al-Farabi Kazakh National University

Faculty of international relations

Department of international law

Educational program on the specialty
5B030200-International Law

Syllabus of discipline

1402History of State and Law of foreign countries

Semester: autumn, 2018-2019 year

Academic Course Information

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Code | Course (discipline) | **type** | **Weekly classes**  | Credits | **ECTS** |
| Lec. | **Sem.** | **Lab.** |
| **IGPZS – 1402** | History of State and Law of foreign countries | ED | 3 | 1 | 0 | **3** | 5 |
| Lecture | **Omirzhanov T. Yesbol** – candidate of jurisprudence, Associate professor | **Office hours**  | in accordance with the schedule |
| **e-mail** | yesbol\_1981@mail.ru |
| phone number | 2-43-83-22, 87772686571 | **room** |  |
| assistant  | Maulen Aidana | **Office hours**  | in accordance with the schedule |
| e-mail | aidana\_1812@mail.ru |
| phone number | 2-43-83-22 | **room** |  |

|  |  |
| --- | --- |
| **Description of the course**  | History of state and law of foreign countries is a basic discipline that provides basic knowledge and general information about the history and development of the state and law of foreign countries. Discipline has a theoretical and elective type of training course. Discipline forms students' analytical abilities, also develops skills of working with various historical sources, legislative acts. The course takes the main place in the EP (educational program). Goal and objectives of the discipline is to provide students a comprehensive understanding of the historical-legal originality of world civilizations; create a systematized knowledge and understanding of the emergence and development of the main stages of foreign States and law; develop skills for receiving, analysing and summarizing historical and legal information. As a result of studying the course, students will be able to know main directions, problems, and methods of history of state and law of foreign countries;peculiarities and regularities of the historical development of state and law;various approaches to the evaluation and periodization of state and law; |
| **Pre-requisites** **Post-requisites** | -History of legal and political doctrines, Comparative law |
| **LIST OF REFERENCES** | 1. 1. Ayupova Zh. The history of state and law of foreign countries. Almaty, 2015.
2. 2.Өміржанов Е.Т. Шет елдердің мемлекет және құқығының тарихы (Ежелгі дәуір). Алматы, Қазақ Университеті, 2015.
3. 3.Всеобщая история государства и права. В.Томин. Том 1,2. Москва., 2002.
4. 4. История государства и права зарубежных стран. Под общей редакцией О.А.Жидкова и Н.А.Крашенинниковой, часть I,II. М.,2008.

Available online: Additional training materials and documentation used for homework, will be available on your page on univer.kaznu.kz site. in EMCD section. |
| **POLICY OF THE COURSE** | 1. For each classroom you have to prepare in advance, according to the schedule below. training should be completed by the classroom, where the topic is discussed.
* IWS tasks will be distributed throughout the semester, as shown in the graph of discipline. Student passes essay or report within the specified period.Specific requirements for the research assignment will be distributed in class. All assignments will constitute 10% of the final mark of the course.

The student must perform all tasks and pass the IWST teacher. Specific requirements will be distributed in class. This task will be 15% of the final grade. When performing tasks subject to the following rules: Targets should be carried out within a specified time. in written form should be completing quests. The student must write his vision regarding the particular material. The maximum size of 3 page abstract.Academic values:Academic honesty and integrity: independence of all tasks; inadmissibility of plagiarism, forgery, use of cribs, cheating at all stages of knowledge control, cheating the teacher and disrespectful attitude towards him. (Code of Honor of a student of KazNU). Students with disabilities can receive counseling on the above E-mail and telephone. |
| **Assessment policy** | **Description of** independent work | **All** | **Results**  |
| Home tasks Research work Individual tasks Examinations Total | 35%10%15%40%100% | 1,2,34,5,62,3,44,5,61,2,3,4,5,6 |
| Your marks in in percentages:95% - 100%: А 90% - 94%: А-85% - 89%: В+ 80% - 84%: В 75% - 79%: В-70% - 74%: С+ 65% - 69%: С 60% - 64%: С-55% - 59%: D+ 50% - 54%: D- 0% -49%: FLandmark control will be conducted on theoretical questions of discipline (for 7 weeks).Midterm examination – 100 points. Midterm examination includes 20 theoretical questions. Every examination ticket includes 3 theoretical questions. Every question requires complete answer. Every question – 34, 33, 33 points (complete and right answer – 34, 33, 33 points, incomplete and right answer – 15 points, incomplete and not exact answer – 10 points, uncorrect answer – 0 point. Midterm examination will be hold in the written form.Final examination – 100 points. Final examination includes 30 tests. Examination will be hold in the test form.Criterial evaluation: evaluation of learning outcomes in relation to descriptors (checking the formation of competences on the boundary control and examinations).Summative assessment: assessment of the presence and activity of work in the classroom; evaluation of the completed task, the CDS (project / case / program) |

