



**The Government of the Russian Federation
Higher School of Economics
National Research University**

Faculty of Law

Private International Law Department

Private International Law Masters' Degree

**First Year Curriculum
Master Degree training within the educational field
40.04.01 «Jurisprudence»**

**LEGAL CONCEPTS
IN PRIVATE INTERNATIONAL RELATIONS
RESEARCH SEMINAR**

Author of the Course / Course Instructor

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**Approved at the Private International
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**Recommended by Professional Law
Collegium of the Field Instruction
Board**

Chairperson A.S. Shatalov

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Endorsed by the Faculty of Law Dean

E.N. Salygin

«...» _____ 2014

**Registered by the Faculty of Law
Academic Board**

Academic Council Secretary
S.A. Markuntsov

«...» _____ 2014

Moscow, 2014

COURSE OVERVIEW

COURSE DESCRIPTION

This Course aims at exploring both for commonalities and discords across the overall field of the private international law making more transparent and evident the cross-linguistic correspondences of the major notions used for defining and regulating private international relations. The latter among others comprise conceptual discrepancies available in different jurisdictions which may prompt complex legal rationale for justifiable legal decision-making. Enhancing critical reviewing of nation-specific legal concepts used globally in legal communication abundant in private international law-related technicalities constitute the core learning objective.

Private international relations can be attributed to one of the most challenging legal fields inasmuch as they require legal scholars and legal practitioners to be knowledgeable and expertly alert. This follows from the nature of this field which is multidisciplinary within the legal profession and the concepts generated, used, reviewed, and applied in this field are highly technical and sophisticated.

The Course is underlying significant components of analytical thinking making it instrumental for expanding knowledge needed for studying other legal courses, such as: international banking and investment law, international commercial arbitration, international civil procedure, and the EU contract law. Hence, an inclusive analytical approach makes itself conspicuous allowing for mastering the law-and-language combination and more elaborate knowledge of professional conceptual fields.

Prerequisites

The Course draws on students' knowledge acquired during their preceding years of university bachelor degree training in law or other social sciences, as well as skills developed through the accomplishment of syllabi taught over their prior university studies as necessitated by academic curricula including, specifically, academic skills of critical thinking, critical reading, critical writing and reviewing, proficiency in general English and legal English.

The syllabus follows the comprehensive curricula designed for preparing university masters students at the NRU HSE Faculty of Law in consistency with the Russian Federation National Educational Standard for

Higher Learning Establishments (FGOS VPO) “Jurisprudence” endorsed by the RF Education and Science Ministry Ordinance No.1763 as of 14 December 2010, rev. as of 31 May 2011; Educational Curricular 030900 “Jurisprudence” for masters’ degree in law, LL.M; NRU HSE Curriculum 030900.68 “Jurisprudence” for masters’ degree in Private International Law endorsed in 2014.

The Course Syllabus includes the following theoretical and practical dimensions

The Course allows for several interdisciplinary dimensions through combining the key concepts and categories elaborated within the private international law domain, legal and forensic linguistics, legal discourse analysis, to develop and polish students’ skills and abilities in handling legal assignments. Such skills are the primary focus at research seminars.

Theoretical dimensions:

- Profiling legal knowledge domains covering international property law, international contract law, international IP law, international labor law, international procedure, international arbitration, etc.
- Identifying commonalities in conceptual frameworks nationally and institutionally; conceptual frameworks and terminological systems; terminological clusters; terminological abbreviations and connotations;
- Terminological data mining; electronic legal lexicography; encyclopedic and terminological databases
- Extending the students’ knowledge of relevant linguistic devices for analyzing conceptual frameworks and efficiency in their reviewing for purposes of legal reasoning;
- Critical reviewing and discussing certain types of legal concepts representative of the relevant Anglo-Saxon legal concepts as compared to Russian legal concepts; conventionalities and irregularities of terminologies; solecisms;
- Legal conceptology as an interdisciplinary subject; major notions as applicable for analyzing private international relations; national legal nomenclatures: commonalities and limitations of profiling legal concepts.

Practical dimensions:

- Profiling legal knowledge domains covering international property law, international contract law, international IP law, international labor law, international procedure, international arbitration, etc.
- Identifying commonalities in conceptual frameworks nationally and institutionally; conceptual frameworks and terminological systems; terminological clusters; terminological abbreviations and connotations;
- Extending the students' knowledge of relevant linguistic devices for analyzing conceptual frameworks and efficiency in their reviewing for purposes of legal reasoning;
- Critical reviewing and discussing certain types of legal concepts representative of the relevant Anglo-Saxon legal concepts as compared to Russian legal concepts; conventionalities and irregularities of terminologies; solecisms;
- Legal conceptology as an interdisciplinary subject; major notions as applicable for analyzing private international relations; national legal nomenclatures: commonalities and limitations of profiling legal concepts.

COURSE OBJECTIVES

The Course is multipart and based on conceptual frameworks related to defining and classifying conceptual matters in law. It has been tailored for masters' students enabling them to define legal concepts in terms of functionality in and applicability for legal discourse-specific technicalities. A composite structure of the Course allows for exploring currently topical problems areas in legal scholarship, judicial practices, and lawyering.

The Course major objectives comprise:

- ensuring the English-speaking proficiency within a wide range of legally relevant academic and professional issues regardless of the subject-matter complexities;
- improving students' capabilities for communicating across the international professional communities, legal academic communities, law practitioners, and related professional milieu;

- enhancing students’ skills of academic writing and legal research in a subject-specific legal fields or related fields of law;
- delivering pertinent knowledge accumulated in the applied and legal linguistics, as well as other linguistic branches for ensuring masters students’ professionalism in legal scholarship and/or law practices (counselling, consulting, advisory, etc.);
- facilitating skills development required for conducting legal research and essay writing based on the academic writing conventions as a prerequisite of employability.

