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**Federal State Autonomous Educational Institution of Higher Education  
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA  
NAMED AFTER PATRICE LUMUMBA  
RUDN University**

**Law Institute**

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

**COURSE SYLLABUS**

**COMPARATIVE LAW RESEARCH**

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course title

**Recommended by the Didactic Council for the Education Field of:**

**40.04.01 JURISPRUDENCE**

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field of studies / speciality code and title

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

**Theory and History of Law and State; Comparative Legal Studies**

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higher education programme profile/specialisation title

## 1. COURSE GOAL(s)

The goal of the course «Comparative Law Research» is 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.

## 2. REQUIREMENTS FOR LEARNING OUTCOMES

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

*Table 2.1. List of competences that students acquire through the course study*

Competence code	Competence descriptor	Competence formation indicators (within this course)
GC-1.	Able to critically analyse problematic situations using a systematic approach to develop a strategy of action.	GC-1.1. Analyses the problem situation as a system, identifying its components and the connections between them; GC-1.2. Identifies gaps in information which is needed to solve the problem situation and designs processes to address them; GC-1.3. Critically assesses the reliability of information sources, works with conflicting information from different sources; GC-1.4. Develops and substantiates a problem-solving strategy based on systemic and interdisciplinary approaches, and presents an assessment of the prospects and risks of implementing this strategy; GC-1.5. Uses logical-methodological tools to critically evaluate contemporary concepts of a philosophical and social nature in their subject area.
GC-5.	Able to analyse and take into account the diversity of cultures in intercultural interaction.	GC-5.1. Analyzes the most important ideological and value systems formed in the course of historical development; substantiates the relevance of their use in social and professional interaction; GC-5.2. Develops social and professional interaction with consideration of main forms of scientific and religious consciousness, business and general culture of representatives of other ethnic groups and confessions, various social groups; GC-5.3. Provides a non-discriminatory environment for interaction in the performance of professional tasks.

<b>Competence code</b>	<b>Competence descriptor</b>	<b>Competence formation indicators (within this course)</b>
GC-7.	Able to: search for relevant sources of information and data, perceive, analyse, remember and communicate information using digital tools and algorithms when working with data obtained from various sources in order to use the information efficiently to solve problems, evaluate information, its reliability, build logical conclusions on the basis of incoming information and data	GC-7.1. Searches for relevant sources of information and data, perceives, analyses, remembers and communicates information using digital tools and algorithms when working with data from various sources in order to use the information efficiently to solve problems; GC-7.2. Assesses information, its reliability, draws logical conclusions from incoming information and data.
GPC-1.	Able to analyse non-standard situations of law enforcement practice and propose optimal solutions.	GPC-1.1. Possesses general and specific knowledge for identifying and solving non-standard situations (situations in which no uniform approaches to the application of law norms are formed) in law enforcement practice; GPC-1.2. Analyze non-standard situations in law enforcement practice, including identifying legal and other causes and/or conditions for their occurrence; GPC-1.3. Develops optimal solutions for non-standard situations of law enforcement practice, taking into account possible legal consequences, and prepares these solutions in the form prescribed by law.
GPC-2.	Independently able to prepare expert legal opinions and carry out examination of normative (individual) legal acts.	GPC-2.1. Knows the rules of preparing expert legal opinions and the rules of of the examination of normative (individual) legal acts; GPC-2.2. Independently able to conduct a legal examination of normative (individual) legal acts; GPC-2.3. Has skills in preparing and drawing up expert legal opinions and conducting expert examinations of normative (individual) legal acts.
GPC-5.	Independently able to prepare legal documents and draft normative (individual) legal acts.	GPC-5.1. Possesses general and specific legal knowledge necessary for drafting legal documents for various purposes and developing drafts of normative (individual) legal acts; GPC-5.2. Independently compiles legal documents and develops drafts of normative (individual) legal acts; GPC-5.3. Has skills in drawing up legal documents and drafting normative (individual) legal acts in accordance with the profile of his/her professional activities.

