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| **AL-FARABI KAZAKH NATIONAL UNIVERSITY**  **Syllabus of discipline** Comparative Law problems  **Educational Program for** **5MО30200 - «international law» specialization**  **(scientific and pedagogical direction)**  **Semester: autumn, 2016-2017 year** | | | | | | | | | | | | | |
| Code | | Course (discipline) | | **type** | **Weekly classes** | | | | Credits | | | **ECTS** | |
| Lec. | **Sem.** | **Lab.** | |
| CLP 6301 | | Comparative Law problems | | ED | 2 | 1 | 0 | | 3 | | | 5 | |
| **Pre-requisites** | | | Theory of State and Law; The history of state and law of foreign countries; The constitutional law of foreign countries; International Law | | | | | | | | | | |
| Lecture | | | **Omirzhanov T. Yesbol** – candidate of jurisprudence, Associate professor | | | | **Office hours** | | | | in accordance with the schedule | | |
| **e-mail** | | | [yesbol\_1981@mail.ru](mailto:yesbol_1981@mail.ru) | | | |
| phone number | | | 2-43-83-22, 87772686571 | | | | **room** | | | | in accordance with the schedule | | |
| **Description of the course** | | | The Comparative Law problems is a special course, which directed to study main problems of making comparative analysis of modern legal systems. The subject of the course are the national legal systems of the world and the legal systems of the world community (regional education, legal family) in the diachronic and synchronic aspects , comparative jurisprudence , the methodology of comparative jurisprudential. | | | | | | | | | | |
| **The purpose of teaching of the course** | | | Objectives of the course: form a knowledge of the basic provisions of the course " Comparative Law problems"; develop the ability to self-analysis features of the state and law, the legal system and legislation as a single country or a group of countries; consolidate the knowledge through a series of independent projects and workshops .. | | | | | | | | | | |
| r**esults** **of training** | | | on the basis of the discipline "Comparative Law problems," the master degree student must possess a certain level of knowledge about the main legal systems of modern world. Know about the main problems and concepts of making comparative analysis of legal systems. | | | | | | | | | | |
| **LIST OF REFERENCES** | | | 1. Bekhrus Kh. Comparative Law: text book. – М.: Transplit, 2008. 2. David R. The main modern legal systems. - М.: International relations, 2009. 3. Ignatova N. Comparative Law: lectures/ «Daneker». – Аlmaty, 2004. 4. Маlko А., Salomatin А. Comparative Law. М., 2010. 5. Маrchenko М. Comparative Law. Main part. М., Zersalo, 2001.   Available online: Additional training materials and documentation used for homework, will be available on your page on univer.kaznu.kz site. in EMCD section. | | | | | | | | | | |
| **Organization of the classes** | | | The lecturer in preparation for the lessons should pay more attention to the main methods of comparative analysis. Students are given additional tasks to get acquainted with the works of some of the original authors. SWS Tasks are individual and 2 types: training; investigational. | | | | | | | | | | |
| **Requirements 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.  * SWS 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 SWST 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. | | | | | | | | | | |
| **Assessment policy** | | | Description of independent work | | | | | All | | Results | | | |
| Home tasks  Research work  Individual tasks  Examinations  Total | | | | | 35%  10%  15%  40%  100% | | 1,2,34,5,6  2,3,4  4,5,6  1,2,3,4,5,6 | | | |
| 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%: F  Landmark 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 60 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 баллов, incomplete and right answer – 15 points, incomplete and not exact answer – 10 points, uncorrect answer – 0 point. Examination will be hold in the written form. | | | | | | | | | | |