DISTRIBUTION OF WORKLOAD

Table:

**Total hours against the self-study (extramural) hours
broken down by subject**

Item	Subject Headings	Total Hours	In-Class Hours, of which		Self-Study Hours
			Lectures	Seminars	
1.	Subject 1. Conceptology as an interdisciplinary tool for reviewing knowledge domains. Key notions of linguistic conceptology applicable to private international relations. IT programs and web tools for defining terminology across the private international law context	40	0	18	20
2.	Subject 2. Legal thesaurus as a conceptual mapping tool. Legal nomenclatures. Legal concepts and their correlation with legal language domain ontologies. Terminological abbreviations; terminological connotations	36	0	14	22
3.	Subject 3. Profiling subject-specific domain concepts in private international law. Legal	36	0	14	22

LEGAL CONCEPTS IN PRIVATE INTERNATIONAL RELATIONS

RESEARCH SEMINAR SYLLABUS

Master Level – Year 1

	context, context-related restrictions and implications. Contextualizing private international law globally. Context-bound legal meaning. Definitions of legal concepts				
4.	Subject 4. Subject-Specific Domain “Labour Relations in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	30	0	14	22
5.	Subject 5. Subject-Specific Domain “Family Relations in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	36	0	14	22
6.	Subject 6. Subject-Specific Domain “Property in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	36	0	14	22
7.	Subject 7. Subject-Specific Domain “Intellectual Property in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	36	0	14	22
8.	Subject 8. Subject-Specific Domain “Contract obligations in Private International Relations”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	36	0	14	22

9.	Subject 9. Subject-Specific Domain “Inheritance and Heirship in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	34	0	14	20
10.	Subject 10. Subject-Specific Domain “Financial Obligations in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters	34	0	14	20
TOTAL		360	0	144	216

TYPES OF KNOWLEDGE CONTROL

- **Current control:**

- Essay on a selected topic as agreed with the Course Instructor;
- In-betweener forms: regular quizzes during seminar classes lasting 15 minutes for checking the level of memorizing key conceptology notions and expected skills proficiency.

- **Intermediate control:**

- Exam – graded assessment of the level of acquired knowledge and developed skills during the Course; includes written questions covering syllabus material, i.e. theoretical and practical dimensions, as well as discussion with the Course Instructor of selected problematic issues relevant for the Course acquisition assessment.

Control type	Control Form	Modules				Parameters
		1	2	3	4	
Current	Essay				4	12–15 printed pages (Times New Roman, 14 pt); 2-week assessment
Intermediate	Exam				*	Written exam 90 min; 1-week assessment

METHOD OF INSTRUCTION

The Course is structured in the way which allows for the legal knowledge sharing where masters' students learn from the instructor, each other, i.e. knowledge-sharing training methodology, as well as in-class via the peer-reviewing and peer-learning methods enabling students to effectively achieve the learning objectives.

Research seminars are aimed at developing and polishing students skills in making micro-research on specific concepts within the private international law domain and respective subdomains through delivering their critiques at regular seminars and more fully-fledged research at mid-term (module-final) or end-term (academic year final) sessions. Also, research seminars draw primarily on the critical thinking and critical reading skills which further enable students' critical writing and reviewing skills.

As such, research seminars are fundamental in shaping the professional decision-making whereby a strong skill of legal reasoning in English appears one of the major end-product of training. Apart from that, research seminars combine an interactive and spontaneous opinion-sharing in individual or group debates on specified problem areas. Such interactive tutoring mode is based on both prepared and spontaneous types of interaction.

Classes are conducted as research seminars designed largely in the interactive mode with the focus on the feedback from masters students to the instructor's and each other's standpoints, thus shaping dialogue-oriented and polylogue-driven interaction. Research seminars' major focus is placed on developing the skills of critical reading of and critical thinking over legal scholarship and judicial practices for further comments in the form of analytical processing of training materials studied.

Students are expected to get prepared for the upcoming seminars and, in so doing, to prepare subject-specific tasks for better comprehension of the subject-matter delivered by the Course Instructor. Home assignments are intended for reviewing and analyzing English concepts on a case-specific basis, using judicial rulings in the original, as well as preparing to the multitasking format of exercising during in-class teamwork.

LEARNING OUTCOMES

The Course learning outcomes comprise as follows.

A. Competences

By the end of this Course students will have gained the following *competences*:

- **comprehensive communicative competence** ensuring professional performance in and across international settings;
- **extended language competence** ensuring vaster coverage of legal research options and legal review capabilities in international settings;
- **intercultural competence** ensured by an expanded worldview due to the fact that legal concepts under study are employed in a variety of jurisdictions;

B. The Course delivers the following knowledge to masters' students for enabling them to acquire:

the knowledge of:

- concepts within the private international law domain and respective subdomains;
- reproducible legal writing patterns and formulae inherent in legal practices internationally;
- legal linguistic tools applicable for enhancing legal reasoning, critical analysis and writing for purposes of adequate legal decision-making;

the skills of:

- critical reading, critical thinking and critical assessing of international legal instruments;
- argumentation of conceptual discrepancies marking legal gaps with the view of bridging them;
- applying legal linguistic framework for identifying legal problem areas and resolving them;

the abilities of:

- opting for appropriate communicative strategies and discourse norms relevant for the delivery of legal assignments in international settings;
- applying legal linguistic tools and processes for substantiating an analysis of legally-relevant content;
- delivering professional results at the global job market involving various international settings.

CONTENT OF THE COURSE

SUBJECT 1.

Conceptology as an interdisciplinary tool for reviewing knowledge domains. Key notions of linguistic conceptology applicable to private international relations. IT programs and web tools for defining terminology across the private international law context

Concepts as constituents of problem-oriented knowledge domains. Conceptology as an interdisciplinary tool in reviewing and assessing knowledge-specific domain. Key notions applicable to private international law. Web tools for storing and/or maintaining linguistic and legal data; online terminological reference and encyclopedic resources

Essential Reading:

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading:

Masters students are encouraged to read some of the below listed books:

1. Clarkson C.M.V., Hill J. The Conflict of Law. 4-th ed. Oxford: Oxford University Press, 2011.
2. Doherty, M. Language Processing in Discourse. London; New York: Routledge, 2012.
3. Elhauge, Einer. Statutory Default Rules. How to Interpret Unclear Legislation. Cambridge, Massachusetts, and London, England: Harvard University Press, 2008.
4. Vlasenko, Svetlana. Contract Law: Professional Translation Practices in the English–Russian Language Pair: Sourcebook for Students of Law & Linguistics. Moscow: Wolters Kluwer, 2006.
5. Winkler, E.G. Understanding Language. London and New York: Continuum, 2012.

Research Tasks

Since research tasks are largely time-consuming, they are formulated either for the entire group with the view of further splitting among students or for micro-groups from the very start; individual tasks are also given for students willing to work on their own.

SUBJECT 2.

Legal thesaurus as a conceptual mapping tool. Legal nomenclatures. Legal concepts and their correlation with legal language domain ontologies. Terminological abbreviations; terminological connotations

Legal thesaurus as a conceptual mapping tool; bilingual varieties. Legal nomenclature types. Domain ontologies of legal English: structure and correlation with nomenclatures. Abbreviation processes in legal language; legal terminological abbreviations; terminological connotations

Essential Reading:

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. *Vlasenko, Svetlana*. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading:

Masters students are encouraged to read some of the below listed books:

1. Clarkson C.M.V., Hill J. The Conflict of Law. 4-th ed. Oxford: Oxford University Press, 2011.
2. Philosophical Foundations of Language in the Law. Oxford : New York Oxford University Press, 2013.
3. Russell, F. English Law and Language. New York : Phoenix ELT, 1995.
4. Tiersma P.M. Legal Language. Chicago and London: The University of Chicago Press, 2000.
5. Vlasenko, Svetlana. Contract Law: Professional Translation Practices in the English–Russian Language Pair : Sourcebook for Students of Law & Linguistics. Moscow : Wolters Kluwer, 2006.

