

INTRODUCTION TO LAW (3 credits)

Law 123 ID 02085

Fall Semester 2011

SYLLABUS

(subject to change)

Instructors:	Kanykei Kasybekova Azamat Zhumashev
Class Meetings Time:	M - 12:45, W - 12:45, 14:10
Office Hours:	By appointment
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I General Description of the Course

Introduction to Law is a 3 credits survey course, which will provide students with basic principles and knowledge of law. The course will introduce students to different legal systems and address such issues as establishment of state and law, sources of law, hierarchy of legal norms etc. Students will also be introduced to specific areas of the law such as constitutional, international, civil, criminal law and so on. Throughout the course, the emphasis will be made on interrelation of state and law, and different branches of law.

II Learning Outcomes

By the end of the course students should be able to:

1. Identify origin of state, theories of establishment of state and elements of statehood
2. Explain the concept of separation of powers, its origin and potential problematic aspects
3. Identify and explain origin of law, theories of establishment of law
4. Identify, explain, differentiate and compare sources law around the world
5. Formulate rules of interpretation of law
6. Describe and compare all legal systems around the world
7. Formulate and explain basic principles of different branches (areas) of law; analyze operation of each branches' institutions and determine mechanisms of composition of the crime, and other's branches mechanisms of protection of rights, which each branch is oriented to protect
8. Identify subjects of different branches of law and explain their place in these areas of law
9. Solve hypothetical situations and develop arguments using sources

III Course Materials

Course materials come from the following sources:

1. Кутафина О. Е., *Правоведение* (Изд-во Юрист, 2004)
2. Радугин А. А., *Правоведение* (Изд-во Центр, 2003)
3. Хропанюк В. И., *Теория Государства и Права*, (Изд-во Интерстиль, 2001)
4. Сергеев А. П., *Гражданское Право, 1 часть*, (Изд-во Москва, 1998)
5. Здравомыслов Б. В., *Уголовное Право РФ, общая часть*, (Изд-во Юристь, 1999)
6. Burns H. Weston, Richard A. Falk, Hilary Charlesworth, *International Law and World Order* (West Group, Third Edition, 1997)
7. Daniel H. Cole, Peter Z. Grossman, *Principles of Law and Economics* (Pearson, 2005)
8. David Bederman, *International law: a handbook for judges*, (ASIL, 2003)
9. Patrick Fitzgerald, *Looking at Law: Canada's legal system* (Butterworths, 2003)
10. Constitution of the Kyrgyz Republic (KR) 1993;
11. Criminal Code of the KR 1997;
12. Civil Code of the KR 1996.

IV Teaching Program and Assignments

The class will meet twice a week. Students must pay attention to the discussion conducted in class. I will call on students randomly. ***Students will be expected to know the material that is given them before hand to read and the material that is given at the previous sessions.*** Students are expected to prepare the readings and participate in discussions. Students will be assigned to read theoretical materials for each class. Students are expected to be prepared for classes to discuss rules, theory of the subject, and to review assigned questions.

V Quizzes and Final Exam

During semester, students will have two Quizzes and Final Exam in written form. Both, Quizzes and the Final Exam may include multiple-choice, short-answer questions, and essays. Each Quiz will have one fourth of covered material while the Final Exam will cover the whole material studied during semester. There will be review session conducted before the Final Exam.

VI Academic Conduct/ Course Policies

- (1) Students are expected to BE ON TIME for classes. If instructor marked the student absent in case that the student is late for the class, he is considered to be absent for the whole class, unless excused by instructor.
- (2) ATTENDANCE. Class attendance is required. If the student misses the class with an excuse, certificate about the absence must be presented no later than the next class after when the student will come. ***If the requirements mentioned above are not observed, student's absence is considered unexcused.*** If the student *misses 3 classes* without excuse or 50% of the whole course (with an excuse), ***student is given an "X" grade.***
- (3) The student has to follow ACADEMIC HONESTY code. All types of cheating (plagiarism etc.) are strictly prohibited. If a student fails to observe this requirement, instructor may give

from an “F” for the work up to an “F” for the whole course depending on the type of assignment and other circumstances.

