future lawyer no matter you will be dealing with science or practice, it is always good to adapt and develop the independent research, by applying general skills and not to copy already existing matrix.

A great deal of all research possibilities have been mentioned in the previous chapter such as **library catalogue, digital collection search engines and databases, etc.** They don't provide us only with the information on how and where to find particular sources or literature, but also what exist on this topic all together. By adopting some praxis, you will learn how to use "search engine" for advanced or thematic search, how to select key words, etc. In some cases there are particular internet providers such as Google and its specialized variation - Google Scholar (<http://scholar.google.hr/>).

Once you find out what is the special field of interest of particular authors it will be quite easy to use **search by the author's name**. If you research on the legal theme from the medieval history, it will be extremely useful to check whether Lujo Margetić had written something on it. However concerning the state law problematic and especially history of the representative bodies in the

19<sup>th</sup> and 20<sup>th</sup> century more suitable will be the work of Hodimir Sirotković. In the focus of Mihajlo Lanović's work was the old Hungarian-Croatian private law, while Ivan Beuc concentrated his research on the institutions of the public administration during longer period, similar can be applicable for other researchers (for this reason it is also useful to know who were the professors and in which historical period they were lecturing the Croatian legal history, more on this further in a text).

In the scientific papers it is a general rule to indicate (at least in short) a review of older authors and their works, i. e. literature, on the given research theme. It means that one single recently published article, for example, on the law inheritance according the Austrian General Civil Code can provide students with the approximate insight what was written on this issue, but also on civil and family law in general, in the last 150 years.

**If you do not know where to start from**, have a look of the required exam and seminar literature. It contains a detailed list of relevant legal and historical works which can serve as a reference for further data. Also, the master list of literature for the most frequent seminar papers (that can also serve for the final thesis) is accessible on Internet pages of our Chair. As the starting point of your research it is extremely useful to consult thick and black coloured volumes of the Faculty memorials *Pravni fakultet u Zagrebu 1776. – 1996.* (Zagreb 1996–1997) in which you can find published extensive bibliographies of prominent professors and lecturers together with other data from the history of particular Chairs. Thus, you can also find out who from the professors, for example in the 19<sup>th</sup> century, specialised in particular legal branch and similar type of information.

Although available up to the alphabet letter K for the same purpose will serve a volumes of *Hrvatski biografski leksikon* (Zagreb 1983–2009) in which bibliographies of some of Chair's colleagues have been elaborated such as I. Beuc, Ferdo Čulinovic, Antun Dabinović, Neda Engelsfeld or Marko Kostrenčić. Not to mention that there are bibliographies of many other lawyers, historians,

and prominent individuals in general (the list of publications of H. Sirotković was published in *Zbornik Pravnog fakulteta u Zagrebu*, 2010, vol. 1). Some of their works have been included in the synoptic of *Hrestomatija povijesti hrvatskog prava i države*, vol. 1–2 (Zagreb 1998).

Unlike *Hrvatski biografski leksikon* the majority of reference publications such as encyclopaedias, lexicons and similar, do not contain list of bibliography but it can be very useful as the introduction to some problematic due to its concise explanation of some terms and events that students in their work must take in consideration and which will not be further elaborated on in details (for illustration, we had a case of one student who had learnt very well the elective role of the consistory (*consistorium*) from 1848 although he did not have any clue what was the meaning of that term). In any case always bear in mind the fact when and for whom the publication/book etc. was created, check if it does not contain out of date data, if it is not ideologically coloured and if it can be trusted as reliable source of information at all.

The most recent work on this theme is *Pravni leksikon* (Zagreb 2007), contributed by the majority of the professors from our Chair who elaborated on the Croatian legal history. However, you may also find suitable *Rječnik historije države i prava* (Zagreb 1968). The pioneer work of Vladimir Mažuranić *Prinosi za hrvatski pravno-povjestni rječnik* was published in the first decade of the 20<sup>th</sup> century. It is easily accessible especially the issue from 1995 in two volumes that requires more effort to orient but still, it is a real treasure of valuable data. Another valuable dictionary worth mentioning is *Građa za financijsko-pravni rječnik feudalne epohe Hrvatske* in two volumes, written by Zlatko Herkov (Zagreb 1956). When dealing with the various themes from the Croatian legal history many students will be in the situation to consult *Leksikon latinskih pravnih izraza* composed by Ante Romac (edited issue Zagreb 1992).