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SUBJECT 3.

Profiling Subject-Specific Domain Concepts in Private International Law. Legal context, context-related restrictions and implications. Contextualizing private international law globally. Context-bound legal meaning. Definitions of legal concepts

Methods and ways to analyze legal concepts. Legal context and its impact on legal meaning. Context-free and context-bound legal meaning. Defining legal concepts in private international law, their sources and range

Essential Reading:

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading:

1. Clarkson C.M.V., Hill J. The Conflict of Law. 4-th ed. Oxford: Oxford University Press, 2011.
2. Vlasenko, Svetlana. Minimal Unit of Legal Translation vs. Minimal Unit of Thought (Chapter 6), in: The Ashgate Handbook of Legal Translation / Le Cheng, King Kui Sin and Anne Wagner (Eds.). Farnham, UK : Ashgate Publishing Group Ltd., 2014. (Law, Language and Communication Series) –URL: <http://www.ashgate.com/isbn/9781409469667> [Last accessed: 10.08.2014].
3. Vlasenko, Svetlana. Contract Law: Professional Translation Practices in the English–Russian Language Pair : Sourcebook for students of law & linguistics mastering qualifications of Professional Translator/Interpreter and Legal Translator / Interpreter. – M.: Волтерс Клубер, 2006. P. 16–90.

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SUBJECT 4.

***Subject-Specific Domain “Labour Relations in Private International Law”.
Domain and subdomains conceptual profiling. Terminological technicalities.
Terminological clusters***

Terminological concepts. Conceptualizing as a context-bound analysis. Key concepts specific for the “international labour law” domain. Employment agreement; collective bargaining agreement; employee’s labour dispute and class suit in the private international law context. Related case studies.

Essential Reading:

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. *Vlasenko, Svetlana*. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading

Masters students are encouraged to read some of the below listed books:

1. Bosses Still Ask Banned Questions / BBC News Online. Monday, 14 January 2008. URL: <http://news.bbc.co.uk/2/hi/business/7187032.stm> [Last accessed: 15.04.2014].
2. Gentile, Gary; Elber, Lynn. Hollywood labor contract talks break off / The USA Today Online. November 1, 2007. URL: http://usatoday30.usatoday.com/life/television/2007-10-30-1092823826_x.htm [Last accessed: 22.04.2014].
3. High-tech job market lost 400,000 jobs / USA Today Online. 09.14.2004

URL:

http://usatoday30.usatoday.com/money/industries/technology/2004-09-14-tech-jobs-lost_x.htm [Last accessed: 30.04.2014].

4. Stites, Janet. Equal Pay For The Sexes: High-Profile Lawsuits Make The Case For Investigating Gender Pay and Promotion Equity At Your Organization, in: HR Magazine. May 2005. URL: http://findarticles.com/p/articles/mi_m3495/is_5_50/ai_n13721389/pg_2/?tag=content;col1 [Last accessed: 05.06.2013].
5. Stiglitz, Joseph E. The Price of Inequality. London: Penguin Books, 2013.
6. Wal-Mart Attempts to Block Class Action Lawsuit, in: Newscast Media Online. 26.08.2010. URL: <http://newscastmedia.com/blog/2010/08/26/walmart-attempts-to-block-class-action-lawsuit/> [Last accessed: 05.03.2013].
7. Rai, Saritha. India's Outsourcing Industry Is Facing a Labor Shortage / The New York Times. February 16, 2006. URL: <http://www.nytimes.com/2006/02/16/business/worldbusiness/16cnd-INDIA.html?pagewanted=all&r> [Last accessed: 11.04.2014].

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SUBJECT 5.

Subject-Specific Domain "Family Relations in Private International Law".

Domain and subdomains conceptual profiling.

Terminological technicalities. Terminological clusters

Key and peripheral concepts specific for the "international family law" domain. Marriage; marriage contract. Parental rights; step parents. Fostering; foster family, foster parents. Adoption matters. Guardianship; trusteeship; custodianship, and wardship in private international law context. Related case studies.

Essential Reading

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.

2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading

Masters students are encouraged to read some of the below listed books:

1. Airport strike threat recedes / The Daily Mail. October 6th, 2014. URL: <http://www.dailymail.co.uk/news/article-131341/Airport-strike-threat-recedes.html> [Last accessed: 06.10.2014].
2. 'Grandpa' seeking family gets adopted / Monday, September 27, 2004. URL: <http://afspot.net/forum/topic/36286-grandpa-seeking-family-gets-adopted/> [Last accessed: 20.06.2013].
3. Indiana Senate Approves Amendment to Ban Same-Sex Marriage / February 18th 2014 / NBC News. URL: <http://www.nbcnews.com/news/us-news/indiana-senate-approves-amendment-ban-same-sex-marriage-n32376> [Last accessed: 22.02.2014].
4. Feyerick, Deborah. Prosecutors: U.S. sailors' marriages a scam / April 17. 2008 / Online Edition CNN. URL: <http://edition.cnn.com/2008/CRIME/04/17/navy.brides/> [Last accessed: 22.02.2014].

Research Tasks

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SUBJECT 6.

***Subject-Specific Domain "Property in Private International Law".
Domain and subdomains conceptual profiling. Terminological technicalities.
Terminological clusters***

Key and peripheral concepts specific for the "propriety in private international law" domain. Concession agreement. Special economic zones. Nationalization, requisition and restitution in private international law context. Related case studies

Essential Reading

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, UK, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, U, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading

Masters students are encouraged to read some of the below listed books:

1. Isidore, Chris. U.S. unveils mortgage plan / CNNMoney.com. URL: http://money.cnn.com/2008/11/11/news/economy/loan_modification/?postversion=2008111114 [Last accessed: 20.05.2014].
2. Damico, Jackie. Mortgage meltdown results in pets going to pound / November 21, 2008. URL: <http://edition.cnn.com/2008/US/11/21/pets.foreclosure/index.html?eref=onion> [Last accessed: 05.04.2014]
3. Obama overturns Bush endangered species rule / Online Edition CNN. <http://edition.cnn.com/2009/POLITICS/03/03/endangered.species.act/index.html?iref=mpstoryview> [Last accessed: 17.05.2014].
4. Sahadi, Jeanne. Taxing the wealthy. The 'new' new tax on the rich / CNNMoney.com. July 24, 2009. URL: http://money.cnn.com/2009/07/24/news/economy/health_care_reform/index.htm [Last accessed: 25.10.2014].
5. *Stiglitz, Joseph E.* The Price of Inequality. London: Penguin Books, 2013.

