



Syllabus of the educational component Course paper in "Theory of the state and law"

Degree of higher education - bachelor
Field of knowledge - 29 International relations
Specialty - 293 International Law
Educational and professional program - "International Law"

Year of study: I , Semester: II
Number of credits/hours: 3/90 Language: english

Department of Theory and History of State and Law
(0352)51-75-43; *15-205

Description of the educational component

The course paper on the discipline "Theory of the State and Law" is a separate educational component of the OPP for in-depth study of current, problematic issues of the theory of the state and law. Research work in general is an important component of the training of highly qualified specialists in institutions of higher education. It includes two elements: 1) mastering the methodology of organizing scientific research work, 2) work on scientific research under the guidance of teachers.

A course paper is an independent, educational and scientific study of a student. In the process of writing a paper under the guidance of teachers of the department, students master the methods and acquire the ability to conduct scientific research. Writing a term paper should help the formation of a student's creative thinking, acquire the skills of collecting, analyzing and interpreting literature and other sources, and the ability to formulate conclusions and proposals.

In the process of coursework preparation, students must master the following special competencies:

- ✓ the ability to understand the nature, dynamics, principles of organization of international relations, forms and methods of their implementation; types of international subjects and their role in modern international relations and international politics;
- ✓ knowledge and understanding of the retrospective of the formation of international institutions, foreign policy structures, legal and state institutions;
- ✓ respect for the honor and dignity of a person as the highest social value, understanding of their legal nature. Knowledge and understanding of international human rights standards established by universal and regional human rights acts; international universal and regional institutional mechanisms for the protection of human rights;
- ✓ the ability to perform legal analysis and legal qualification of phenomena of international life based on international legal norms;
- ✓ the ability to provide legal opinions and consultations on issues of international law, national law of Ukraine and foreign countries; determine the legal risks of certain foreign policy or foreign economic initiatives, choose ways to minimize them.

Program learning outcomes:

- ✓ use various information sources to fully and comprehensively establish certain circumstances;
- ✓ demonstrate knowledge and understanding of basic modern legal doctrines, values and principles of functioning of national and international legal systems;
- ✓ explain the nature and content of the main international legal phenomena and processes.

The successful conduct of scientific research and the writing of term papers depends on clear

compliance with the basic requirements for them, which contributes to the formation of the student's proper work style, cultivates self-demandingness, and inculcates certain skills for conducting scientific research.

The sequence of writing a term paper

1. Selection of the subject of the course paper.
2. Selection of literature and preparation of the coursework plan and its coordination with the academic supervisor.
3. Determination of the purpose, tasks, subject, object and methods of research for the course paper.
4. Formation and processing of practical materials, factual and statistical data.
5. The process of writing a term paper.
6. Preparation of course paper according to the requirements established by the department.
7. Submission of completed coursework to the department.
8. Defense of the course paper at the commission of teachers created by the department.

Literary sources

1. Edmundson, William (2019). Introduction. In William Edmundson (ed.), *The Duty to Obey the Law: Selected Philosophical Readings*. Lanham, MD: Rowman and Littlefield, 1–15.
2. Edmundson, William (2019). Introduction: Some recent work on political obligation. *APA Newsletter on Law and Philosophy* 99: 62–67. Edmundson, William. Forthcoming. Political obligation. *Legal Theory*.
3. Finnis, John (2021). *Natural Law and Natural Rights*. Oxford: Oxford University Press.
4. Green, Leslie (2021). *The Authority of the State*. Oxford: Oxford University Press.
5. MacCormick, Neil (2022). Natural law and the separation of law and morals. In Robert P. George (ed.), *Natural Law Theory: Contemporary Essays*. Oxford: Oxford University Press, 105–33.
6. Raz, Joseph (2019). The claims of law. In Joseph Raz, *The Authority of Law*. Oxford: Oxford University Press, 28–33.
7. Raz, Joseph (2019). The obligation to obey the law. In Joseph Raz, *The Authority of Law*. Oxford: Oxford University Press, 233–49.
8. Raz, Joseph (2020). The social thesis. In Joseph Raz, *The Authority of Law*. Oxford: Oxford University Press, 37–52.
9. Smith, M. B. E. (2022). Is there a prima facie obligation to obey the law? *Yale Law Journal* 82: 950–76.
10. Kraft, J. (1946). *General Theory of Law and State*. By Hans Kelsen. Translated by Wedberg Anders. Cambridge: Harvard University Press (Twentieth Century Legal Philosophy Series: Vol. I); 1945. pp. xxxiii, 516. *American Journal of International Law*, 40(2), 495-497. doi:10.2307/2193216
11. Strauss A., Corbin J. *Basics of Qualitative Research: Grounded Theory Procedures and Techniques*. Beverly Hills, CA: Sage Publications. 1990.
12. Alexy, Robert (2018). Law and correctness. In Michael Freeman (ed.), *Current Legal Problems 2018: Legal Theory at the End of the Millennium*. Oxford: Oxford University Press, 205–22.
13. Alexy, Robert (2009). A defense of Radbruch's formula. In David Dyzenhaus (ed.), *Recrafting the Rule of Law*. Oxford: Hart Publishing, 2020. 16–39.
14. Austin, John (1995). *Province of Jurisprudence Determined*, ed. Wilfrid Rumble. Cambridge, UK and New York: Cambridge University Press.
15. Bix, Brian (2012). Natural law theory: The modern tradition. In Jules Coleman and Scott Shapiro (eds.), *Oxford Handbook of Jurisprudence and Philosophy of Law*. Oxford: Oxford University Press, 61–103.
16. Coleman, Jules (2012). Negative and positive positivism. *Journal of Legal Studies* 11: 139–64.
17. Coleman, Jules and Leiter, Brian (1996). Legal positivism. In Dennis Patterson (ed.), *A Companion to Philosophy of Law and Legal Theory*. Oxford: Blackwell, 241–60.

Evaluation policy

Evaluation system and requirements. The coursework must meet the established requirements and be carried out by the author independently on the basis of a study of current theoretical publications, legal acts and statistical materials, have own work and proposals, be distinguished by the practical value of the results of scientific research submitted for defense, be well structured and designed according to technical standards. The list of documents necessary for writing and defending a term paper, as well as the requirements for the content, structure and order of the text, are given in certain methodical recommendations for the performance of this type of work.

Term Paper Deadline Policy. The course paper is submitted to the department for review within the specified time.

Academic Integrity Policy. Course papers that are mechanically copied from literary sources, regulatory legal acts, are insufficiently processed and not properly designed, and even more so, made by verbatim use of the text and ideas of other authors without reference to relevant sources of information, are not allowed for protection.

Assessment

The final grade is calculated as follows :

Types of assessment	% of the final grade
Performance of course paper - in writing	60
Defense of coursework - orally	40

Student evaluation scale:

ECTS	Points	Content
A	90-100	perfectly
B	85-89	fine
C	75-84	fine
D	65-74	satisfactorily
E	60-64	enough
FX	35-59	unsatisfactory with the possibility of reassembly
F	1-34	unsatisfactory with a mandatory repeat course