Except from specialized, the Croatian legal history is also represented in **general lexicons with amplified national component**. In first line let us mention *Hrvatska enciklopedija* (Zagreb 1999-2009) and *Enciklopedija: opća i*

*nacionalna* (Zagreb 2005-2007), the later one has also its electronic version known as the *Prolexis enciklopedija* accessible at already mentioned portal of the Institute of Lexicography.

**Croatian historical themes** were also covered by *Hrvatski leksikon* (Zagreb 1996-1997) in which some entries are selectively supported by the literature. Although some units were limited by the given ideological frames, and for the same purpose as the previous work, it is still worth consulting two editions of *Enciklopedija Jugoslavije* (Zagreb 1954-1971; not completed 1980-1990) that contain some valuable articles on legal history and important appropriate bibliography such as entry "Advokatura" by Vladimir Bayer. Another work worth consulting is even older manual *Naša domovina* (Zagreb 1943), due to the list of authors on the law literature, journals and articles compiled by Juraj Andrassy (p. 518-531) and sorted out according to particular thematic branches (including the Croatian legal history as well).

As the **Introduction to the Comparative Examination of the Legal History in the European and in the world context**, it is worth studying of *The Oxford International Encyclopaedia of Legal History* (Oxford etc. 2009), as well as some particular articles in the monumental *International Encyclopaedia of the Social & Behavioural Sciences* (Amsterdam etc. 2001) which will primarily serve for obtaining of an overview in numerous interdisciplinary contacts with social and humanist sciences. Basic **information on the thematic and methodological trends in the historical sciences** can be obtained from the *Encyclopaedia of Historians and Historical Writing* (London-Chicago 1999), as well as individual contributions of several authors: Mirjana Gross (*Suvremena historiografija. Korijeni, postignuća, traganja*, second edition, Zagreb 2001), Stjepan Antoljak (*Hrvatska historiografija*, edited edition, 2004) and Z. Nikolić Jakus (*Uvod u studij povijesti. Historiografski praktikum*. Zagreb 2008). The last one is especially favoured by the students due to its practical use.

**Basic data and continued literature on particular historical periods or phenomena** can be found in the general historical review of the Croatian history such as the assembled work *Hrvatska i Europa*, vol. 1–4 (Zagreb 1997–2009). However, there are individual contributions of some authors such as Dragutin Pavličević (*Povijest Hrvatske*, Zagreb 2000) or Ivo Goldstein (*Hrvatska povijest*, Zagreb 2008).

There are also **reviews for the shorter time periods** for 19<sup>th</sup> and 20<sup>th</sup> centuries - we will mention only several: *Banska Hrvatska i Vojna Krajina od prosvijećenoga apsolutizma do 1848.* by Iskra Iveljić (Zagreb 2010), *Počeci moderne Hrvatske – neoapsolutizam u civilnoj Hrvatskoj i Slavoniji 1850.–1860.* by M. Gross (Zagreb 1985), *Prema hrvatskome građanskom društvu – društveni razvoj u civilnoj Hrvatskoj i Slavoniji šezdesetih i sedamdesetih godina 19. stoljeća* by M. Gross and A. Szabo (Zagreb 1992), *Hrvatska 1918.–2008.* by I. Goldstein (Zagreb 2008), *Hrvatska u Jugoslaviji 1945.–1990.* by Zdenko Radelić (Zagreb 2006) and assembled work *Stvaranje hrvatske države i Domovinski rat* (Zagreb 2006).

**Old maps or their simplified images** which are published in many works some of them even with appropriate texts, are also of the great importance for the legal history especially for the understanding of the administrative and territorial organization: *Hrvatski povijesni atlas* (Zagreb 2003), *Hrvatske granice 1918–1993.* by Ljubo Boban (last edition 1995), *Hrvatske županije kroz stoljeća* (Zagreb 1996) and 12 volumes of the collection *Hrvatska na tajnim zemljovidima 18. i 19. stoljeća* (Zagreb 1999–2009). As a part of wider, central European environment, the Croatian lands were also integrated in the *Historical Atlas of Central Europe* by Paul R. Magocsi (London 2002).