Research Tasks

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SUBJECT 7.

***Subject-Specific Domain “Intellectual Property in Private International Law”.
Domain and subdomains conceptual profiling. Terminological technicalities.
Terminological clusters***

Key and peripheral concepts specific for the “intellectual property in private international law” domain. International IP and IP-related rights. International license agreement. Industrial property and trademarks in private international law context. Related case studies

Essential Reading

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading

Masters students are encouraged to read some of the below listed books:

1. Beatles label loses apple logo case to iTunes / The Guardian.com. Monday 8 May 2006. URL: <http://www.theguardian.com/business/2006/may/08/citynews.artsnews> [Last accessed: 22.04.2014].
2. Bittermann, Jim. French Face Tough New Internet Downloading Law / CNN International Online. May 15, 2009. URL: <http://edition.cnn.com/2009/TECH/05/15/france.internet.downloading/index.html?iref=newssearch> (Last accessed: 25.10.2013).
3. EU backs Greece in feta fight / Daily Mail Online. October 25, 2005 . URL: [Last accessed: <http://www.dailymail.co.uk/news/article-366518/Feta-cheese-Greek-EU-says.html>]
4. Microsoft hit by record EU fine / March 24, 2004. URL: <http://news.bbc.co.uk/2/hi/business/3563697.stm> [Last accessed: 11.05.2014].
5. Sullivan, Bob. 40 Million Credit Cards Exposed / NBCNews Online: nbcnews.com. Technology correspondent. Online news: msnbc.com as of 06.20.2005. URL: http://www.nbcnews.com/id/8260050/ns/technology_and_science-security/t/million-credit-cards-exposed/ [Last accessed: 25.04.2013].

Research Tasks

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SUBJECT 8.

Subject-Specific Domain “Contract obligations in Private International Relations”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters

Key and peripheral concepts specific for the “international commercial law” domain. Foreign economic transaction. Factoring; factoring agreement. International trade contract; international agency contract; international lease contract in the private international law context. Related case studies

Essential Reading

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Further Reading

Masters students are encouraged to read some of the below listed books:

1. *Christie, Les.* Citi to modify \$20 billion in home loans / CNNMoney.com November 11, 2008. URL: http://money.cnn.com/2008/11/10/real_estate/Citi_steps_up_foreclosure_help/index.htm?postversion=2008111110 [Last accessed: 22.05.2014].
2. Feds outline new food-safety initiatives / Online Edition CNN. URL: <http://edition.cnn.com/2009/HEALTH/07/07/food.safety.eggs/index.html> [Last accessed: 11.05.2014].
3. McKendrick, E. Contract Law : Text, Cases, and Materials. Oxford: Oxford University Press, 2012.
4. Microsoft ends 'unfair' contract / BBC News Online. 27 February, 2004, URL: <http://news.bbc.co.uk/2/hi/business/3488186.stm> [Last accessed: 22.02.2014]

5. Vlasenko, Svetlana. *Contract Law: Professional Translation Practices in the English–Russian Language Pair*. Moscow : Wolters Kluwer, 2006.
6. White, Aoife; Mintz, Jessica. Microsoft hit with record fine from EU / USA Today Online. URL:
http://usatoday30.usatoday.com/tech/products/2008-02-27-3211307819_x.htm [Last accessed: 22.04.2014].

Research Tasks

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SUBJECT 9.

Subject-Specific Domain “Inheritance and Heirship in Private International Law”. Domain and subdomains conceptual profiling. Terminological technicalities. Terminological clusters

Key and peripheral concepts specific for the “international inheritance law” domain. Conceptual consistency of the domain. International heirship and related rights; testamentary bequest; testamentary capacity; testamentary succession and escheat in the private international law context. Related case studies

Essential Reading

1. *Researching Language and the Law*. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. *Legal Discourse Across Languages and Cultures*. Frankfurt am Main, Berlin: Peter Lang, 2010.
3. Vlasenko, Svetlana. *Stance-Taking in Legal Matters*. Moscow: Omega-L, 2013.

Further Reading

Masters students are encouraged to read some of the below listed books:

1. Gilbert, Laura. New Legislation to Protect Foreign Art Lenders. From Lawsuits on U.S. Soil / 04.02.2008. The New York Observer (Art Law).
2. ‘Gone with the Wind’ papers are in dispute / USA Today Online. 09.13.2006 3:30 PM ET URL:

- http://usatoday30.usatoday.com/life/books/news/2006-09-13-gone-with-the-wind_x.htm [Last accessed: 22.04.2014].
3. Grossman, Joanna. Anna Nicole Smith Wins at the Supreme Court: She's Closer to Collecting From Her Late Husband's Estate, But Many Hurdles Still Remain / May. 16, 2006. URL:
<http://writ.news.findlaw.com/grossman/20060516.html> [Last accessed: 14.05.2014].
 4. Itzkoff, Dave. Ownership Settled for Malevich Painting / The New York Times. February 8, 2010 . URL:
http://www.nytimes.com/2010/02/09/arts/design/09arts-OWNERSHIPSET_BRF.html?_r [Last accessed: 06.03.2014].
 5. Lufkin, Martha. Stedelijk returns five Malevich works to artist's heirs / The Art Newspaper. Museums. 01 June 2008. Issue 192.
 6. Vogel, Carol. Malevich's Heirs Sue Over Paintings / New York Times Service. February 3, 2004 URL:
<http://www.nytimes.com/2004/02/03/arts/artist-s-heirs-sue-amsterdam-over-14-works.html> [Last accessed: 06.03.2014].

Research Tasks

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SUBJECT 10.

***Subject-specific domain "Financial obligations in private international law".
Domain and subdomains conceptual profiling.
Terminological technicalities. Terminological clusters***

Key and peripheral concepts specific for the "international banking law" domain. Conceptual consistency of the domain. International clearing; international settlement. Bank guarantee; note, cheque in the private international law context. Related case studies

Essential Reading

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Frankfurt am Main, Berlin: Peter Lang, 2010.