Calendar for the implementation of the content of the training course:

|  |  |  |  |
| --- | --- | --- | --- |
| week | Name of the theme | number of hours | marks |
| 1 | 2 | 3 | 5 |
| 1 | Lecture 1, 2. Subject and methods of history of state and law of foreign countries. Ancient Egypt. | 2 | 2 |
|  | Practical (laboratory) classes 1. Ancient Egypt.Features of the social system. The system of government bodies (Pharaoh, Jati, officials, "obedient to the call" of the king, etc.). The political role of the priesthood. Local government. | 1 | 5 |
| 2 | Lecture 3. Ancient Babylon. | 2 | 2 |
|  | Practical (laboratory) classes 2. Ancient Babylon.The social and political system of Babylon under Hammurabi. The role of the community and temples in the management. Army. Court. Sources of law and specific legal institutions. Sudebnik king Hammuraly XVIII century. BC. | 1 | 5 |
| 3 | Lecture 4. Ancient China. | 2 | 2 |
|  | Practical (laboratory) classes 3. Ancient China The centralized Han empire (3rd century BC). Emperor Van Man’s reforms. The role of financial, military, censor and other departments. The legal status of the bureaucracy. Army. Court. Formation of traditional law. | 1 | 5 |
|  | SIW 1. Gathering information about the Wang Mang reform. |  | 9 |
| 4 | Lecture 5. Ancient India | 2 | 2 |
|  | Practical (laboratory) classes 4. Ancient IndiaFormation of the estate-varnovy division (Brahmins, Kshatriyas, Vaisyas, Sudras) and the folding of the first "tribal states". Empire Mauryev (IV-II century BC). The specific features of the organization of state unity in the empire. Monarchy and community organization. The power of the king. Central and local bureaucracy. The role of advisory collegial bodies. Army. Court. | 1 | 5 |
|  | SIW 2. Outlining the Laws of Manu. Collection of materials about the life of Buddha. |  | 9 |
| 5 | Lecture 6. Ancient Greece | 2 | 2 |
|  | Practical (laboratory) classes 5. Ancient GreeceThe main stages of development of a democratic slave-owning republic in Athens and the aristocratic republic in Sparta. The reforms of Solon, Cleisfen, Ephialtes and Pericles in Athens. The legislation of Lycurgus in Sparta. The crisis of Athenian democracy. The main features of the law of ancient Greece. | 1 | 5 |
|  | SIW 3. The reforms of Solon, Cleisthenes and Lycurgus. |  | 9 |
|  | Module 2. |  |  |
| 6 | Lecture 7. Ancient Rome  | 2 | 2 |
|  | Practical (laboratory) classes 6. Ancient RomeReforms of Servius Thule. The socio-political system of republican Rome. The decline of the republican form of government. Military dictatorships and the regime of personal power. Establishment of a monarchical form of government, principality and dominat. The reforms of the emperors Diocletian and Constantine. The main stages of the development of Roman law. | 1 | 5 |
|  | SIW 4. Laws XII tables: to characterize and identify specific institutions. |  | 9 |
| 7 | Lecture 8, 9. The state of the Franks. Medieval France. | 2 | 2 |
|  | Practical (laboratory) classes 7. The state of the FranksFormation and development of the early feudal state of the Franks. Frankish kingdom at Merovingi. Empire Carolingian era. Reforms of Karl Martel (VIII century AD). Military-control system and its evolution.Barbaric truths and other sources of law. | 1 | 5 |
|  | 1 Landmark control  |  | 15 |
|  |  total  |  | 100  |
|  | MIDTERM EXAMINATION |  | 100 |
| 8 | Lecture 10, 11. Medieval Germany. Medieval England | 2 | 2 |
|  | Practical (laboratory) classes 8. Medieval Germany.The emergence of the early feudal state in Germany (IX –XII centuries). The political structure of the Holy Roman Empire of the German nation. Golden Bull of 1356 Political consolidation of feudal fragmentation. Features of estate-representative and absolute monarchy. Reichstag and imperial court. Princely absolutism. Monuments of law: “Saxon Mirror”, “Schwab Mirror” (XIII century). Carolina 1532 g - a monument to feudal criminal law and process. | 1 | 5 |
| 9 | Lecture 12, 13. State and law in Russia (XIII-XVII centuries.). Medieval East States  | 2 | 2 |
|  | Practical (laboratory) classes 9. Medieval East StatesThai reforms and the approval of the early feudal state (VII century). Socio-political system of Japan in the period of the empire. Establishment and characteristics of the military-political regime of the Shogunate (XII-XIX century). Central Office (Bakufu). Local government. Army. Court.The role of Islam in the formation of the state. The state structure of the Arab Caliphate during the rule of the Damascus and Baghdad bodies of higher and local government. Army. Court.  | 1 | 5 |
