

Документ подписан простой электронной подписью
Информация о владельце:
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Должность: Ректор
Дата подписания: 02.06.2023 20:24:25
Уникальный программный ключ:
ca953a0120d891083f939673078ef1a989dae18a

**Federal State Autonomous Educational Institution for Higher Education
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
named after Patrice Lumumba**

LAW INSTITUTE

educational division (faculty/institute/academy) as higher education programme developer

COURSE SYLLABUS

RUSSIAN LEGAL SYSTEM AND LEGAL TRADITIONS

course title

Recommended by the Didactic Council for the Education Field of:

40.03.01 JURISPRUDENCE

field of studies / speciality code and title

The course instruction is implemented within the professional education programme of higher education:

BACHELOR OF LAWS (LLB)

higher education programme profile/specialisation title

1. COURSE GOAL(s)

The goals of the course are to:

1. facilitate obtaining introductory knowledge of contemporary Russian law and legal system;
2. help students understand how the Russian law works in context and correlates with other legal systems;
3. facilitate gaining skills in searching and analyzing the sources of Russian law available in English;
4. develop the capacity to analyze Russian legislation and case law.

2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course is aimed at the Bachelor's students' formation of the following competences (part of competences):

Table 2.1. List of target competences (parts of competences)

| Code (GC, GPC, PC) | Competence | Competence indicators |
|-----------------------------|---|---|
| GC-1 | GC-1. Can search for information, perform its critical analysis and synthesis, apply systematic approach to complete the tasks. | GC-1.1. Analyzes the task while identifying its basic components. |
| GC-5 | GC-5. Can comprehend the cross-cultural diversity in the sociohistorical, ethical and philosophical contexts. | GC-5.1. Interprets the history of Russia in the context of global historical development; GC-5.2. Demonstrates tolerant perception of social and cultural differences, respectful and careful attitude to the historic heritage and cultural traditions; GC-5.3. Considers the historic heritage and sociocultural traditions of various social groups, ethnic groups and confessions, including world religions, philosophical and ethical teachings in social and professional interaction; GC-5.4. Follows the principles of non-discriminatory interaction in personal and mass communication to complete professional tasks and improve social integration. |
| PC-5 | PC-5 Is able to apply the comparative legal method and use the knowledge of foreign legal systems in practice. | PC-5.1. Knows the specifics of the comparative legal method and the features of its use in legal practice; PC-5.2. Knows the specifics of the legal systems, judicial systems, the legal profession structure in the major countries and the main trends of law development in the modern world; PC-5.3. Can use the comparative legal method to identify general and specific features of the compared objects and search for unified legal solutions; PC-5.4. Masters the skills of using the comparative legal method and the results of comparative legal research when comparing various legal solutions and |

| Code (GC, GPC, PC) | Competence | Competence indicators |
|-----------------------------|------------|--|
| | | deciding on best practice, considering the international experience. |

3. COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE

The course refers to the variable component of (B1) block of the higher educational programme curriculum.

Within the higher education programme students also master other (modules) and / or internships that contribute to the achievement of the expected learning outcomes as results of the course study.

Table 3.1. The list of the higher education programme components/disciplines that contribute to the achievement of the expected learning outcomes as the course study results

| Competence code | Competence descriptor | Previous courses/modules* | Subsequent courses/modules* |
|-----------------|---|---------------------------|---|
| GC-1 | GC-1. Can search for information, perform its critical analysis and synthesis, apply systematic approach to complete the tasks. | Theory of State and Law | History of Russian State and Law Civil law Administrative Law Constitutional Law Comparing Legal Techniques |
| GC-5 | GC-5. Can comprehend the cross-cultural diversity in the sociohistorical, ethical and philosophical contexts. | | History of Russian State and Law Civil law Administrative Law Constitutional Law Comparing Legal Techniques |
| PC-5 | PC-5 Is able to apply the comparative legal method and use the knowledge of foreign legal systems in practice. | | History of Russian State and Law Civil law Administrative Law Constitutional Law Comparative Law Studies Comparative Constitutional Law and Justice Comparative Administrative Law and Justice Comparative Criminal Law Comparing Legal Techniques Comparative Civil and Commercial Law Comparative Criminal Procedure Comparative Civil Procedure Comparative Financial and Tax Law |

* To be filled in according to the competence matrix of the higher education programme.