3. Vlasenko, Svetlana. *Stance-Taking in Legal Matters*. Moscow: Omega-L, 2013.\

Further Reading

Masters students are encouraged to read some of the below listed books:

1. Banks Healthy, Bernanke Says. In: *The New York Times* [The Associated Press]. April 9, 2013, page B2. URL: <http://www.nytimes.com/> [Last accessed: 04 April 2013].
2. Gilman, Martin G. *No Precedent, No Plan: Inside Russia's 1998 Default*. Cambridge, Mass.; London: MIT Press, 2010.
3. Gilman, Martin G. Like It or Not, Russia Is a Global Financial Power // *The Moscow Times*. 9 April 2013. Available at: <http://www.themoscowtimes.com/opinion/article/like-it-or-not-russia-is-a-global-financial-power/478384.html> [Last accessed: 15.04.2013].
4. Isidore, Chris. *Fannie, Freddie: Not out of the woods* / *CNNMoney.com*. July 14, 2008. URL: http://www.europe.cnnfn.com/2008/07/14/news/companies/fannie_freddie/index.htm?postversion=2008071411 [Last accessed: 04.05.2014].
5. Johnson, Simon. *The Debate on Bank Size Is Over (Cypriot Offshore Banking)*. In: *The New York Times*. URL: <http://economix.blogs.nytimes.com/2013/03/28/the-debate-on-bank-size-is-over/?ref=bensbernanke> [Last Accessed: 28.03.2013].
6. Stiglitz, Joseph E. *The Price of Inequality*. London: Penguin Books, 2013.
7. Stiglitz, Joseph E. *The Stiglitz Report Reforming the International Monetary and Financial Systems in the Wake of the Global Crisis / With a Foreword by Miguel d'Escoto Brockmann*. New York, London: New Press, 2010.

Research Tasks

Since research tasks are largely time-consuming, they are formulated either for the entire group with the view of further splitting among students or for micro-groups from the very start; individual tasks are also given for students willing to work on their own.

SAMPLE TASKS AS CURRENT CONTROL

TASK 1. Checking the Concept–Definition Relations: select an appropriate definition from the right column for the legal terms in the left column by writing down a corresponding letter next to the term, for instance: counterfeit (d).

No	TERMS	Letter	DEFINITIONS
1	counterfeit	a	additional provision or amendment to a legal document
2	act of God	b	person selected to decide a dispute or any disagreement out of court
3	voidable	c	something made as an imitation of an original product with no right for doing this and using a false copy to stand for an original product or thing
4	rider	d	unforeseeable circumstances arising from natural causes, such as flood, fire, hurricane or earthquake which cannot be controlled by the parties to an agreement
5	arbitrator	e	capable of being made of no legal effect or annulled whatsoever

TASK 2. Choose among the three answers suggested to you below the one you consider correct; underline the correct word.

(1) All members of the tribunal may share a common understanding that no party should be absolutely dissatisfied with the arbitral ..., so that no party-appointed arbitrator could be of inadequately defending the interests of the party who appointed him.

- 1a) vagueness 1b) status 1c) outcome
2a) distressed 2b) accused 2c) precluded

(2) The current norm in international commercial arbitration is to direct arbitrators to apply a national law when the parties did not include a choice of law clause; in that regard, the influential 1985 UNCITRAL Model Law on International Commercial Arbitration arbitrators to apply a choice of

law rule to determine the applicable law in such circumstances, forcing them to apply a national law.

- | | | |
|---------------|----------------|------------------|
| 1a) condemns | 1b) preserves | 1c) instructs |
| 2a) dubiously | 2b) implicitly | 2c) indiscreetly |

(3) Lex mercatoria is tailor-made for the international business community and its is evident by the fact that the business community believes that it exists and on it as the governing law of their contracts.

- | | | |
|----------------|--------------|---------------|
| 1a) discretion | 1b) prudence | 1c) existence |
| 2a) consents | 2b) complies | 2c) relies |

(4) In the arbitration context, the disputing parties, being unable to resolve the dispute themselves, hire ... in dispute resolution (the arbitrators) to resolve the dispute for them. Thus, the arbitrator-party relationship falls within the agency theory.

- | | | |
|-------------------|-------------------|------------------|
| 1a) performers | 1b) experts | 1c) experiencers |
| 2a) approximately | 2b) intrinsically | 2c) squarely |

(5) Parties to international contracts who want their agreement to be by internationally accepted principles, or who are unable to on a reference to a national legal system, have the option to adopt the lex mercatoria to govern their contract.

- | | | |
|--------------|--------------|--------------|
| 1a) approved | 1b) executed | 1c) governed |
| 2a) transact | 2b) agree | 2c) dismiss |

TASK 3. Read the following English text on private international law and write a synopsis in English. 5–6 sentences capturing the essence of the text will do.

**COMPETENCE TO ADOPT MANDATORY RULES –
– NO COMPETENCE FOR FACILITATIVE RULES**

The very freedom of contract in private law means that the parties, in an ideal-type situation, are free to establish their own rules governing their contract. Contract law as it has traditionally developed contains a set of instruments to make these autonomous decisions effective by provisions on “meeting of minds,” form, cancellation rights, to protect parties against fraud and deception, to regulate the position of third parties to the contract, and to establish non-mandatory rules for performance of the

contract and remedies in case of breach or nonperformance. Grundmann and Kerber correctly call these rules “facilitative” or “default” rules, in German “*dispositives Recht*.” National contract law has developed complex and differentiated sets of these facilitative rules. Very few of these rules are mandatory, at least in B 2 B (business-to-business) transactions. In case of cross-border transactions, rules of private international law such as the Rome Convention or international instruments such as the United Nations Convention on Contracts for the International Sale of Goods (CISG) contain coordinating mechanisms in the case of conflicts on applicable law, always respecting party autonomy as far as possible.

Why should the EU intervene in this process by creating a body of European facilitative rules? Isn't this a violation of the principle of subsidiarity in Article 5 (2) which allows the European Community to take action only “if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of scale or effects of the proposed action, be better achieved by the Community.” In the case of contract law, parties take action themselves and refer to Member State or international “default” rules of contract law only insofar as actual or potential gaps exist in their transactions. The argument made by Basedow in 1996 that an internal or common market needs a set of common rules in contracts is not convincing because to parties, under applicable Member State law, make the rules themselves, or it must be, strictly speaking, extended beyond contract law. The mere argument that transactions costs would be saved is not enough to invoke a Community jurisdiction in this field – which would have to be non-mandatory in any case and would have to compete with national and international law as well as the commercial law.

The importance of freedom of choice in contract law has been stressed by the European Court of Justice (E.C.J.). It has denied the applicability of the free movement rules where commercial partners can avoid Member State law restricting their freedom. In the *Alsthom* case, the Court was concerned with the question of whether the French rules on strict liability of a seller with regard to defects in a product in the chain of distribution amount to a restriction on free movement of goods in the sense of Articles 28 and 29 E.C. The Court insisted that “the parties in an international contract are generally free to determine the law applicable to their contractual relations and can thus avoid being subject to French Law”.

This amounts to an implicit recognition of the parties' freedom to contract. If a party is free to avoid a Member State rule restricting its freedom in contract with regard to applicable liability rules as in *Alsthom*,

there is no place for Community law intervention. This implies that there is really no need for the EU to adopt “facilitative” contract law rules because this is left to the parties themselves or the jurisdiction which is applicable to their contract.

Based on the Source: Reich, Norbert. A European Contract Law, or an EU Contract Law Regulation for Consumers? // European Contract Law. Journal of Consumer Policy. 2005. Issue. 28. P. 391–392.

