

Federal State Autonomous
educational institution of higher education
RUSSIAN PEOPLES FRIENDSHIP UNIVERSITY
Institute of Law
Department of Theory of Law and State

Recommended by ISSC

THE WORKING PROGRAM OF THE DISCIPLINE
COMPARATIVE LAW RESEARCH

Specialty: *40.04.01 «Law»*

1. Aims and objectives:

The present course syllabus, schemes and definitions are taught within the Professional Cycle Disciplines (Basic Part) and intended for first year LLM students.

This course examines the development and contemporary state of Comparative law in the context of fundamental social and legal problems. The study of the course provides for students an opportunity to significantly expand the knowledge and, consequently, more deeply explore the controversial legal issues. The course is designed to reflect the latest achievements of science and practice in this area of expertise.

The course syllabus was designed to optimize the learning process, improve the efficiency of acquisition of knowledge by students, assist in the organization of students' self-study.

Students will extend their ability to:

- formulate and justify their own arguments and conclusions in seminar discussions;
- communicate ideas and arguments effectively, with supporting evidence, in class discussion and in writing;
- modify as well and defend their own position;
- think critically and challenge assumptions;
- use information technology for research and assignment presentation;
- manage their time and organize their own study methods and workload;
- work effectively with others as part of a team or group in seminar.

The course syllabus comprises:

- study guide;
- course content, which comprises the theme and structure of lectures and seminars;
- course paper topics;
- sources for course studies;
- glossary;
- course studies recommendations;
- student assessment and course evaluation.

This course as well as the schemes on basic topics and definitions allow students' to pursue an in-depth study of a topic in the field of law. Also the courses ensure training which is directly relevant to research work and practical work.

The aims of the discipline are to familiarize the students with the categorical apparatus that allows to describe the basic issues of Comparative law, to introduce various approaches to comparative interpreting of law, classical and contemporary doctrines of law suggested by famous scientists, to give an idea about the comparative interpretation of basic legal concepts, norms, institutions, legal systems. The course is based on doctrinal works on Comparative law research of well-known classical and modern authors.

Each unit of the course is organized around a controversial issue that raises important questions for which there are often more than one good answer. Indeed, each segment raises more questions than it answers. This is not intended to frustrate but to provoke thought, and to encourage anyone who chooses to pursue a career in Law to develop a clearer idea of their own values and beliefs and to provide them with the means and the confidence to articulate and defend those beliefs. The student has an opportunity to apply a comparative and legal method in the professional activity, seizes skills of practical use of comparison for identification of the general and special signs of the compared objects and search of uniform legal decisions

2. Course in academic programme structure

The Comparative Law Research is taught within the Professional Cycle Disciplines (Basic Part) and intended for first year LLM students. The course examines the development and contemporary state of Comparative law in the context of fundamental social and legal problems.

The study of the course provides for students an opportunity to significantly expand the knowledge and, consequently, more deeply explore the controversial legal issues. The course is designed to reflect the latest achievements of science and practice in this area of expertise. The knowledge gained by students in this course can further be used in the study of the following subjects: *The History of Political and Legal Studies*, *The History and Methodology of Legal Science*, *The Philosophy of Law* and the professional disciplines within different Master's Programs.

Mandatory discipline of the basic part of the professional cycle (B1.B.01); In order to successfully develop the discipline, the student must have the knowledge, skills and competencies formed by studying the following disciplines: social science, state theory and law.

3. Competence requirements on the course completion

On completion of the course the student will acquire the following universal (UC) and general professional competences (GPC):

UC-1 - Able to carry out a critical analysis of problem situations based on a systematic approach, develop an action strategy

UC-5 - Able to analyze and take into account the diversity of cultures in the process of intercultural interaction

UC-7 - Able to use digital technologies and methods of searching, processing, analyzing, storing and providing information in the field of professional activity in the digital economy and modern corporate information culture

GPC-1 - Able to analyze non-standard situations of law enforcement practice and offer the most balanced options for their solution

GPC-2 – Able to independently prepare expert legal opinions and conduct an examination of legal acts