4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

The total workload of the course is 3 credits (108 academic hours).

*Table 4.1. Types of academic activities during the periods of higher education programme mastering (**full-time training**) **

| Type of academic activities | Total academic hours | Semesters/training modules | | | |
|---|----------------------|----------------------------|------------|-----|-----|
| | | 1/1 | 1/2 | 1/3 | 1/4 |
| <i>Classroom learning, academic hours</i> | 36 | 36 | | | |
| including: | | | | | |
| Lectures (LC) | 18 | 18 | | | |
| Lab work (LW) | | | | | |
| Seminars (workshops/tutorials) (S) | 18 | 18 | | | |
| <i>Self-studies</i> | 54 | 54 | | | |
| <i>Evaluation and assessment (exam/passing/failing grade)</i> | 18 | 18 | | | |
| Course workload | academic hours | 108 | 108 | | |
| | credits | 3 | 3 | | |

5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

| Course module title | Course module contents (topics) | Academic activities types |
|---|--|---------------------------|
| Chapter 1. Introduction to the course. | Aims and objectives of the course. English language sources on the Russian law and legal system. Studying Russian law in English: terminological and cultural difficulty. Russian legal system as a continental legal system. The civil law tradition in “socialist law” and contemporary Russian law. Russian law in context. Legal research on Russian law. English-language resources: legislation and court judgments. | LC / S |
| Chapter 2. Sources of Russian law and their hierarchy. | Sources of law in the Russian legal system. Hierarchy of legal rules (norms) in the Russian legal system. Legislation and other normative acts as the sources of law. Collisions between the sources of law. Debates on the role of the judicial decisions. Decisions of the European Court of Human Rights and the Constitutional Court in the Russian legal system. | LC / S |
| Chapter 3 Federalism. Division of powers between the federation and the regions | Structure of the Federation. “Asymmetric” federalism. The Federation Treaty and the Constitution. Developments of the Russian Federation: from “parade of sovereignties” to the “vertical of power”. Delineating powers between the federation and the subjects. Federal requirement regarding governmental structure of subjects of federation. From elections to nomination of governors and back again. | LC / S |
| Chapter 4 Separation of Powers. Russian Presidency. The executive branch. The Federal Assembly. | Russian model of the separation of powers. Executive power, the President and the Government. Presidential powers. Implied powers. The Government’s role and powers. The State Duma and the Federation Council. Checks and | LC / S |

| Course module title | Course module contents (topics) | Academic activities types |
|---|--|---------------------------|
| | balances in the Constitution and later statutes. Para-constitutional institutions. Prokuratura (prosecutors' office): its status in the legal system, role and powers. | |
| Chapter 5. Election law and the electoral system. | Main principles of election system: State Duma, Federation Council and Presidential elections. Voting rights. Regulation of political advertising and media coverage of elections. Finance of the election campaigns. Election-related legal disputes. Judicial protection of electoral rights. Referenda. | LC / S |
| Chapter 6. Judicial system. The Constitutional Court | Judicial power in the system of the separation of powers. The constitutional grounds for judicial power. Structure of courts in 1993 and subsequent changes. Liquidation of the High Court of Arbitration (Arbitrazh Court) and re-appointment procedure for judges. The Constitutional Court. Independence of judges: institutional guarantees and contextual difficulties. The 1991 Concept of judicial reform and "bringing justice to perfection": strengthening the independence of judges, improving the transparency and accessibility of courts, raising public trust in the judicial system and safeguarding the enforcement of judicial decisions. Introduction of justices of the peace and jury trials. Transparency of courts and publication of judicial decisions. Selection and appointment of judges, professional ethics and responsibility, dismissal from office. Transformation of judicial power on legislative and institutional levels. Judicial review and effectiveness of remedies. | LC / S |
| Chapter 7. Russian Civil law (other than copy-right law, intellectual property and inheritance). Property rights. | Civil Code of the Russian Federation: general overview. Civil legislation and other acts containing norms of civil law. Relations regulated by civil legislation. Means of protection of civil law rights. Declaration of an act of a state agency or of an agency of self-government as invalid. Self-protection of civil rights. Individuals (citizens). Incapacitation. Legal persons and their types. Legal capacity of a legal person. Ownership. Obligations: definitions, performance of obligations and means to secure performance. Contracts: definition and terms, conclusion of a contract, change and rescission of a contract. Transactions and representation. Compensation for damages. The rights of bone fide buyer. Torts (obligations as a result of causing harm). Liability for causing harm. | LC / S |