English Synopsis

.....
.....

TASK 4. Indicate one or more fields within the private international law domain wherein the terminology appears to be the most challenging. Give examples and provide your reasoning for so doing.

.....
.....

TOPICS FOR ESSAYS AS CURRENT CONTROL

1. Comparison of the ‘welfare’ concept as defined in legal terms and economic terms.
2. Types of ‘social welfare’ and the difference of applying this concept in English-speaking jurisdictions.
3. Definitions of ‘fiscal welfare,’ ‘occupational welfare,’ and ‘welfare in kind’ against the socially-driven legal policy strategies (based on one English-speaking jurisdiction).
4. Gender-sensitive legal concepts in employment-related issues in international recruiting.
5. ‘Social protection’ terminological domain: core and peripheral notions; subdomains and related terminologies.
6. The concept of ‘ageism’ and intra-linguistic variability of its denotation.
7. Denotation of workforce participation in a gendered context as linguistically sensitive area.
8. Cyber-security law’ terminological domain: core and peripheral notions; subdomains and related terminologies.
9. The concept of ID: concept and definitions in different English-jurisdictions; major cases
10. ID varieties: tax ID, social ID, biometric ID and other types of identities: definitions and regional variance based on English-speaking jurisdictions.

11. 'Biometrics': concept and related concepts, such as 'biometric identity,' 'biometric security,' and 'biometric cloning': linguistic criteria valid for legal analysis.
12. "Personal data" concept: definitions across English-speaking jurisdictions.
13. 'Hosting' concept: legal definitions; variability of terminologies; graphic variability like a 'web site', 'WEB-site' or 'website.'
14. 'Hosting' concept: related concepts; core and peripheral terminologies used internationally.
15. Denotation of 'domain' in a legal context vs. IT-context.
16. Lexical clusters such as: online-Trading, online-Buying, online-Paying, etc.: definitions and challenges of using in legal discourse.
17. Lexical clusters, such as: e-commerce e-trade, e-library, e-banking, etc.: definitions, if available, and challenges of using in legal discourse.
18. The concept of 'malware': core and peripheral meanings; regional variance.
19. The concept of 'phishing': core and peripheral meanings; regional variance.
20. The concept of 'spamming': core and peripheral meanings.
21. The concept of 'ambulance chasing': origin, definitions; enforcement history in one of the English-speaking countries.
22. The concept of 'ambulance chasers' as companies and/or attorneys-at-law: case-studies in different jurisdictions (English-speaking and non-English-speaking).
23. Profiling of the two international investment concepts: "grandfather clause' and 'grandfathered activities'.
24. Conceptual profiling of the terms "procurement' and 'acquisition' based on the Anglophone countries' jurisdictions.
25. Conceptual profiling of the metaphor-based terms 'umbrella agreement', 'umbrella agency' and 'umbrella policy': substantive similarities and discords.

Topics for each student are subject to individual review and approval by the Course Instructor.

Topics for checking the quality of knowledge acquired during the Course

A tentative list of issues to be regularly checked prior to the exam is provided to each individual subject presented in this Course Overview.

SAMPLE EXAMINATION TASKS AS INTERMEDIARY CONTROL

SAMPLE EXAMINATION PAPER

1. **CONCEPTUAL CLUSTERING** (in writing).

A core concept in a cluster is ‘umbrella policy’. Name and define the peripheral concepts within the cluster.

2. **DEFINING CONCEPTS** (in writing).

Give as exact definitions as possible for the terms ‘securities’ and ‘stock option’. Identify their synonyms, if any.

3. **CONCEPTUAL PROFILING** (orally).

What field within the private international law branch do the concepts ‘grandfather provision’ and ‘grandfather activities’ represent? Define either concept.

4. **SYNOPSISING A PASSAGE OF A LEGAL REVIEW PAPER IN ENGLISH.**

Identify the key concepts for the legal matter described. Substantiate the choice made. (in writing)

THE DEFENSE OF MARRIAGE ACT (DOMA)

<...> “In *United States v. Windsor*, the United States Supreme Court held unconstitutional, under the Fifth Amendment, section 3 of the Defense of Marriage Act (DOMA). Section 3 is the vertical part of DOMA, which defines marriage for federal law purposes as meaning “only a legal union between one man and one woman as husband and wife.” *Windsor* did not involve section 2, the horizontal part of DOMA, which releases states from their obligation to give full faith and credit to sister-state laws or judgments that recognize same-sex marriages or unions.

The five-member majority opinion written by Justice Kennedy was less meticulous than the well-reasoned opinion of the court below, which had reached the same result but provided more specific grounds for holding DOMA unconstitutional. The Court began by noting that “[b]y history and tradition the definition and regulation of marriage . . . has been treated as being within the authority and realm of the separate States,” but also acknowledging that Congress “can make determinations that bear on marital rights and privileges.” The problem with DOMA, the Court found, is that it “rejects the long-established precept that the

incidents, benefits, and obligations of marriage are uniform for all married couples within each State, though they may vary, subject to constitutional guarantees, from one State to the next.”

This “federal intrusion on state power” could render DOMA unconstitutional on federalism grounds, but the Court found it “unnecessary” to decide the case on those grounds because “[t]he State’s power in defining the marital relation is of central relevance in this case quite apart from principles of federalism.” A state’s decision to give this class of persons the right to marry “conferred upon them a dignity and status of immense import,” whereas DOMA “use[d] this state-defined class for the opposite purpose—to impose restrictions and disabilities[— . . . and] to injure the same class the State seeks to protect.” In so doing, DOMA “violates basic due process and equal protection principles applicable to the Federal Government” under the Fifth Amendment. DOMA’s “unusual deviation from the usual tradition of recognizing and accepting state definitions of marriage . . . operates to deprive same-sex couples of the benefits and responsibilities that come with the federal recognition of their marriages.” DOMA’s principal effect is “to identify recognition of their marriages.” DOMA’s principal effect is “to identify a subset of state-sanctioned marriages and make them unequal [,]” and its principal purpose is “to impose inequality.” It “singles out a class of persons deemed by a State entitled to recognition and protection” and “imposes a disability” on them “by refusing to acknowledge a status the State finds to be dignified and proper” and “treating those persons as living in marriages less respected than others.”

For these reasons, the Court concluded, “DOMA is unconstitutional as a deprivation of the liberty of the person protected by . . . the Fifth Amendment’s Due Process Clause [which] contains within it the prohibition against denying to any person the equal protection of the laws.”

