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ФИО: Ястребов Олег Александрович  
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**Federal State Autonomous Educational Institution for Higher Education  
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA  
NAMED AFTER PATRICE LUMUMBA**

**LAW INSTITUTE**

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

**COURSE SYLLABUS**

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**COMPARING LEGAL TECHNIQUES**

course title

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

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**40.03.01 JURISPRUDENCE**

field of studies / speciality code and title

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

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**BACHELOR OF LAWS (LLB)**

higher education programme profile/specialisation title

**2026**

## 1. COURSE GOAL(s)

The goal of mastering the discipline "Comparing Legal Techniques" is to form students' understanding of the place of legal technique in lawmaking, law enforcement and interpretation activities and to obtain the necessary theoretical knowledge about technical and legal techniques and means, as well as the skills to use them in legal activities.

The specificity of the special course is that, on the one hand, as a course taught in Russia, it is devoted to the problems of domestic legal technology, on the other hand, reflecting the specifics of RUDN University as a unique international university, it is much more than in any other Russian legal university, includes elements of its comparison with the legal technique of the countries of Europe, America, the Afro-Asian region. The element of comparison of legal technique that existed at different stages of the history of law is also significant.

## 2. REQUIREMENTS FOR LEARNING OUTCOMES

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

*Table 2.1. List of target competences (parts of competences)*

<b>Competence code</b>	<b>Competence descriptor</b>	<b>Competence formation indicators (within this course)</b>
GC-3	GC-3. Is capable of social interaction, can fulfill the necessary role in a team.	GC-3.1. Understands the effectiveness of using the cooperation strategy to achieve the goal, identifies their role in a team based on the cooperation strategy to achieve the goal; GC-3.2. Considers the behavior of social groups that they interact with, depending on the goal; GC-3.3. Analyzes the possible consequences of their actions and plans them accordingly to achieve the necessary result, considering the role played in the team; GC-3.4. Interacts with other team members in a constructive way by sharing information, knowledge and experience with them; GC-3.5. Explains their point of view regarding the use of other team members' ideas to achieve the goal.
PC-1	PC-1. Can draft regulatory acts, formulate legal norms for various levels of rulemaking and areas of professional activity.	PC-1.1. Identifies the societal need for legal regulations of public relations in a particular area as well as gaps and conflicts in the current legislation and has the tools to overcome and eliminate them; PC-1.2. Understands the nature and levels of rulemaking, identifies the stages and actors in the rulemaking procedure; PC-1.3. Identifies the role and competence of rulemaking procedure actors, assesses the legitimacy of their decisions and actions;

Competence code	Competence descriptor	Competence formation indicators (within this course)
		PC-1.4. Demonstrates the knowledge of the fundamental legislative techniques used in developing regulatory acts; PC-1.5. Understands the importance of legal review of regulatory acts, is able to take part in it.
PC-4	PC-4. Can provide legal assistance to citizens and organizations and other types of legal services, to provide qualified professional opinions and advice in specific legal areas	PC-4.3. Knows and applies the rules needed to prepare a legal opinion and provide consultations.

### 3.COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE

The course refers to the core component of (B1) block of the higher educational programme curriculum.

Within the higher education programme students also master other modules and / or internships that contribute to the achievement of the expected learning outcomes as results of the course study.

*Table 3.1. The list of the higher education programme components/disciplines that contribute to the achievement of the expected learning outcomes as the course study results*

Competence code	Competence descriptor	Previous courses/modules, internships*	Subsequent courses/modules, internships*
GC-3	GC-3. Is capable of social interaction, can fulfill the necessary role in a team.	Judicial Organization	Bachelor Thesis Defence
PC-1	PC-1. Can draft regulatory acts, formulate legal norms for various levels of rulemaking and areas of professional activity.	Theory of State and Law Administrative Law Constitutional Law Implementation and Protection of Civil Rights. Right of Ownership and Other in Rem Rights Family Law Commercial Law and Corporations Comparative Constitutional Law and Justice Comparative Criminal Law Administrative Law and Justice	Philosophy of Law: Fundamental Course Civil Liberties and Human Rights Law and Neuroscience Work Experience (Investigation-Prosecution) Internship Work Experience (Judicial) Internship Work Experience (Pre-graduation)

Competence code	Competence descriptor	Previous courses/modules, internships*	Subsequent courses/modules, internships*
		Comparative Civil and Commercial Law Comparative Criminal Procedure Comparative Civil Procedure Comparative Financial and Tax Law	
PC-4	PC-4. Can provide legal assistance to citizens and organizations and other types of legal services, to provide qualified professional opinions and advice in specific legal areas		Work Experience (Pre-graduation) Internship

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

#### 4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

The total workload of the course is 3 credits (108 academic hours).