<b>Competence code</b>	<b>Competence descriptor</b>	<b>Competence formation indicators (within this course)</b>
PC-1.	Able to teach legal disciplines on a high theoretical and methodological level in the fields of: vocational training, secondary vocational and higher education, further education.	PC-1.1. Knows teaching methods, methods, forms and means of teaching and specifics of teaching legal disciplines; PC-1.2. Able to select rational forms, methods and means of training, plan and conduct training sessions of any type, manage the cognitive activity of students and diagnose the results of training; PC-1.3. Has the skills of teaching legal disciplines at a high theoretical and methodological level.
PC-2.	Able to conduct scientific research in the field of law in a qualified manner.	PC-2.1. Knows the procedure and rules of substantive and technical design and presentation of the results of various types of research work in various branches of law; PC-2.2. Able correctly to conduct and present the results of scientific research in various fields of law; PC-2.3. Has skills to conduct scientific research in various branches of law in a qualified manner

### 3.COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE

The course refers to the core/variable/elective\* component of (B1) block of the higher educational programme curriculum.

\* - Underline whatever applicable.

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*

<b>Competence code</b>	<b>Competence descriptor</b>	<b>Previous courses/modules*</b>	<b>Subsequent courses/modules*</b>
GC-1.	Able to critically analyse problematic situations using a systematic approach to develop a strategy of action.	Philosophy of law	Research work Teaching Internship
GC-5.	Able to analyse and take into account the diversity of cultures in intercultural interaction.	Foreign language in professional activity	Teaching Internship
GC-7.	Able to: search for relevant sources of information and data, perceive, analyse, remember and communicate information using		Research work Teaching Internship

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
	digital tools and algorithms when working with data obtained from various sources in order to use the information efficiently to solve problems, evaluate information, its reliability, build logical conclusions on the basis of incoming information and data		
GPC-1.	Able to analyse non-standard situations of law enforcement practice and propose optimal solutions.	Philosophy of law History and methodology of legal science	Research work Teaching Internship
GPC-2.	Independently able to prepare expert legal opinions and carry out examination of normative (individual) legal acts.		Teaching Internship
GPC-5.	Independently able to prepare legal documents and draft normative (individual) legal acts.		Research work Teaching Internship
PC-1.	Able to teach legal disciplines on a high theoretical and methodological level in the fields of: vocational training, secondary vocational and higher education, further education.		Teaching Internship
PC-2.	Able to conduct scientific research in the field of law in a qualified manner.		Research work

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

#### 4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

1) The total workload of the course is 2 credits (72 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	2	3	4
<i>Contact academic hours</i>		32		32		
Lectures (LC)		16		16		
Lab work (LW)		-		-		
Seminars (workshops/tutorials) (S)		16		16		
<i>Self-studies</i>		22		22		
<i>Evaluation and assessment (exam/passing/failing grade)</i>		18		18		
<b>Course workload</b>	academic hours	<b>72</b>		<b>72</b>		
	credits	<b>2</b>		<b>2</b>		

## 5. COURSE CONTENTS

*Table 5.1. Course contents and academic activities types*

Course module title	Course module contents (topics)	Academic activities types
Module 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.	LC, S
Module 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.).	LC, S
Module 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.	LC, S
Module 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	LC, S
Module 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.	LC, S

Course module title	Course module contents (topics)	Academic activities types
	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.	
Module 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.	LC, S
Module 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.	LC, S
Module 8. Dealing of sides between the romano-German and Anglo-Saxon legal systems.	Relative nature of classifications of national legal systems. Interpretation 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.	LC, S
Module 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.	LC, S
Module 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.	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.	A set of specialized furniture; technical means: Monoblock Multimedia projector Screen for projector Marker board WiFi
Lab work	A classroom for laboratory work, individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and machinery.	A set of specialized furniture; technical means: Monoblock Multimedia projector Screen for projector Marker board WiFi
Seminar	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.	A set of specialized furniture; technical means: Monoblock Multimedia projector Screen for projector Marker board WiFi
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.	A set of specialized furniture; technical means: Monoblock Multimedia projector Screen for projector Marker board WiFi
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.	A set of specialized furniture; technical means: Monoblock Multimedia projector Screen for projector Marker board WiFi