In the penultimate sentence of the opinion, the Court stated that “[t]his opinion and its holding are confined to those lawful marriages,” namely marriages that are legal under state law. The negative implication is that the opinion does not apply to challenges against *state* laws that prohibit same-sex marriages. In his dissenting opinion, Justice Scalia expressed deep disbelief, stating that it was simply a matter of time “for the other shoe” to drop. He thought it “inevitable” that the majority would “reach the same conclusion with regard to state laws denying same-sex couples marital status.” By formally “declaring anyone

opposed to same-sex marriage an enemy of human decency,” Scalia said, “the majority arms well every challenger to a state law restricting marriage to its traditional definition.” Scalia predicted that a Court that “finds it so horrific that Congress irrationally and hatefully robbed same-sex couples of the ‘personhood and dignity’” will certainly be “similarly appalled by state legislatures’ irrational and hateful failure to acknowledge that ‘personhood and dignity’ in the first place. <...>”

[Symeonides, Symeon C. Choice of Law in the American Courts in 2013: Twenty-Seventh Annual Survey. In: 27th Annual Choice-Of-Law Survey. P. 81 – 86. URL: <http://ssrn.com/abstract=2374470> (Last accessed: 21.08.2014)]

5. SYNOPSISING A PASSAGE OF AN INTERNATIONAL COURT OF JUSTICE JUDGEMENT. Identify the term ‘representation’ and substantiate its use. (in writing)

THE ORIGINAL ICJ JUDGMENT ON
BARCELONA TRACTION CASE, 1970.

“<...> [70] In allocating corporate entities to States for purposes of diplomatic protection, international law is based, but only to a limited extent, on an analogy with the rules governing the nationality of individuals. The traditional rule attributes the right of diplomatic protection of a corporate entity to the State under the laws of which it is incorporated and in whose territory it has its registered office. These two criteria have been confirmed by long practice and by numerous international instruments. This notwithstanding, further or different links are at times said to be required in order that a right of diplomatic protection should exist. Indeed, it has been the practice of some States to give a company incorporated under their law diplomatic protection solely when it has its seat (siege social) or management or centre of control in their territory, or when a majority or a substantial proportion of the shares has been owned by nationals of the State concerned. Only then, it has been held, does there exist between the corporation and the State in question a genuine connection of the kind familiar from other branches of international law. However, in the particular field of the diplomatic protection of corporate entities, no absolute test of the “genuine connection” has found general acceptance. Such tests as have been applied are of a relative nature, and sometimes links with one State have had to be weighed against those with another. In this connection reference has been made to the Nottebohm case. In fact the Parties made frequent reference to it in the course of the proceedings. However, given

both the legal and factual aspects of protection in the present case the Court is of the opinion that there can be no analogy with the issues raised or the decision given in that case.

[71] In the present case, it is not disputed that the company was incorporated in Canada and has its registered office in that country. The incorporation of the company under the law of Canada was an act of free choice. Not only did the founders of the company seek its incorporation under Canadian law but it has remained under that law for a period of over 50 years. It has maintained in Canada its registered office, its accounts and its share registers. Board meetings were held there for many years; it has been listed in the records of the Canadian tax authorities. Thus a close and permanent connection has been established, fortified by the passage of over half a century. This connection is in no way weakened by the fact that the company engaged from the very outset in commercial activities outside Canada, for that was its declared object. Barcelona Traction's links with Canada are thus manifold.

[72] Furthermore, the Canadian nationality of the company has received general recognition. Prior to the institution of proceedings before the Court, three other governments apart from that of Canada (those of the United Kingdom, the United States and Belgium) made representations concerning the treatment accorded to Barcelona Traction by the Spanish authorities. The United Kingdom Government intervened on behalf of bondholders and of shareholders. Several representations were also made by the United States Government, but not on behalf of the Barcelona Traction company as such.

[73] Both Governments acted at certain stages in close co-operation with the Canadian Government. An agreement was reached in 1950 on the setting-up of an independent committee of experts. While the Belgian and Canadian Governments contemplated a committee composed of Belgian, Canadian and Spanish members, the Spanish Government suggested a committee composed of British, Canadian and Spanish members. This was agreed to by the Canadian and United Kingdom Governments, and the task of the committee was, in particular, to establish the monies imported into Spain by Barcelona Traction or any of its subsidiaries, to determine and appraise the materials and services brought into the country, to determine and appraise the amounts withdrawn from Spain by Barcelona Traction or any of its subsidiaries, and to compute the profits earned in Spain by Barcelona Traction or any of its subsidiaries and the amounts susceptible of being

withdrawn from the country at 31 December 1949.

[74] As to the Belgian Government, its earlier action was also undertaken in close co-operation with the Canadian Government. The Belgian Government admitted the Canadian character of the company in the course of the present proceedings. It explicitly stated that Barcelona Traction was a company of neither Spanish nor Belgian nationality but a Canadian company incorporated in Canada. The Belgian Government has even conceded that it was not concerned with the injury suffered by Barcelona Traction itself, since that was Canada's affair.

[75] The Canadian Government itself, which never appears to have doubted its right to intervene on the company's behalf, exercised the protection of Barcelona Traction by diplomatic representation for a number of years, in particular by its note of 27 March 1948, in which it alleged that a denial of justice had been committed in respect of the Barcelona Traction, Ebro and National Trust companies, and requested that the bankruptcy judgment be cancelled. It later invoked the Anglo-Spanish treaty of 1922 and the agreement of 1924, which applied to Canada. Further Canadian notes were addressed to the Spanish Government in 1950, 1951 and 1952. Further approaches were made in 1954, and in 1955 the Canadian Government renewed the expression of its deep interest in the affair of Barcelona Traction and its Canadian subsidiaries.

[76] In sum, the record shows that from 1948 onwards the Canadian Government made to the Spanish Government numerous representations which cannot be viewed otherwise than as the exercise of diplomatic protection in respect of the Barcelona Traction company. Therefore this was not a case where diplomatic protection was refused or remained in the sphere of fiction. It is also clear that over the whole period of its diplomatic activity the Canadian Government proceeded in full knowledge of the Belgian attitude and activity.”

[THE ORIGINAL ICJ JUDGMENT ON
BARCELONA TRACTION CASE, 1970. Paras 70–76]

ASSESSMENT AND GRADING

A. Assessment

- Seminar attendance / participation – 10%
- Self-study – 10%
- Essay – 30%
- Examination (test) – 50%

The form of intermediate control is an essay and an exam as a written test, the grade being a sum total equalling 80%.

An overall assessment formula comprises a sum total of the following variables:

$$(seminar\ attendance / participation) * 0.1 + (self-study) * 0,1 + \\ + (essay) * 0.3 + (exam) * 0.5 = final\ grade$$

B. Grading

Grading rates for an essay:

- Outstanding 9–10 points
- Very good 7–8 points
- Good 5–6 points
- Satisfactory 3–4 points
- Poor 1–2 points

List of basic, essential and optional reading, reference and dictionaries, as well as online sources and web tools

Basic Sourcebooks

1. Researching Language and the Law. Frankfurt am Main, Berlin: Peter Lang, 2010.
2. Legal Discourse Across Languages and Cultures. Peter Lang, 2010.
3. Vlasenko, Svetlana. Stance-Taking in Legal Matters. Moscow: Omega-L, 2013.