GPC-3 - Able to competently interpret legal acts, including in situations where there are gaps and conflicts of laws

GPC-5 – Able to independently draw up legal documents and develop drafts of normative (individual) legal acts

GPC-7 - Able to apply information technology and use legal databases to solve professional problems, taking into account the requirements of information security

Preceding and subsequent disciplines aimed at the formation of competencies

№	Code and name of competence	Preceding disciplines	Subsequent disciplines
Universal competences			
1.	UC -1 able to carry out a critical analysis of problem situations based on a systematic approach, develop an action strategy		Research Work; Educational Internship (Teaching).
2.	UC-5 able to analyze and take into account the diversity of cultures in the process of intercultural interaction		
3.	UC-7 able to use digital technologies and methods of searching, processing, analyzing, storing and providing information in the field of professional activity in the digital economy and modern corporate		Research Work

	information culture		
General professional competences			
4.	GPC -1 able to analyze non-standard situations of law enforcement practice and offer the most balanced options for their solution		Academic Practice and Legal Consulting and Scientific Research Internship.
5.	GPC-2 able to independently prepare expert legal opinions and conduct an examination of legal acts		
6.	GPC-3 able to competently interpret legal acts, including in situations where there are gaps and conflicts of laws		
6.	GPC-5 able to independently draw up legal documents and develop drafts of normative (individual) legal acts		Academic Practice and Legal Consulting and Scientific Research Internship.
7.	GPC-7 able to apply information technology and use legal databases to solve professional problems, taking into account the requirements of information security		

As an outcome of the course the student will be able:

To know:

- Specifics of legal system, judicial systems, structure of legal profession of leading foreign states, main trends of development of law in the modern world;
- Legal terminology, legal concepts and designs;
- Rules, techniques and tools required by law-making and enforcement entities at the stage of conceptual development of draft legal acts and legal documents, as well as at the stages of their writing and execution

To be able:

- Apply a comparative legal method in their professional activities;

To have:

- Skills of practical use of comparison to identify common and special features of compared objects and to find common legal solutions;

4. The course workload and academic activities

The course is aimed at master 's students studying in Law.

The course curriculum is designed in accordance with the curriculum, which provides 72 hours of study, including self-employment, to master 's students to study the curriculum "Jurisprudence." Of these, 32 hours of classroom classes, 16 hours of lectures, 16 hours of seminar (practical) sessions (including seminars held in interactive forms - 6 hours).

The course is based on lectures, seminar classes and independent work of students. Students 'knowledge is monitored at seminar classes, as well as during the first and final assessment.

For each topic, students are offered a list of mandatory and additional literature recommended for study.

The innovation of the course is evident in the following:

- Special attention was paid to the dynamics of the law, issues of the conditionality of legal development to the level of development of society and state structures, the general cultural aspects of legal regulation,

- The course is aimed at students' independent study of normative material, with one of the objectives of the course being to train students to relate the obtained theoretical knowledge to specific legal norms in which theoretical and legal constructs are embodied,

- the technique of teaching assumes wide use of interactive forms of education during which interaction in educational process happens on the following basis of the direction: the teacher student, the teacher group, the student student, the student group, in connection with the main form of knowledge acquisition chosen as a teaching technique, besides lectures, is a discussion with a support on standard, analytical and law-enforcement material.

Total workload - 2 credits, 72 hours.

Academic Activities	Total workload	Semester			
		1	2	3	4
Sessions	32		32		
Including:	-		-		
Lectures	16		16		
Seminars/Tutorials/Workshops	16		16		
Independent Learning:	40		40		
Total Workload - Academic Hours:	72		72		
	2		2		

