

Syllabus for JURISPRUDENCE (Third Semester)

Lecturer: Oksana N. Lopatina

Class teacher: Oksana N. Lopatina

Course description:

The course is aimed at providing the students with the knowledge and skills for resolving basic legal problems and conflicts, development of legal thinking and logic, and understanding of legal methods of the resolving of social conflicts, understanding of legal materials and knowledge of their main sources. It should also encourage the development of student's ability of self-expression in the sphere of human rights, law and justice, the habit of critical reading of legal documents.

Course objectives:

The aim of the course is to provide the students with basic knowledge, abilities and skills in the area of law. The students will study the specifics of law, interaction of law and moral, other social regulations. Studying of law as an instrument of the government, the students understand the interdependency of law, politics and economics. The students study main legal categories (law, sources of law, system of law, law enforcement, etc.). They understand the difference between basic legal categories in the countries with different legal cultures.

The question "what is law?" has many answers. The students will be suggested to make comparisons of main legal theories, modern legal trends. This objective can be achieved only by providing the understanding of main legal methods, approaches to law, and of the balance between Law, Rights and Justice.

As the result of the course, the students may resolve typical legal conflicts, select and interpret codes and other current legislation (for example, in family law, labour law, contract law). The student may defend their rights in conflicts with the governmental bodies, officials, other individuals (private and public persons). They develop logical ability to find legal arguments for supporting a position in a hypothetical conflict. The students develop the ability to write simple legal documents (for example, labour contract or other contracts, complaint or sue to a court). They are suggested to find the difference between enforcement of codes and cases.

The basic knowledge in law includes the knowledge of using the sources of law, modern computer systems and Internet. The students may compare different computer software for systematization of current legislation.

The methods:

The following methods and forms of study are used in the course:

- lectures (2 hours a week)
- classes (2 hours a week)
- discussion
- weekly home assignments
- topics discussed in the game form
- self-study
- A minimum of two pieces of written work will be required, usually one essay and one problem.

In total the course includes 36 hours of lectures and 36 hours of seminars.

Main reading:

1. Цвайгерт К. Кетц Х. Введение в сравнительное правоведение в сфере частного права. М Межд. отношения, 1995.
2. Давид Р. Основные правовые системы современности. М. 1997.
3. Романов. А.К. Правовая система Англии. М., 2000.

Supplementary reading

1. Bogdan. M. Comparative law. Kluwer, 1994.
2. Youngs. R. English, French & German Comparative Law. Cavendish, 1997
3. Von Mehren, Arthur Taylor. The Civil Law System: An Introduction to the Comparative Study. Boston: Little, Brown , 1977.
4. James. Introduction to English Law. 13th ed. P. Shears and G. Stephenson. Butterworths, L., 1996.
5. Murphy & Roberts. Understanding Property Law.

Grade determination:

A final grade is calculated as weighted average with the following weights:

- 20% - assessed essay and problem (10 % each)
- 20% - assessed written mid-term exams (two – 10% each)
- 10% - class attendance and performance
- 50% - three-hour final written examination.

Course outline:

Part 1. The Legal Environment of Business

1. Introduction to law

The nature of law
 The classification of law
 The sources of law
 Legislation. Delegated legislation
 Judicial precedent

2. The Modern Legal Systems

The common law
 The continental law

3. Procedure and Evidence

Substantive law and procedure

4. Personality, Status and Capacity

Natural and legal persons
 Corporations

Part 2. An Introduction to Constitutional and Administrative Law

1. Constitutions

What are constitutions for?
 The varieties of Constitution
 Constitutionalism and the separation of powers
 Constitutionalism and democracy

2. *The United Kingdom constitution*

The character of the UK constitution
The fusion of powers
Constitutional conventions

3. *The constitution of the European Union*

The structure and Institutions of the Union

4. *Parliament and legislative power*

Parliamentary supremacy

5. *Government and executive power*

The institutions of government

6. *The courts and judicial power*

The separation of judicial power
The independence of judiciary

Part 3. An Introduction to Contracts

1. *Introduction to contracts*

Definition of a contract
Classification of contracts

2. *Mutual Assent*

Offer
Acceptance

3. *Conduct invalidating assent*

Duress
Undue
Fraud
Non fraudulent misrepresentation
Mistake

4. *Consideration*

5. *The terms of bargain*

6. *Performance, breach and discharge*

Part 4. Companies

1. *Introduction*

Types of business medium

1. *Partnerships*

2. *Companies*

Sources of company law
Types of registered company

4. Formation of companies
Membership and management

5. Company finance
Issue of shares
Share capital. Classes of shares

6. Insolvency

Part 5. Introduction to property

1. Introduction
Kinds of property

2. Interests in real property
Types of estates
Transfer of real property
Secured transactions

3. Trusts' and decedents' estates
Trusts. Types of trusts
Decedents' estates
Wills

Teaching hours for topics and activities:

№	Topic	Total hours	Contact hours		Self-study
			Lectures	Classes	
1	Nature and classification of law	8	2	2	4
2	Theories of law. Sources of law	8	2	2	4
3	Classification of constitutions. Sources of constitutional law	8	2	2	4
4	The institutions of government	12	2	2	8
5	The law of obligations. Types of obligations. The nature, formation and validity of a contract	12	2	2	8
6	The terms of a contract	10	2	2	6
7	Conduct invalidating assent	10	2	2	6
8	Performance, breach and discharge	10	2	2	6
9	Types of business associations	8	2	2	4
10	Types of companies and their functions	8	2	2	4
11	Constitution; the Doctrine of ultra vires; the distribution of power in a company	8	2	2	4
12	Company finance	10	2	2	6
13	Mergers, winding up and takeovers	10	2	2	6
14	Classification of property	8	2	2	4
15	Interests in real property	12	2	2	8
16	Trusts and decedents' estates	10	2	2	6