| **POLICY OF THE COURSE** | | | In the course of studying the discipline, students should learn to: - In the course of study is necessary to provide for future lawyers targeted information on socio - legal phenomena occurring not only in their own country , but also in the community of nations , teaching students the skills and methods of collating, analyzing and summarizing the theory and practice of national , foreign and international law , their norms and institutions , and the ability to allocate rational and useful of the world legal experience.  - comprehensively analyze information critically a variety of legal sources, creatively interpret factual material, guided by the principles of comparative analysis, scientific objectivity. The teacher should provide an attractive and lively discussion within the study group. Assignments will be aimed at developing the ability to self-development and practical application of the knowledge gained. | | | | | | | | | | |
| **STRUCTURE OF DISCIPLINE** | | | | | | | | | | | | | |
| week | Name of the theme | | | | | | | | | | | number of hours | marks |
|  | Module 1. | | | | | | | | | | |  |  |
|  |  | | | | | | | | | | |  |  |
| 1 | Lecture 1. Object, method and value of the special course " comparative law " | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 1: Aims of Comparative Law. | | | | | | | | | | |  | 5 |
| 2 | Lecture 2. "The history of the formation and development of comparative law" | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 2: Main fundamental research works on comparative law | | | | | | | | | | |  | 5 |
| 3 | Lecture 3. Methodology of Comparative Law. | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 3: General rules of comparative legal analysis. | | | | | | | | | | |  | 5 |
| 4 | Lecture 4. "The comparative method in the study of State and Law". | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 4: Diachronic and synchronic comparative analysis | | | | | | | | | | |  | 5 |
| 5 | Lecture 5. "The comparative method in theoretical and historical legal disciplines" | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 5: Legal system of Rome Empire | | | | | | | | | | |  | 5 |
| 6 | Lecture 6. "The comparative method in the study of special disciplines of the national law of the Republic of Kazakhstan" | | | | | | | | | | |  | 2 |
|  | Seminar | | | | | | | | | | |  | 5 |
|  | Report 5: Peculiarities of modern legal system of Kazakhstan | | | | | | | | | | |  | 5 |
| 7 | Lecture 7. "The comparative method in international law" | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 6: Comparison Constitution of Kazakhstan and France | | | | | | | | | | |  | 5 |
|  | Test | | | | | | | | | | |  | 16 |
|  | 1 Landmark control | | | | | | | | | | |  | 100 |
| 8 | midterm examination | | | | | | | | | | |  | 100 |
|  |  | | | | | | | | | | | total | 200 |
| 8 | Lecture 8. "Methodological problems of comparative law ' | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 7: Methodology of comparative legal analysis of the legislation. | | | | | | | | | | |  | 5 |
|  | Module 2 | | | | | | | | | | |  |  |
| 9-10 | Lecture 9. The legal system of modern society | | | | | | | | | | | 4 | 4 |
|  | Seminar | | | | | | | | | | | 2 | 10 |
|  | Report 1: The concept of the legal system and its main features. | | | | | | | | | | |  | 5 |
| 11 | Lecture 10. Romano-Germanic legal family. | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 2: Historical development of Romano-Germanic law family. | | | | | | | | | | |  | 5 |
| 12 | Lecture 11. Anglo-Saxon legal family. | | | | | | | | | | | 2 | 2 |
|  | seminar. | | | | | | | | | | | 1 | 5 |
|  | Report 3: U.S. law: federal law and the law of the states. | | | | | | | | | | |  | 5 |
| 13 | Lecture 12. Religious family law | | | | | | | | | | | 2 | 2 |
|  | seminar. | | | | | | | | | | | 1 | 5 |
|  | Report 4: Muslim law and Muslim countries. | | | | | | | | | | |  | 5 |
| 14 | Lecture 13. Traditional family law | | | | | | | | | | | 2 | 2 |
|  | seminar. | | | | | | | | | | | 1 | 5 |
|  | Report 5: Japanese law: historical development, structure and sources. | | | | | | | | | | |  | 5 |
| 15 | Lecture 14. Socialistic law family | | | | | | | | | | | 2 | 2 |
|  | Seminar | | | | | | | | | | | 1 | 5 |
|  | Report 6: The legal system of modern Cuba | | | | | | | | | | |  |  |
|  | Test | | | | | | | | | | |  | 9 |
|  | 2 Landmark control | | | | | | | | | | |  | 100 |
|  | Examination | | | | | | | | | | |  | 100 |
|  | Total | | | | | | | | | | | 45 | 400 |

Dean of the faculty: Professor, Doctor Shakirov K.N.

Head of Method. buro: candidate of jurisprudence, Associate professor Sairambaeva Zh.T.

Head of the International Law Department: Professor, Doctor Aidarbaev S.Zh.

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