\* The premises for students' self-studies are subject to **MANDATORY** mention

## 7. RESOURCES RECOMMENDED FOR COURSE STUDY

### *Main reading (sources):*

1. Breda, V., ed. Legal transplants in East Asia and Oceania, Cambridge University Press, 2019.
2. Glendon, M., et al, Comparative legal traditions: text, materials, and cases on western law, 4th ed. West Academic, 2015.
3. Werner F. Menski, School of Oriental and African Studies, University of London. Cambridge University Press. 2009. ISBN: 9780511606687. URL: <https://www.cambridge.org/core/books/comparative-law-in-a-global-context/4705C7C2B21A97742DA59ED690FD9534>



*Additional (optional) reading (sources):*

1. Merryman, J.H. and Pérez-Perdomo, R. The civil law tradition: an introduction to the legal systems of Europe and Latin America, 4th ed. Stanford University Press, 2018.
2. De Cruz, P. Comparative law in a changing world, 3rd. Routledge-Cavendish, 2007.
3. Glenn, H P. Legal traditions of the world: sustainable diversity in law, 5th ed. Oxford University Press, 2014 (1st edition gained the Canada Prize, International Academy of Comparative Law, 1998).
4. Harding, A. and Özü, E. (eds.) Comparative law in the 21st Century. Kluwer Law International, 2002.
5. Legrand, P. and Munday, R. (eds.) Comparative legal studies: traditions and transitions. Cambridge University Press, 2003.
6. Menski, W., Comparative law in a global context: the legal systems of Asia and Africa, 2nd ed. Cambridge University Press, 2006.
7. Palmer, V., ed., Mixed jurisdictions worldwide: the third legal family. 2nd ed., Cambridge University Press, 2012.
8. Riles, A. Rethinking the masters of comparative law. Hart Publishing, 2001.
9. Varga, C. European legal cultures. Dartmouth Publishing, 1997.
10. Zimmermann, R. Mixed legal systems in comparative perspective: property and obligations in Scotland and South Africa. Oxford University Press, 2003.
11. Zimmermann, R. and Reimann, M. The Oxford handbook of comparative law, 2nd ed., Oxford University Press, 2019.

*Resources of the information and telecommunications network "Internet":*

1. Electronic libraries with access for RUDN students
  - RUDN Electronic library system <http://lib.rudn.ru/MegaPro/Web>
  - Electronic library system «University Library online» <http://www.biblioclub.ru>
  - Electronic Library «URAIT» <http://www.biblio-online.ru>
  - Electronic library system «Student. Consultant» [www.studentlibrary.ru](http://www.studentlibrary.ru)
  - Electronic library system «Lan» <http://e.lanbook.com/>
  - Electronic library system "Troitskyi most"
2. Databases and search engines:
  - Electronic Legal and Regulatory Documentation Fund <http://docs.cntd.ru/>
  - Search system Yandex <https://www.yandex.ru/>
  - Search system Google <https://www.google.ru/>
  - SCOPUS <http://www.elsevierscience.ru/products/scopus/>
  - Garant <http://www.garant.ru/>
  - Consultant Plus <http://www.consultant.ru/>
  - eLibrary.ru. <http://www.elibrary.ru/>
  - LexisNexis <http://academic.lexisnexis.eu>
  - CambridgeJournals <https://www.cambridge.org/core>
  - JSTOR – Arts & Sciences I and VII Collections. <http://www.jstor.org/>
  - OxfordJournals <https://academic.oup.com/journals/>
  - SPRINGER. Springer <https://rd.springer.com>
3. Comparative Law Review. URL: <https://apcz.umk.pl/CLR>

A complete list of ELS, databases and search engines is provided on the website of the Educational and Scientific Information Library Center (Scientific Library) of RUDN University <https://lib.rudn.ru>

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

1. The set of lectures on the course «Comparative Law Research».
2. The guidelines for writing a course paper / project (if any) on the course «Comparative Law Research».

\* 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).

### **DEVELOPERS:**

Associate Professor of the  
Department of Theory of Law  
and State

position, department

signature

S.B. Zinkovskiy

name and surname

### **HEAD OF EDUCATIONAL DEPARTMENT:**

Head of the Department of  
Theory of Law and State

position, department

signature

A.A. Klishas

name and surname

### **HEAD OF HIGHER EDUCATION PROGRAMME:**

Professor of the Department of  
Public Policy and History of State  
and Law

position, department

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M.V. Nemytina

name and surname