| Course module title | Course module contents (topics) | Academic activities types |
|---|--|---------------------------|
| Chapter 8. Criminal law | Russian Criminal Code of 1996 and amendments: general overview. Main tendencies in the evolution of criminal law since 1996. Criminalization and decriminalization of acts. Problems in application and classification of crimes. Between the offenses and crimes: administrative sanctions versus criminal sanctions. Abuse of criminal law by the law enforcement and the parties to civil disputes. Disputes on the necessity of Criminal Code reform. | LC / S |
| Chapter 9. Russian Administrative Law. Code of Administrative Offenses. Code of Administrative Procedure. | What we understand under administrative law in Russia compared to other countries. Administrative law and effective administration. Principles of the Russian administrative law. Administrative control and controlling bodies. Judicial review over the acts of administrative bodies. Code of administrative offenses. Administrative procedure. Code of Administrative Procedure (KAC) and first steps in its application (2015). | LC / S |
| Chapter 10. Labour law | The history of Labour Codes in Russia. fundamentals of labour legislation (purposes of labour legislation; basic principles of regulation; non-discrimination; prohibition of forced labour; the system of labour legislation); the respective competencies in labour law making of the Russian Federation and of its constituents; labour relations, their parties and grounds for establishment, including employee's and employer's basic rights and responsibilities; social partnership, including tripartite cooperation, collective bargaining and workers' participation; employment agreement; protection of workers' personal data; conditions of work, including work time; rest time, including leave; remuneration; labour discipline; health and safety; women's labour, including maternity protection; youth (under 18 years of age) labour; seasonal work, working from home, housework, etc.; work in a number of specific sectors, including education and transportation; protection of workers' rights by the trade unions; labour disputes settlement. | LC / S |

* - to be filled in only for **full**-time training: LC - lectures; LW - lab work; S - seminars.

6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

Table 6.1. Classroom equipment and technology support requirements

| Type of academic activities | Classroom equipment | Specialised educational / laboratory equipment, software, and materials for course study (if necessary) |
|-----------------------------|--|---|
| Lecture | A lecture hall for lecture-type classes, equipped with a set of specialised furniture; board (screen) and technical means of multimedia presentations. | Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome |
| Lab work | A classroom for laboratory work, individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and machinery. | Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome |
| Seminars | A classroom for conducting seminars, group and individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and technical means for multimedia presentations. | Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome |
| Computer Lab | A classroom for conducting classes, group and individual consultations, current and mid-term assessment, equipped with personal computers (in the amount of 30 pcs), a board (screen) and technical means of multimedia presentations. | Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome |
| Self-studies | A classroom for independent work of students (can be used for seminars and consultations), equipped with a set of specialised furniture and computers with access to the electronic information and educational environment. | Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome |
| Courtroom | A classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection. | Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome |

* It is necessary to specify a classroom for self-study of students

7. RESOURCES RECOMMENDED FOR COURSE STUDY

Main reading (sources):

1. Kozlikhin, Igor Yu., Pugachev, Valerii V., Zayachkovskii, Oleg A., Szpoper, Dariusz. 2019. "Russian legal tradition". Vestnik of Saint Petersburg University. Law 4: 815–826.
<https://doi.org/10.21638/spbu14.2019.413>

2. Kurkchiyan, Marina. "Russian Legal Culture: An Analysis of Adaptive Response to an Institutional Transplant." *Law & Social Inquiry*, vol. 34, no. 2, 2009, pp. 337–64. JSTOR, <http://www.jstor.org/stable/30234228>. Accessed 31 Oct. 2022.