5. Course content and sequencing

5.1 Course Units (Topics).

№	Название разделов дисциплины	Краткое содержание разделов дисциплины
1	Topic 1. Nature of comparative jurisprudence.	Concept of comparative law. Comparative law: method or science. Comparative law and comparative law. Goals and objectives of comparative law. Value of comparison of legal studies. Use of comparison results.
2	Topic 2. Legal picture of the world (legal geography).	Law is a combination of "national," world "and self-development. General legal trends in development. Global world imperatives. National-state differences in law (source, structural-normative, specificity of systems of national legislation, specificity of concepts of terms, normative language, style, etc.).
3	Topic 3. Objects of comparative jurisprudence.	Legal reality as an object of comparative law (processes of development of foreign states, their policy in the legal sphere, relations to the law as a phenomenon of legal life, law-making and role of the law; The state of justice; The state itself through the lens of law). Legal systems of States as a structured and organized normative body. National legislation (origins, industry classification criteria). Laws and legal acts. Legal technique. Legal arrays and complexes forming in interstate associations.
4	Topic 4. Methodology of comparative jurisprudence.	Main categories and concepts of comparative jurisprudence. Diachronny and synchronous comparison. Internally and external comparison. Comparison at the microlevel and macrolevel. Normative and functional comparison. Problems of classifications of legal families
5	Topic 5. Levels of comparative jurisprudence.	The legal space of the world, as a single right with unified historical roots, embodied in the legal consciousness, legal customs and traditions. World law theory. Legal families as groups and communities, driven by the general historical roots, structural-functional and stylistic features of law.

		Processes for the formation of new groups and communities of national legal systems. Law of the international community. Impact of international law on the legal space of the world and national legal systems.
6	Topic 6. Comparative jurisprudence in the conditions of globalization.	The notion of globalization. Universality of European values. Demands of globalization. Leveling State and legal systems, expanding the range of Western-style democracies; The establishment of the rule of law on all continents; Strengthening the protection of human rights, especially the right to property. The problems of the truth of European values as universal. Legal pluralism.
7	Topic 7. Problems of comparative jurisprudence in the solution of problems of the European legal space.	Levels of analysis of the European legal space: legal family, legal state. Comparative study of European legal systems as a way to identify common and manageable differences between them. Development of criteria for the rule of law through comparative analysis of the experience of European countries. Establishment of legal standards to distinguish between the rule of law and non-law. Specifying pan-European human rights standards.
8	Topic 8. Deleting of sides between the romano-German and Anglo-Saxon legal systems.	Relative nature of classifications of national legal systems. Interinterpretation of traditional sources of law (narrative law, judicial precedent). Commonality of a legal culture based on unified liberal values. Reducing the relevance of issues to the division of the right to public and private, substantive and procedural. Convergence in the systematization and codification of law, methods of legal education.
9	Topic 9. A role of comparative and legal researches in the course of unification of the right.	Mechanisms for bringing national legal systems closer together. Conflict of laws rules. Recipe right: technology, volumes. Harmonization of legislation. Use of independent arbitration procedures. Legal means of bringing legislation closer together. Model legislation. Model law (concept, subjects of adoption, nature, content). Unification of legal norms. International legal assistance.
10	Topic 10. Scientific and practical importance of comparative jurisprudence.	Enrichment of national legal science through the use of comparative legal research. Cognitive, scientific-information, academic, research nature of comparative-legal works. Expansion of the outlook of students receiving legal education, allowing to compare different versions of legal solutions and choose the best, taking into account foreign experience. Use of comparative jurisprudence in the law-making process. Preparation of information and analytical materials for legal project. Implementation of conclusions, results of comparative legal study in the process of interpretation of provisions of constitutions and laws. The role of comparative law in interstate construction, legal aid, offering various mechanisms for legal integration and convergence of right-wing systems.

5.2. Course Units and Academic Activities

№	Course Units	Lectures	Practicums	Labwork	Seminars	Independent work	Total
1.	Topic 1. Nature of comparative jurisprudence.	1			1	4	6
2.	Topic 2. Legal picture of the world (legal geography).	1			1	4	6
3.	Topic 3. Objects of comparative jurisprudence.	1			1	4	6
4.	Topic 4. Methodology of comparative jurisprudence.	1			1	4	6
5.	Topic 5. Levels of comparative jurisprudence.	2			2	4	8
6.	Topic 6. Comparative jurisprudence in the conditions of globalization.	2			2	4	8
7	Topic 7. Problems of comparative jurisprudence in the solution of problems of the European legal space.	2			2	4	8