**Most of the above mentioned literature is accessible in the National and University Library (NUL) following free access principle, partly this is also possible in the Library of the Faculty of Law. During your research it is always useful to consult several libraries but do not forget that your paper can not only be based on the general reference**

**works. The aim of the referential literature is to serve as the first or sometimes a second step, while all other steps during writing of the paper depend on you, i. e. on specialized literature and sources.**

Although Croatian Wikipedia ([http://hr.wikipedia.org/wiki/Glavna\\_stranica](http://hr.wikipedia.org/wiki/Glavna_stranica)) has articles of good quality which are based on already mentioned literature, we recommend using it for your research only as the starting information or as the informal indicator toward more reliable sources. The reason for such careful approach is in the way the Wikipedia has been compiled.

However, let us come back to our narrow field of interest. Some of the works have emerged as **reviews of a law in force i.e. positive law**, and today, they are important and valuable orientation mark toward the legal history. Among the first to distinguish it is *Priručnik za političku upravnu službu u kraljevinah Hrvatskoj i Slavoniji* (Zagreb 1899–1905) in five volumes written by Milan Smrekar, also useful can be *Pomoćnik za odvjetnike, bilježnike i sudce* (Zagreb 1889 and 1909) by Adolf Rušnov and Stjepan Posilović as well as *Priručnik za redarstvenu službu* (Zagreb 1923) by Artur Walka. Similar reviews were published also latter such as *Moja prava – moje dužnosti: pravni savjetnik* (Zagreb 1979).

Great number of legal issues was published in the journal of the Lawyer's Association in Zagreb called *Mjesečnik* issued in a period from 1875 to 1945 (bibliography was regularly published for every year), and in 1900 there was a special print out of those bibliographies issued from the beginning of the journal to that year. However, it is also useful to consult *Odvjetnik*, the organ of the Association of the Croatian and Slavonian Attorneys which was published from 1927. Although much narrow in its scope (but due to its relative long tradition), this journal could be also a useful source for your study.

**So much from us on collecting suitable literature. We also believe that the instructions found in this Manual will be very helpful. Whenever it is possible (especially applicable for the legal documents), try always**

**to consult the official and original documents or check them in the collection of printed sources.**

Rules and Regulations which were promulgated by the Croatian Diet (Sabor) and the Provincial Government in the period from 1861 to 1918 including the texts of the common Hungarian-Croatian laws, were also published in the official publications under various names: *Spisi saborski, Sbornik zakonah i naredabah, Zbornik zakona i naredaba*. Official shorthand reports together with the conclusions of the Croatian Diet (Sabor) in the mentioned period were published under these names: *Dnevnik sabora, Stenografski*, i. e. *Stenografički zapisnici sabora i Saborski spisi*, together with accompanied directories i. e. *našastari i našastnici*.

In the period of neo-absolutism and pseudo constitutionalism there were several publications in German language such as *Landesgesetz - und Regierungsblatt für das Kronland Kroatien und Slavonien (Zemaljski zakonski list za kraljevine Hrvatsku i Slavoniju)*, from 1850 and *Landesregierungsblatt für die Königreiche Kroatien und Slavonien (Zemaljsko-vladni list za kraljevine Hrvatsku i Slavoniju)* from 1853.

The **Austrian Laws together with directives from the ruler and various ministries** were issued in the several Viennese publications such as: from 1817 (with some fragments from 1792) in *Politische Gesetze und Verordnungen*, however, from 1849 (with fragments from 1848) in *Allgemeines Reichs-gesetz und Regierungsblatt für das Kaiserthum Österreich (Obći deržavo-zakonski i vladni list za Carevinu Austriansku)*, from 1853 in *Reichs-Gesetz-Blatt für das Kaiserthum Österreich* and from 1870 in *Reichsgesetzblatt für die im Reichsrath vertretenen Königreiche und Länder (Dèržavo zakonski list za kraljevine i zemlje zastupane u vieću cesarevinskom)*, from 1892 in *List državnih zakona za kraljevine i zemlje zastupane u carevinskom vijeću*).