|  | SIW 1. Features of Islamic law. The reforms of Peter I. |  | 12 |
| 10 | Lecture 14, 15. History of the state and law of United Kingdom in a new time. History of state and law of France in a new time. | 2 | 2 |
|  | Practical (laboratory) classes 10. History of state and law of France in a new timeThe Declaration of the Rights of Man and the Citizen of 1789. The Constitution of 1791. Jacobin dictatorship and emergency legislation. Establishment of the Directory and Constitution of the 3rd year of the Republic. (1795). The state system of the First Empire and the Constitution of the 8th year of the Republic. Restoration of the Bourbons. The legitimate and the July monarchy. Charters of 1814 and 1830. The revolutionary establishment of the Second Republic in 1848. The Constitution of 1848. | 1 | 5 |
|  | SIW 2. Cromwell protectorate. 1679 Habeas corpus Act. 1689 Bill of Rights. 1789 The French Revolution |  | 12 |
| 11 | Lecture 16, 17. Germany in new time. USA. | 2 | 2 |
|  | Practical (laboratory) classes 11. Germany in new time.The formation of the first Unions of German states: the Rhine Union under the auspices of France in 1806, the German Union in 1815. The development of German constitutionalism in the early nineteenth century.The struggle for the unification of Germany. The revolution and the Frankfurt Constitution of 1849. Approval of the reaction of Prussia and the Constitution of 1850. Prussia’s struggle for domination in Germany and the creation of the North-German Union of 1866. German Empire. Constitution of 1871 | 1 | 5 |
|  | SIW 3. The German Constitution of 1871. The US Constitution of 1787 |  | 10 |
| 12 | Lecture 18. Asian States in new times | 2 | 2 |
|  | Practical (laboratory) classes 12. Asian States in new timesMeiji Revolution. Bourgeois reforms of the 70s-80s The Constitution of 1889 and the approval of the constitutional in form and absolutist in content monarchy. The crisis of the political system of China in the XIX century. "A hundred days of reform." The Xinhai Revolution of 1911, the overthrow of the Manchu dynasty and the proclamation of the republic. | 1 | 5 |
| 13 | Lecture 19. Western European states in the twentieth century | 2 | 2 |
|  | Practical (laboratory) classes 13. Western European states in the twentieth centuryThe influence of the English bourgeois law on the development of the rights of other countries.France. Changes in the state apparatus of the Third Republic after the First World War. Party and electoral systems. Formation of the Popular Front in the 30s and its political activities.Germany. The fall of the Kaiser German Empire during the November Revolution of 1918 and the formation of the Weimar Republic. | 1 | 5 |
| 14 | Lecture 20, 21. The United States in the XX century. Asian countries in the twentieth century. | 2 | 2 |
|  | Practical (laboratory) classes 14. The United States in the XX century"New Deal" F.D. Roosevelt. Its anti-crisis legislation. Laws on banks, on the restoration of industry and on the regulation of agriculture in 1933. State measures to combat unemployment. The Law on Social Insurance and the Law on Labor Relations (Vanger's Law) of 1935. Formation of an anti-crisis state mechanism after the Second World War. | 1 | 5 |
| 15 | Lecture 22. Russia in the twentieth century and the socialist camp | 2 | 2 |
|  | Practical (laboratory) classes 15. Russia in the twentieth centuryThe events of 1905. Manifesto October 17th. The activities of the State Duma. Politics P.A. Stolypin: the union of monarchy and market economy. Resettlement policy. The war of 1914-1917 February revolution. The legal status and activities of the Provisional Government. The emergence of dual power. October coup. | 1 | 5 |
|  | 2 Landmark control |  | 10 |
|  | total  |  | 100 |
|  | Examination |  | 100 |
|  | Total | 45 | 400 |

Head of the methodical bureau: candidate of jurisprudence,

Associate professor Mashimbaeva G.A.

Head of the International Law Department: candidate of jurisprudence,

Associate professor Sairambaeva Zh.T.

Compiler: candidate of jurisprudence, Associate professor Omirzhanov Y. T.