Essential Reading

1. Clarkson C.M.V., Hill J. The Conflict of Law. 4-th ed. Oxford: Oxford University Press, 2011.
2. Philosophical Foundations of Language in the Law. Oxford : New York Oxford University Press, 2013.
3. Vlasenko, Svetlana. Minimal Unit of Legal Translation vs. Minimal Unit of Thought, in: The Ashgate Handbook of Legal Translation / Le Cheng, King Kui Sin, and Anne Wagner (Eds.). Farnham, UK: Ashgate Publishing Group, 2014. P. 89–120.

Further Reading

1. *Doherty, M.* Language Processing in Discourse. London; New York: Routledge, 2012.
2. *Elhauge, Einer.* Statutory Default Rules. How to Interpret Unclear Legislation. Cambridge, Massachusetts, and London, England: Harvard University Press, 2008.
3. *Gilman, Martin G.* No Precedent, No Plan: Inside Russia's 1998 Default. Cambridge, Mass.; London: MIT Press, 2010.
4. *McKendrick, E.* Contract Law : Text, Cases, and Materials. – Oxford: Oxford University Press, 2012.
5. Russell, F. English Law and Language. New York : Phoenix ELT, 1995.
6. Stiglitz, Joseph E. The Price of Inequality. London: Penguin Books, 2013.
7. *Stiglitz, Joseph E.* The Stiglitz Report Reforming the International Monetary and Financial Systems in the Wake of the Global Crisis / With a Foreword by Miguel d'Escoto Brockmann. New York, London: New Press, 2010.
8. *Tiersma, Peter M.* Legal Language. Chicago and London: The University of Chicago Press, 2000.
9. *Vlasenko, Svetlana.* Contract Law: Professional Translation Practices in the English–Russian Language Pair : Sourcebook for students of law & linguistics. Moscow: Wolters Kluwer, 2006.
10. *Winkler, E.G.* Understanding Language. London and New York : Continuum, 2012.

Reference Books, Dictionaries and Encyclopedias

1. Black's Law Dictionary / Garner B.A. et al. (eds.) 9-th ed. Thomson–West, USA, 2009.
2. Dictionary of Business and Economics Terms / J.P. Freidman (Gen. Ed.). 5th ed. N.Y.: Barron's Educational Series Inc., USA, 2012.
3. Dictionary of Finance and Investment Terms / Downes, John, Goodman, Jordan Elliot. 8th ed. N.Y.: Barron's Educational Series, Inc., USA, 2010.
4. Dictionary of International Investment Terms / Compiled by Shim J.K., Siegel J.G. New York: Barron's Educational Series Inc., USA, 2001.
5. Dictionary of Law. Oxford; New York : Oxford University Press, 2009.
6. English–Russian Comprehensive Law Dictionary / A.S. Mamulyan, S.Yu. Kashkin. Moscow: Eksmo, 2008.
7. Law Dictionary / S.H. Gifis. 5-th ed. N.Y.: Barron's Legal Guides Inc., USA, 2003.

8. Legal Dictionary of Civil and International Private Law / Renkvist T. et al. Moscow: Mir, pravo, informacija, 2002.
9. Legal Glossary: Law and Business (Russian–English, English–Russian) / By Baskakova M.A. 8-th ed., rev. & amend. Moscow: Finansy i statistika, 2009.
10. Merriam-Webster’s Dictionary of Law. Merriam-Webster, USA, 1996.
11. The Oxford Handbook of the History of International Law. Oxford; New York: Oxford University Press, 2012.
12. Research Handbook on the Economics of European Union Law. Cheltenham; Northampton: Edward Elgar, 2012.
13. Research Handbook on the Economics of Property Law. Cheltenham; Northampton: Edward Elgar, 2011.
14. Research Handbook on International Insurance Law and Regulation. Cheltenham; Northampton: Edward Elgar, 2011.
15. Research Handbook on the Theory and History of International Law. Cheltenham; Northampton: Edward Elgar, 2011.
16. The Routledge Handbook of World Englishes / Ed. by A. Kirkpatrick. London; New York: Routledge, 2010.
17. Law Dictionary: <http://dictionary.lp.findlaw.com/>
18. Latin Phrases:
http://www.freebase.com/view/language/views/latin_phrases
Oxford Online Dictionaries. URL: oxforddictionaries.com

Online Dictionaries

1. ABBYY 2011: ABBYY LINGVOx5: Electronic Multilingual Dictionary, ABBYY Software Ltd., 2011. URL: www.Lingvo.ru
2. Latin Phrases on Freebase.com: URL:
http://www.freebase.com/view/language/views/latin_phrases
3. Law Dictionary: URL: <http://dictionary.lp.findlaw.com/>
4. Legal Texts – URL: <http://icame.uib.no/brown/bcm-los.html#j>
5. Online Russian Dictionaries: <http://slovari.yandex.ru/>
6. Oxford: Oxford online dictionaries. URL: oxforddictionaries.com
7. US Legal Online Dictionary: <http://dictionary.findlaw.com/>

Online Legal Data Sources

1. Cornell University law portal – URL: <http://www.law.cornell.edu/>
2. EU/EC Legal Database Acquis Communautaire – URL:
<http://www.eurofound.europa.eu/areas/index.htm>

3. Legal Scholarship Network – URL: <http://ssrn.com/lisn/index.html>
4. The New York State Unified Court System – URL: <https://iapps.courts.state.ny.us>
5. The UK Law Society website – URL: <http://www.lawsociety.org.uk/>
6. The UK Ministry of Justice website – URL: <http://www.justice.gov.uk/>
7. US Legal Sources – URL: www.findlaw.com; www.uslegal.com
8. The US Supreme Court Collected Rulings – URL: <http://supct.cornell.edu/supct/>

Linguistic Web Tools

1. Australian National Corpus – URL: <https://www.ausnc.org.au/corpora/ace>
2. British National Corpus – URL: <http://www.natcorp.ox.ac.uk/>
3. Corpus of Contemporary American English – URL: <http://corpus.byu.edu/coca/>; <http://www.americancorpus.org/>
4. International Corpus of English – URL: <http://www.ucl.ac.uk/english-usage/projects/ice.htm>
5. National Russian Language Corpus – URL: <http://ruscorpora.ru/search-main.html>
6. Strathy Corpus of Canadian English – URL: <http://corpus.byu.edu/can/>

IT backup tools

A notebook, an overhead projector, and a screen are used at both lectures and seminars. Students make use of their personal laptops (ultra- or notebooks), android tablets and/or ipads.

Author of the Course / Course Instructor

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