3. Elena Lukyanova. (2015). On the Rule of Law in the Context of Russian Foreign Policy. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&site=eds-live&db=edsbas&AN=edsbas.C236B131>

4. Esakov, G. (2012). The Russian Criminal Jury: Recent Developments, Practice, and Current Problems. *American Journal of Comparative Law*, 60(3), 665–702. <https://doi.org/10.5131/AJCL.2011.0031> Alan Uzelac (ed.). *Goals of Civil Justice and Civil Procedure in Contemporary Judicial Systems (Ius Gentium: Comparative Perspectives on Law and Justice)*. Springer, 2014

Additional (optional) reading (sources):

1. Eremyan, E., Galitsky, E. and Chermit, R. (2021) "The role of constitutional policy in the formation of a democratic society and the rule of law in the conditions of the Russian legal system", *Oñati Socio-Legal Series*, 11(6(S)), pp. S352-S372. Available at: <https://opo.iisj.net/index.php/osls/article/view/1414>

2. Pomorski, S. (1998). *Reforming Justice in Russia, 1864–1996: Power, Culture, and the Limits of Legal Order*. Edited by Solomon Peter H. Jr. Armonk, NY, and London: M. E. Sharpe, 1997. 406p. \$82.95. *American Political Science Review*, (02), 493. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&site=eds-live&db=edsrep&AN=edsrep.a.cup.apsrev.v92y1998i02p493.494.21>

3. Thorson, C., & Palgrave Connect (Online service). (2012). *Politics, Judicial Review, and the Russian Constitutional Court*. Houndmills, Basingstoke, Hampshire: Palgrave Macmillan. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&site=eds-live&db=edsebk&AN=439235> *International Encyclopedia of Comparative Law*. Vol. XVI. Civil Procedure. Chapter II. History of Civil Procedure. (B.C. van Caenegem).

4. Nancy Shields Kollmann, « Criminal Justice in Early Modern Russia », *Crime, Histoire & Sociétés / Crime, History & Societies* [En ligne], Vol. 21, n°2 | 2017, mis en ligne le 19 juillet 2020, consulté le 31 octobre 2022. URL : <http://journals.openedition.org/chs/1850>; DOI : <https://doi.org/10.4000/chs.1850>

5. Kleandrov M. On the directions of improving the mechanism of judicial power in ensuring the fairness of justice // *Gosudarstvo i pravo – 2021*. – Issue 3 C. 7-23 [Electronic resource]. URL: <https://gospravo-journal.ru/S102694520014034-8-1> DOI: 10.31857/S102694520014034-8

Internet-(based) sources:

1. Electronic libraries with access for RUDN students

- RUDN Electronic Library System (RUDN ELS) <http://lib.rudn.ru/MegaPro/Web>
- EL "University Library Online" <http://www.biblioclub.ru>
- EL "Yurayt" <http://www.biblio-online.ru>
- EL "Student Consultant" www.studentlibrary.ru
- EL "Lan" <http://e.lanbook.com/>
- EL "Trinity Bridge"

2. Databases and search engines:

- electronic foundation of legal and normative-technical documentation <http://docs.cntd.ru/>
- Yandex search engine <https://www.yandex.ru/>
- Google search engine <https://www.google.ru/>

- Scopus abstract database <http://www.elsevier.com/locate/0167-4169>

Training toolkit for self- studies to master the course *:

* The training toolkit for self- studies to master the course is placed on the course page in the university telecommunication training and information system under the set procedure.

8. ASSESSMENT TOOLKIT AND GRADING SYSTEM* FOR EVALUATION OF STUDENTS' COMPETENCES LEVEL UPON COURSE COMPLETION

The assessment toolkit and the grading system* to evaluate the competences formation level (competences in part) upon the course study completion are specified in the Appendix to the course syllabus.

* The assessment toolkit and the grading system are formed on the basis of the requirements of the relevant local normative act of RUDN University (regulations / order).

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