8	Topic 8. Deleting of sides between the romano-German and Anglo-Saxon legal systems.	2			2	4	8
9	Topic 9. A role of comparative and legal researches in the course of unification of the right.	2			2	4	8
10	Topic 10. Scientific and practical importance of comparative jurisprudence.	2			2	4	8
		16			16	40	72

6. Seminars /Tutorials / Workshops

№	Seminars Units (Topics) Number	Seminars/Tutorials/Workshops Topics	Total Workload (hours)
1.	Topic 1. Nature of comparative jurisprudence.	Concept of comparative law. Comparative law: method or science. Comparative law and comparative law. Goals and objectives of comparative law. Value of comparison of legal studies. Use of comparison results.	1
2.	Topic 2. Legal picture of the world (legal geography).	Law is a combination of "national," world "and self-development. General legal trends in development. Global world imperatives. National-state differences in law (source, structural-normative, specificity of systems of national legislation, specificity of concepts of terms, normative language, style, etc.).	1
3.	Topic 3. Objects of comparative jurisprudence.	Legal reality as an object of comparative law (processes of development of foreign states, their policy in the legal sphere, relations to the law as a phenomenon of legal life, law-making and role of the law; The state of justice; The state itself through the lens of law). Legal systems of States as a structured and organized normative body. National legislation (origins, industry classification criteria). Laws and legal acts. Legal technique. Legal arrays and complexes forming in interstate associations.	1
4.	Topic 4. Methodology of comparative jurisprudence.	Main categories and concepts of comparative jurisprudence. Diachronny and synchronous comparison. Internally and external comparison. Comparison at the microlevel and macrolevel. Normative and functional comparison. Problems of classifications of legal families	1
5.	Topic 5. Levels of comparative jurisprudence.	The legal space of the world, as a single right with unified historical roots, embodied in the legal consciousness, legal customs and traditions. World law theory. Legal families as groups and communities, driven by the general historical roots, structural-functional and stylistic features of law. Processes for the formation of new groups and communities of national legal systems. Law of the international community. Impact of international law on the legal space of the world and national legal systems.	2
6.	Topic 6. Comparative jurisprudence in the conditions of globalization.	The notion of globalization. Universality of European values. Demands of globalization. Leveling State and legal systems, expanding the range of Western-style democracies; The establishment of the rule of law on all continents; Strengthening the protection of human rights, especially the right to property. The problems of the truth of European values as universal. Legal pluralism.	2
7	Topic 7. Problems of comparative jurisprudence in the solution of	Levels of analysis of the European legal space: legal family, legal state. Comparative study of European legal systems as a way to identify common and manageable differences between them. Development of criteria for the rule of law through comparative analysis of the	2

	problems of the European legal space.	experience of European countries. Establishment of legal standards to distinguish between the rule of law and non-law. Specifying pan-European human rights standards.	
8	Topic 8. Deleting of sides between the romano-German and Anglo-Saxon legal systems.	Relative nature of classifications of national legal systems. Interinterpretation of traditional sources of law (narrative law, judicial precedent). Commonality of a legal culture based on unified liberal values. Reducing the relevance of issues to the division of the right to public and private, substantive and procedural. Convergence in the systematization and codification of law, methods of legal education.	2
9	Topic 9. A role of comparative and legal researches in the course of unification of the right.	Mechanisms for bringing national legal systems closer together. Conflict of laws rules. Recipe right: technology, volumes. Harmonization of legislation. Use of independent arbitration procedures. Legal means of bringing legislation closer together. Model legislation. Model law (concept, subjects of adoption, nature, content). Unification of legal norms. International legal assistance.	2
10	Topic 10. Scientific and practical importance of comparative jurisprudence.	Enrichment of national legal science through the use of comparative legal research. Cognitive, scientific-information, academic, research nature of comparative-legal works. Expansion of the outlook of students receiving legal education, allowing to compare different versions of legal solutions and choose the best, taking into account foreign experience. Use of comparative jurisprudence in the law-making process. Preparation of information and analytical materials for legal project. Implementation of conclusions, results of comparative legal study in the process of interpretation of provisions of constitutions and laws. The role of comparative law in interstate construction, legal aid, offering various mechanisms for legal integration and convergence of right-wing systems.	2

7. Material support of discipline:

Computer, projector, audio system, internet access, magnetic whiteboard / whiteboard, markers / crayons. Optional: flipchart, interactive whiteboard, audi torium with round / oval table, copier.