Table 4.1. Types of academic activities during the periods of higher education programme mastering (**full-time training**) \*

Type of academic activities	Total academic hours	Semesters			
		1	2	3	4
<i>Classroom learning, academic hours</i>	68			68	
Lectures (LC)	34			34	
Lab work (LW)					
Seminars (workshops/tutorials) (S)	34			34	
<i>Self-studies</i>	24			24	
<i>Evaluation and assessment (exam/passing/failing grade)</i>	16			16	
<b>Course workload</b>	academic hours	<b>108</b>		<b>108</b>	
	credits	<b>3</b>		<b>3</b>	

#### 5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
Chapter 1. Grounds for the comparative approach to legal techniques	Grounds for the comparative approach to legal techniques you will learn the correspondence of legal techniques and legal activities. Also we	LC / S

<b>Course module title</b>	<b>Course module contents (topics)</b>	<b>Academic activities types</b>
	shall discuss the problem of comparability and compatibility of legal cultures in comparing legal techniques.	
Chapter 2. The notion of legal technique in comparative studies	The notion of legal technique in comparative studies you will study the "broad" and the "narrow" approaches to the legal technique. You will have a choice how to understand them. Is it law in general, or it is its cornerstone, or it reflects more than one aspect of legal reality, or whether it is identified only at one sphere of the law — the law-making activity. Finally, in this chapter we shall discuss the polysemy of a concept of the legal technique in Western legal literature.	LC / S
Chapter 3. Cultural context of comparing legal techniques	Cultural context of comparing legal techniques you will get a general impression about the functional and instrumental orientation of social knowledge as the basis for the methodology of comparing legal techniques. We shall analyze the question of statics and dynamics of the law in comparative research as well as the appeal to culture in comparative studies of the legal phenomena. Finally, in this chapter we shall learn the concept of law as culture as a basis of comparing legal techniques.	LC / S
Chapter 4. Comparing legal techniques of the law-making	Comparing legal techniques of the law-making you will study the legislative process as a component of the law-making technique. We shall discuss the theoretical model of the legislative process of Ancient Rome and the ideas of Bentham presented in his "Principles of the Legislation" and "Introduction to the Bases of Morality and Legislations". Finally, in this chapter you will get general impression about the features of law-making activity in England and in the countries of the Civil Law family.	LC / S
Chapter 5. Comparing legal techniques of the law-enforcement	Comparing legal techniques of the law-enforcement you will learn the notion of the law-enforcement technique, we shall give the structural definition of the components of the law-enforcement technique and make its functional analysis in connection with the problem of sources of law.	LC / S
Chapter 6. Comparing legal techniques of the systematization of law	Comparing legal techniques of the systematization of law we shall move to USA and Germany. We shall discuss the notion of this phenomena and specifics of its realization in case-law family (on the example of USA) and in civil law family (on the example of Germany and France).	LC / S

Course module title	Course module contents (topics)	Academic activities types
Chapter 7. Comparing legal techniques of the law-interpretation and legal reasoning	Comparing legal techniques of the law-interpretation and legal reasoning, we shall discuss Joseph E. David's article - "Legal comparability and cultural identity: the case of legal reasoning in Jewish and Islamic traditions". We shall visit Israel and Islamic countries. You will learn the methodological aspects of the comparative research in the field of law-interpretation and legal reasoning in Jewish and Islamic law. Then you will compare the Islamic and Jewish attitudes towards the techniques of legal reasoning and law-interpretation. Finally, in this chapter we shall discuss the Judicial error as the result of legal reasoning and law-interpretation from the point of view of similarities and differences in Jewish and Islamic law.	LC / S
Chapter 8. Legal techniques at the beginning of culture: some ideas to understand the logic of the process of development of law	Legal techniques at the beginning of culture: some ideas to understand the logic of the process of development of law we shall return to the past, to the pre-state societies. you will learn the methodological aspects of exploring legal technique at the beginning of culture. we shall analyze the phenomenon of syncretism of consciousness and social regulation in pre-state societies. you will get general impression about customary law and the cult of the ancestors as the basis of legal technique in pre-state societies. finally, the aim of this chapter is to learn the historical logic of the process of development of law.	LC / S

\* - to be filled in only for **full**-time training: LC - lectures; LW - lab work; S - seminars.

## 6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

Table 6.1. Classroom equipment and technology support requirements

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
Lecture	A lecture hall for lecture-type classes, equipped with a set of specialised furniture; board (screen) and technical means of multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Lab work	A classroom for laboratory work, individual consultations, current and mid-term	Multimedia projector, laptop, projection screen,

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
	assessment; equipped with a set of specialised furniture and machinery.	stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Seminars	A classroom for conducting seminars, group and individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and technical means for multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Computer Lab	A classroom for conducting classes, group and individual consultations, current and mid-term assessment, equipped with personal computers (in the amount of 30 pcs), a board (screen) and technical means of multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Self-studies	A classroom for independent work of students (can be used for seminars and consultations), equipped with a set of specialised furniture and computers with access to the electronic information and educational environment.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Courtroom	A classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome

\* It is necessary to specify a classroom for self-study of students

## 7. RESOURCES RECOMMENDED FOR COURSE STUDY

### *Main reading (sources):*

1. Comparing Legal Techniques. URL: <https://stepik.org/course/176255/promo>
2. Mark Van Hoecke. Methodology of Comparative Legal Research. URL: <https://www.bjutijdschriften.nl/tijdschrift/lawandmethod/2015/12/RENM-D-14-00001.pdf>
3. P. Ishwara Bhat. COMPARATIVE METHOD OF LEGAL RESEARCH: NATURE, PROCESS AND POTENTIALITY. Journal of the Indian Law Institute. Vol. 57, No. 2 (April-June 2015), pp. 147-173 (27 pages) <https://www.jstor.org/stable/44782499>
4. Eberle, Edward J. (2011) "The Methodology of Comparative Law," Roger Williams University Law Review: Vol. 16: Iss. 1, Article 2. Available at: [http://docs.rwu.edu/rwu\\_LR/vol16/iss1/2](http://docs.rwu.edu/rwu_LR/vol16/iss1/2)
5. Alexander H. Pekelis. Legal Techniques and Political Ideologies: A Comparative Study. Michigan Law Review. Vol. 41, No. 4 (Feb., 1943), pp. 665-692 (28 pages) <https://doi.org/10.2307/1283267>

*Additional (optional) reading (sources):*

1. J. Bomhoff, 'Comparing Legal Argument', in: M. Adams & J. Bomhoff (eds.), *Practice and Theory in Comparative Law*, Cambridge: Cambridge University Press 2012, p. 74-95.
2. Joseph E. David *Legal Comparability and Cultural Identity: The Case of Legal Reasoning in Jewish and Islamic Traditions*", vol. 14.1 *ELECTRONIC JOURNAL OF COMPARATIVE LAW*, (May 2010), <http://www.ejcl.org/141/art141-2.pdf>.
3. Reimann M. *The Progress and Failure of Comparative Law in the Second Half of the Twentieth Century* // *American Journal of Comparative Law*. 2002. Vol.50.
4. Bell J. *English Law And French Law – Not So Different?* // *Current Legal Problems*. 1995. Vol.48.
5. Blankenburg E. *Patterns of Legal Culture: The Netherlands Compared to Neighboring Germany* // *American Journal of Comparative Law*. 1998. Vol.46.
6. Damaska M.R. *A Continental Lawyer in an American Law School: Trials and Tribunals of Adjustment* // *University of Pennsylvania Law Revue*, 1968. Vol.116.
7. Friedman L.M. *Legal Rules and the Process of Social Change* // *Stanford Law Revue*. 1966-1967. Vol.19.
8. Legrand P. *European Legal Systems are not Converging* // *International and Comparative Law Quarterly*. 1996. Vol.52.
9. Legrand P. *How to Compare Now* // *Legal Studies*. 1996. Vol.16.
10. Merryman J.H. *The Civil Law Tradition: An Introduction to The Legal Systems of Western Europe and Latin America?* Stanford: Stanford University Press, 1985.
11. Van Hoecke M., Warrington M. *Legal Cultures, Legal Paradigms and Legal Doctrine: Towards a New Model for Comparative Law* // *International and Comparative Law Quarterly*. 1998. Vol 47.

*Internet-(based) sources:*

1. Electronic libraries with access for RUDN students
  - RUDN Electronic Library System (RUDN ELS) <http://lib.rudn.ru/MegaPro/Web>
  - EL "University Library Online" <http://www.biblioclub.ru>
  - EL "Yurayt" <http://www.biblio-online.ru>
  - EL "Student Consultant" [www.studentlibrary.ru](http://www.studentlibrary.ru)
  - EL "Lan" <http://e.lanbook.com/>
  - EL "Trinity Bridge"
2. Databases and search engines:
  - electronic foundation of legal and normative-technical documentation <http://docs.cntd.ru/>
  - Yandex search engine <https://www.yandex.ru/>
  - Google search engine <https://www.google.ru/>
  - Scopus abstract database <http://www.elsevierscience.ru/products/scopus>

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

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

\* The training toolkit for self- studies to master the course is placed on the course page in the university telecommunication training and information system under the set procedure.

## **8. ASSESSMENT TOOLKIT AND GRADING SYSTEM\* FOR EVALUATION OF STUDENTS' COMPETENCES LEVEL UPON COURSE COMPLETION**

The assessment toolkit and the grading system\* to evaluate the competences formation level (competences in part) upon the course study completion are specified in the Appendix to the course syllabus.

\* The assessment toolkit and the grading system are formed on the basis of the requirements of the relevant local normative act of RUDN University (regulations / order).

### **DEVELOPERS:**

Associate Professor of the  
Department of  
Theory of Law and State

\_\_\_\_\_

position, department

\_\_\_\_\_

signature

Sergey B. Zinkovskiy

\_\_\_\_\_

name and surname

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

Head of the Department of  
Theory of Law and State

\_\_\_\_\_

position, department

\_\_\_\_\_

signature

Andrei A. Klishas

\_\_\_\_\_

name and surname

### **HEAD OF HIGHER EDUCATION PROGRAMMME:**

Head of Director of the Law  
Institute

\_\_\_\_\_

position, department

\_\_\_\_\_

signature

Sergey B. Zinkovskiy

\_\_\_\_\_

name and surname