VII Grading

1. Grading will be based on following components:

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|---------------------------------------|------|
| a) Class participation and Attendance | 20 % |
| b) Quiz # 1 | 20 % |
| c) Quiz # 2 | 20 % |
| d) Final Exam | 40 % |

Class participation can be defined as following: constant participation in class, which shows his or her preparation for the class with either the use of and/or citation to the home material assignment that the student was assigned to read or to prepare.

2. Grading criteria:

A 94-100%	C+ 74-76%	D 54-59%
A- 90-93%	C 68-73%	D- 50-53%
B+ 86-89%	C- 64-67%	F below 50%
B 80-85%	D+ 60-63%	
B- 77-79%	D 54-59%	

VIII Subject Content

- THE CONCEPT OF THE STATE**
- Week 1: (a) Intro to the course, organizational matters
(b) Origin of the State
(c) State and its elements
(d) Forms of governance the State
(H/W: Find information to determine whether Taiwan is considered to be a STATE)
- Week 2: (e) Separation of Powers and Structure of the State
(f) Functions of the State
(H/W: Do the readings and determine the purpose for establishing separation of powers. Why do states integrate it?)
- THE CONCEPT OF THE LAW**
- (a) Origin of the Law
(b) Social norms
(c) Functions and social role of the Law
(H/W: Determine what is a social norm and find at least 6 social norms that exist in our society, your families, university etc.)
- Week 3: (e) Law and Morality
(H/W: Do the readings and find the differences b/w law and morality)

- (d) Sources of the Law
(H/W: Do the readings and determine what is the main source of law in a country of your citizenship)

Week 4:

LEGAL SYSTEMS

- (a) Legal Systems around the world
- 1) Civil (Continental/Roman) law system
 - 2) Common law system
 - 3) Customary
 - 4) Legal System based on Religion
- (H/W: Do the readings and find as many differences as you can b/w different legal systems)*

Week 4-5:

CONSTITUTIONAL LAW

- (a) Structure and Division of the Law
(b) Constitutional law as the basis for all branches; its source
(c) Concepts that Constitutional Law covers
(H/W: Do the readings)
- (d) Hierarchy of the sources of Law
(e) Institutions under Constitutional law
(H/W: Find Constitution of the country of your citizenship and find what and how many institutions the constitution covers)

Week 6:

- (f) Institutions under Constitutional law
(H/W: Determine the main functions of the President, Government, Parliament and the Courts of the Kyrgyz Republic according to the Constitution of the KR)

QUIZ #1

CRIMINAL LAW

Week 7:

- (a) Source of Criminal Law
(b) Crime, Criminal Responsibility
(c) Elements of crime
(H/W: Find what negligence is and its types)

ADMINISTRATIVE LAW

Week 8:

CIVIL LAW

- (a) Sources of Civil Law, Subjects and Objects
(b) Capacity
(H/W: Find in the Civil Code of the KR at what age an individual receives full capacity, i.e. right to do anything he/she wants within the law)

FALL BREAK



Week 9:

(c) Different areas of Civil Law:

(d) Legal Entities

(H/W: Find the difference between Commercial and non-commercial legal entities according to the Civil Code of the KR)

(e) Property

(H/W: Think of what kind of rights you have toward your property, e.g. your clothes etc.)

Week 10:

(f) Contracts

(H/W: Think of what the concept “freedom of contract” covers what the scope of contract law can cover and what are the elements of contract)

Week 11:

(g) Torts

(H/W: Determine what tort is and describe situation illustrating it)

QUIZ #2

Week 12:

INTERNATIONAL LAW

(a) Sources of International Law:

1. Treaties

2. Customs

3. General Principles

4. Judicial Decisions and Teachings of most qualified publicists

(H/W: Do the readings)

Week 13:

(a) Subjects of International Law:

(b) Two concepts of IL

(H/W: Do the readings)

Week 14:

(c) Sub areas of International Law:

(d) Organizations: International and Non-Governmental Law

(e) Human Rights Law

(H/W: Do the readings)

Week 15:

(f) International Humanitarian Law

(H/W: Do the readings)

(g) International Trade Law

(h) Environmental Law

(H/W: Do the readings)

FINAL EXAM