**Rules and regulations for Dalmatia** are published in several publications from the Dalmatian town of Zadar such as: *Landesgesetz - und*

*Regierungsblatt für das Kronland Dalmatien (List zakonah i dilopisah vlade za Krunovinu Dalmaciju)* from 1848; *Landesgesetz - und Regierungsblatt für das Kronland Dalmatien (List zakonah i dilopisah vlade za Krunovinu Dalmaciju)* from 1853; *Verordnungen der Landesbehörden für Dalmatien*, from 1860; *Gesetz - und Verordnungsblatt für Dalmatien*, from 1863; *Landes - Gesetz - und Verordnungsblatt für Dalmazien (Pokrajinski list zakonah i naredbah za Dalmaciju)* from 1868; and from 1889 to 1918 *Landes - Gesetz - und Verordnungsblatt für das Königreich Dalmatien (Pokrajinski list zakonah i naredbah za Kraljevinu Dalmaciju)*. Since 1861 the stenographic records of the Dalmatian Diet (Sabor) were published in Italian (*Relazioni stenografiche*), from 1869 they were mainly published in the Croatian language known as *Izvješća hitropisna i razglobna, Izvješća brzopisna i analitična* and *Brzopisna izvješća*.

**Rules and regulations for Margravate of Istria** were published from 1851 in *Landesgesetz - und Regierungsblatt für die reichsunmittelbare Stadt Triest und das Küstenland (Bollettino delle leggi e degli atti del Governo Trieste, città immediata dell' Impero, e per Litorale)*; from 1853 in the *Landes-Regierungs-Blatt für die Stadt Triest sammt Gebiet und das Küstenland (Bollettino provinciale della regenza per la città di Trieste col suo Territorio e per Litorale)*; from 1860 in *Verordnungen der Landesbehörden für das österreichisch-illirische Küstenland*; and from 1863 in the *Gesetze und Verordnungen der Landesbehörden für das österreichisch-illirische Küstenland (Bollettino delle leggi ed ordinanze per il Littorale Austro-Illirico)*. However, the stenographic records of the Istrian Diet (Sabor) together with *Atti della dieta provinciale dell' Istria*, i.e. *Dieta provinciale dell' Istria in Parenzo* (a smaller part are available in the digital format on the web site of the Istrian Sabor, <http://idb.arhivpro.hr/index.php>).

**Rules and regulations of the State of Serbs, Croats and Slovenes (SHS State)** are published in *Zbornik zakona i naredaba*, in the period from 1918 up to 1926. The regulations and laws concerning the Croatian-Slavonian lands



were published in the same official publication. The entire **Yugoslav state** in the inter-war period was covered by *Službene novine* issued in Belgrade. However, *Narodne novine* became in 1930 the official letter of **Savska banovina** (The Banate of Sava) and from 1939 of **Banovina Hrvatska** (The Banate of Croatia), while from 1941 it became the official letter of the **Independent State of Croatia**, and finally from 1945 of the **Federal Croatia**. At the same time, **from 1945, the federal laws and regulations** were published in *Službeni list* from Belgrade.

From 1918 the land government for Dalmatia issued an official publication called *Dalmatinski glasnik*, which after the organizational changes became *Službeni glasnik* for districts of Split, Dubrovnik, Primorska banovina (The Banate of Primorje), and for the branch office of the Ban administration of Banovina Hrvatska.

Students will also find useful *Stenografske beleške* i.e. stenographic records published from 1919 up to 1950's, by several state bodies; the Temporary National Council, the Constitutional Assembly; the National Assembly and the Senate of the first Yugoslav state together with other Federal representative bodies (including Anti-Fascist Council of National Liberation of Yugoslavia, AVNOJ).

The course of the only session of the Croatian Parliament (Sabor) during Independent State of Croatia was recorded and published in *Brzopisni zapisnici*, while many decades of the activity of the Croatian Parliament (Sabor) that originated from Anti-Fascist Council of National Liberation of Croatia (ZAVNOH) were recorded and published in series of *Stenografski zapisnici*.

However, it is important to mention that the **units of the local self-government** also kept the official publications as well as the records of their local representative bodies. For this purpose let us mention *Zapisnik skupštine zastupstva sl. i kr. glav. grada Zagreba* (from 1881), i.e. *Zapisnici o*

*sjednicama gradskog vijeća općine grada Zagreba* (1934–1939), also interesting are records of the Provincial Assembly of Zagreb District, published in a book *Radićev sabor 1927.–1928.* (Zagreb 1993).