8. Information support of the discipline

Software: System Garant, System Consultant +

Databases, information reference and search systems : UN Audiovisual Library (<http://legal.un.org/avl/>), UN Digital Library (<http://digitallibrary.un.org/>), Eurasian Economic Commission Library (<http://eec.eaeunion.org/ru/Pages/library.aspx>).

Databases, reference and search systems

1. Electronic library system RUDN - EBS RUDN <http://lib.rudn.ru/MegaPro/Web>
2. University library online <http://www.biblioclub.ru>
3. EBS Yurayt <http://www.biblio-online.ru>
4. NEB Elibrary <http://elibrary.ru>
5. Student [advisor www.studentlibrary.ru](http://www.studentlibrary.ru)
6. EBS "Doe" <http://e.lanbook.com/>
7. EBS Yurayt <http://www.biblio-online.ru>

9. Educational and methodological support of the discipline.

Main literature:

1. Marchenko Mikhail Nikolayevich. Comparative Law [Text/Electronic Resource]: Textbook/M.N. Marchenko. And additional; Electronic text data. - Moscow: Prospect, 2017, 2018. - 784 p.
2. Osakwe Christopher. Comparative Jurisprudence in Schemes: General and Special Parts [Text]: Educational and Practical Manual/K. Osakwe. And additional - M.: Case, 2002. - 464 p.
3. Pavlova Natalia Georgievna. Comparative Law: Educational and Methodological Manual for Masters/N.G. Pavlova. - 2nd Ed., Re-Work - M.: Ed. Rudn, 2018. - 126 p.
4. Saidov Akmal Holmatovich. Comparative Law and Legal Geography of the World [Text]/A.H. Saidov. - M., 1993. 148 p.
5. Saidov Akmal Holmatovich. Comparative law. Basic legal systems of modern times [text]: Textbook/A.H. Saidov; Under ed. V.A.Tumanov. - M.: Lawyer, 2005. - 442 p.

10. Course studies recommendations

Lectures: Oral systematic and coherent presentation of the material by section discipline. Lectures are held with the support of multimedia: audiovisual, and presentation.

Seminars/Tutorials/Workshops: Seminars give students the opportunity to examine the topic in more detail. During this form of training students with the assistance of their instructor discuss questions raised in lectures, reports, essays.

Tutorials and workshops combine theory with practical implications and help students to enhance their own practice in the field of comparative law research through case studies and quizzes on every topic under study.

Individual writing: Students' writing (essays, article reviews, course paper, and thesis) or presentations should independently identify an appropriate research topic, critically select and apply appropriate research methodology and data collection methods to their chosen research topic, and demonstrate a rigorous understanding of the theory and literature relevant to the issues under investigation.

11. Fund of assessment tools for intermediate certification of students in the discipline

The fund of assessment tools, formed for the current monitoring of progress and intermediate certification of students in the discipline "Comparative Law Research" is presented in Appendix 1 to the work program of the discipline and includes:

- a list of competencies formed in the course of internship;
- description of indicators and criteria for assessing competencies, description of assessment scales;
- typical control tasks or other materials necessary to assess knowledge, skills, skills and (or) experience of activities, characterizing the level of competence formation;
- methodological materials that determine the procedures for assessing knowledge, skills, skills and (or) experience of activities, characterizing the level of competence formation.

Materials for assessing the level of mastering the educational material of the discipline (evaluation materials), including questions on the topics of the discipline, examples of test items, topics of reports / abstracts / term papers are developed in full and are available for students on the discipline page in TUIS RUDN.

The program was drawn up in accordance with the requirements of the OS VO RUDN.

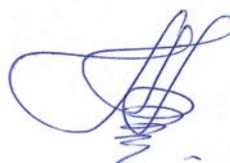
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