The activities of many state bodies were not always aimed for the wide public, but because of their wide influence their records could also be interesting source for the legal history. Let us mention *Zapisnici Politbiroa Centralnog komiteta Saveza komunista Hrvatske* that cover period from 1945 to 1959 and published recently (Zagreb 2005–2011).

Numerous court sentences together with various investigative records were printed in four volumes of *Partizanska i komunistička represija i zločini u Hrvatskoj 1944.–1946.* (Slavonski Brod 2005–2011).

However, it is quite obvious that some important understanding of the relationship between the state and the law could be presented by other factors whose attitudes do not belong to the dominant or widely accepted school of thought (e. g. Stjepan Matković and Tihomir Cipek, *Programatski dokumenti hrvatskih političkih stranaka i skupina 1842.–1914.*, Zagreb 2006).

Certainly, the publication of legal regulations and other legal acts in printed mode is the modern principle. **Collections of the sources for the older periods do not have the official nature** and, as such, are published by the individual scientists or even by the entire teams of researchers. As for the general review on sources, students may use *Izvori za hrvatsku povijest do 1526.* by Nada Klaić (Zagreb 1972), and *Historijska čitanka za hrvatsku povijest* written by Jaroslav Šidak (Zagreb 1952). The period after Šidak is elaborating on, is followed again, by *Izvori za hrvatsku povijest* by N. Klaić up to 1671 in three volumes (Zagreb 1955–1959).

For the sources for earlier centuries it is worth consulting the collection of L. Margetić and Magdalena Apostolova Maršavelski *Hrvatsko srednjovjekovno pravo – vrela s komentarom* (edited issue Zagreb 1999). The same pattern is followed by the **huge publishing program of Yugoslav Academy of**

**Sciences and Arts, today Croatian Academy of Sciences and Arts, the material which have been today, predominantly available in digital format.**

Among others, in particular volumes of *Monumenta spectantia historiam Slavorum Meridionalium* (mainly with special titles) there are published **the oldest Croatian diplomas and charts** (issue 7 from 1877), notary and court records from Trogir from the 13<sup>th</sup> century (issue 44 from 1948, issue 45 from 1950 and issue 46 from 1951), those from Split originating from the 14<sup>th</sup> century (issue 53 from 2002), the decisions of the Council of the Republic of Dubrovnik from the 14<sup>th</sup> century (issue 10 from 1879, issue 13 from 1881, issue 27 from 1895, issue 28 from 1896 and issue 29 from 1897), **documents of the Croatian Diet from 1526 to 1630** (Saborski spisi; issue 33 from 1912, issue 36 from 1915, issue 39 from 1916, issue 41 from 1917 and issue 43 from 1918).

In the series of *Monumenta historico-iuridica Slavorum Meridionalium* which have not been yet available on line, there are printed **statutes and laws**: from Korčula (issue 1 from 1877), from Split (issue 2 from 1878), from Budva, Skradin and Lastovo (issue 3 from 1882–1883; those from Lastovo are also in the issue 8 from 1901), those from Vinodol, Poljice, Vrbnik, Kastav, Veprinac and Trsat (issue 4 from 1890), from Dubrovnik (issue 9 from 1904), from Trogir (issue 10 from 1915), from Brač (issue 11 from 1926), from Ilok (issue 12 from 1938) and those from Poreč (issue 13 from 1979), let us mention of several **Croatian written terriers** originating from the 15<sup>th</sup> century up to the 17<sup>th</sup> (issue 5 from 1894).

The collection of *Codex Diplomaticus Regni Croatiae, Dalmatiae et Slavoniae* (*Diplomatički zbornik*) continued to publish diplomas and charts by the chronological order up to the end of 14<sup>th</sup> century, while the decisions of the Councils from Dubrovnik with valuable records of some chancelleries and specific notaries were published separately as the part of *Monumenta historica Ragusina*. However, since 1869 many of the legal historical sources were

published in *Starine (Antiquities)* by Yugoslav (today Croatian) Academy of Sciences and Arts.

Important contribution to the publishing of the legal historical materials gave the Croatian State Archives with its collections of **Croatian Diet resolutions** covering the period from 1631 to 1847 (*Zaključci Hrvatskoga sabora*, Zagreb 1958–1980) and of **Croatian Kingdom councils** for the period from 1689 to 1848 (*Hrvatske kraljevske konferencije*, Zagreb 1985–1995). However, the activity of the first elected Croatian Diet from 1848 was elaborated in details in 4 volumes of *Hrvatski državni sabor 1848* (Zagreb 2001–2008).

From relevant legal historical collections of local importance, let us mention miscellaneous series called *Povjestni spomenici slob. kralj. grada Zagreba prijestolnice Kraljevine dalmatinsko – hrvatsko - slavonske* (published in 24 volumes from 1889 up to 2007), in which not only old diplomas and charts but also court sentences, testaments, property registers, magistrate protocols, etc. dating from the end of 11<sup>th</sup> up to the end of 18<sup>th</sup> century were published. *Povjesni spomenici plem. općine Turopolja nekoć "Zagrebačko polje" zvane*, were published in 4 volumes which elaborated on the period from the beginning of the 13<sup>th</sup> up to the end of 20<sup>th</sup> century. Although limiting in nature could also serve as important source.

Among thematically limited collections that have been already mentioned are the publications of the Split notary offices. Starting with 1959 they have been published under the title *Spisi zadarskih bilježnika* in edition of their local State archive. *Zapisnici Poglavarstva slobodnog i kraljevskog grada Varaždina* (Varaždin 1990–2006) were published in several volumes covering the period from the end of 14<sup>th</sup> century up to the beginning of 18<sup>th</sup>. Also, there are *Zapisnici Općine Osijek–Tvrđa* (Osijek 1965–1992), i. e. *Zapisnici općine Osijek* (Osijek 1996), *Zapisnik kraljevskog komorskog grada Osijeka* (Osijek 2005) and *Zapisnici grada Osijeka* (Osijek 2004–2008), which all together cover the history of the town of Osijek in the period from the beginning of 18<sup>th</sup> century up to the beginning of 20<sup>th</sup>.

Naturally, many statutes and other legal historical documents from the older periods have been prepared and mainly translated in the independent editions such as: *Statut grada Rijeke iz godine 1530.* (Zagreb 1948) and *Statut grada Šibenika* (Šibenik 1983) by Z. Herkov, *Poljički statut* by Miroslav Pera (Split 1988), *Statut grada Splita* (Split 1987), *Hvarski statut* (Split 1991) and *Brački statut* (edited issue Split 2006) by Antun Cvitanić, *Zadarski statut* by Josip Kolanović and Mate Križman (Zadar 1997), *Statut pulske općine* by M. Križman (Pula 2000), *Statut grada Dubrovnika* by Ante Šoljić et. al. (Dubrovnik 2002), *Statut grada Skradina* by Ante Birin (Skradin 2002), *Statut Dvigradske općine* by Jakov Jelinčić and Nella Lonza (Pazin 2007), *Rapski statut* (Rab 2004) and *Krčki (vrbanski) statut* (second edition, Krk 2008) by L. Margetić and Petar Strčić and *Statut Paške općine* by D. Čepulo et al. (Pag–Zagreb 2011), and finally, *Vinodolski zakon* by L. Margetić (Rijeka etc. 1989), *Istarski razvod* by Josip Bratulić (third edition Pula 2002) and *Grimanijev zakon* by Josip Ante Soldo (Zagreb 2005).

Due to the historical context, many relevant historical sources were published in the Croatia neighbouring countries. For example, older diplomas and charts were also published by the Hungarian Academy of Sciences in the collection called *Monumenta Hungariae historica – Diplomata*. Documents of the Council of the Republic of Dubrovnik were published by the Serbian Academy of Science and Arts in *Liber viridis* and *Liber croceus* in *Zbornik za istoriju, jezik i književnost srpskog naroda* (section 3). Several statutes and other relevant documents of some littoral towns was published in two Italian periodicals, *Atti e memorie della Società istriana di archeologia e storia patria* (from 1884 published in Trieste) and *Atti e memorie della Società dalmata di storia patria* (in 1926 initiated in Zadar, and from 1966–1975 in Rome, and today in Venice).