

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE
WEST UKRAINIAN NATIONAL UNIVERSITY
LAW FACULTY

Approved

T.a. Dean of Faculty of Law
Nadija MOSKALYUK

« 31 » 08 2023



Approved

A. vice-rector for scientific and pedagogical work
Viktor OSTROVERKHOV

« 31 » 08 2023



Work program
discipline
«Theory of the state and law»

Higher education degree - bachelor
Field of knowledge - 29 International relations
Specialty - 293 International law
Educational and professional program – «International law»

Department of Theory and History of State and Law

Form of study	Study year	Semester	Lectures	Practical classes	Individual work	Training, CPIT	Student-self study	Total	Exam/Credit
Full-time	1	1,2	76	44	7	13	70	210	Credit, Exam

31.08.2023
[Signature]

Ternopil – WUNU, 2023

The work program was developed on the basis of the educational and professional program for Bachelor's field of knowledge 29 International relations, specialty 293 International law (approved by the Academic Council of WUNU, Protocol No 10 from 23.06.2023).

The working program was compiled by the Professor of the Department of Theory and History of State and Law, Candidate of Law Sciences, Associate Professor Mykola KRAVCHUK.

The work program was considered and approved at the meeting of the Department of Theory and History of State and Law, Protocol No. 1 dated 30.08.2023.

A. Head of Department



Natalia CHUDYK

Considered and approved by the Support group of specialty 293 International law, Protocol No. 1 dated August 31, 2023.

Head of the SGS



Yaryna ZHUKORSKA

Guarantor of EP



Liudmyla SAVANETS

The structure of a syllabus of discipline

"THEORY OF STATE AND LAW"

1. Description of discipline

Discipline "Theory of state and law"	Direction, profession, education degree	Characteristic of the discipline
Number of ECTS credits allocated 7	Knowledge area 29 International relations	Regulatory discipline cycle training. Language: English
Number of credits modules – 7	Major 293 International law	Year – 1 Semester – 1, 2
The number of content modules – 4	Educational qualification degree – Bachelor	Lectures – 76. Practical training – 44
Total hours – 210 hours		Self-work – 70 hours, including Training – 13 hours Individual work – 7 hours
Week's hours: for full time of studies – 5 hours, from them in audience - 4		Form of control – credit (1 semester) Form of control – exam (2 semester)

2. The purpose and tasks of studying the discipline

"THEORY OF STATE AND LAW"

2.1. The purpose of the discipline

The course is directed on building basic theoretical knowledge about the origin, development and operation of state and law, the deep nature of these institutions, forms, principles, characteristics and mechanisms of their mutual influence. In particular, it involves mastering concepts and legal categories and legal assessment of the skills of legal phenomena and processes of social life, mastering the methodology of the research and analysis of state legal reality; develop skills to interpret correctly implement and enforce regulations to use legal procedures to protect rights and freedoms; justify the legality and appropriateness of adopted legal decisions highlight the main stages and stage law-making process; identify areas of influence in the regulation, the main ways of building modern (sovereign, social, democratic legal) state, distinguish between legal relations in society.

2.2. Tasks of discipline

- to acquaint the student with the basic concepts of state and law and other institutions;
- description of students in accordance with the program and work plan of the basic concepts of jurisprudents;
- equip student's integrated system of theoretical knowledge from the course;
- to develop students' practical skills application, both in practice and in everyday life.
- acquire and consolidate theoretical knowledge obtained in lectures;
- learn to use knowledge in practice.

As a result of studying the academic discipline, the student should

know:

- to understand the historical context of the formation of international legal norms and institutions, the values underlying them, to predict the main directions of the development of international and national law.;

- to know and understand normative provisions, doctrines and principles of functioning of international and national legal systems, to carry out on this basis the analysis and qualification of legal phenomena, to apply international legal norms and principles in the national legal system.

be able:

- to apply adequate research methods and to generate models of the processes of lawmaking and law enforcement in certain state legal systems in their historical development;
- understand and show the relationship, the development and contradictions of the phenomena of reality;
- be able to create a program of study and to implement its functional structure and dynamics of historical and legal processes and forecasting their development;
- be able to apply the evaluation criteria compliance with state legal systems the nature of socio-economic, political, socio- and ethno-cultural and religious state of society at a certain historical stage of development of civilization;
- to use professionally profiled knowledge for modeling legal systems;
- to use theoretical knowledge and practical skills for their application in the field of law;
- to carry out professional research and educational activity in the sphere of historical and legal knowledge.

2.3. The name of competences, forming of which provide the study of discipline:

- GC 6. Ability to exercise rights and responsibilities as a member of society, to recognize the values of civil (free democratic) society and the need for its sustainable development, the rule of law, human and civil rights and freedoms in Ukraine.

2.4. Prerequisites for the study of discipline

The theory of the state and law is studied on the basis of the knowledge that students have received from school courses "Fundamentals of Law", "Civic Education" and others.

2.5. Program learning outcomes:

- LO 2. To understand the historical context of the formation of international legal norms and institutions, the values underlying them, to predict the main directions of development of international and national law;
- LO 3. To know and understand the normative provisions, doctrines and principles of functioning of international and national legal systems, to analyze and qualify legal phenomena on this basis, to apply international legal norms and principles in the national legal system;
- LO 17. To have a high level of legal awareness and legal culture, to foresee the consequences of legally significant actions and decisions for individuals, society and the state.

3. Program of educational discipline

"THEORY OF STATE AND LAW"

Content module 1.

Topic 1. General description of jurisprudence as a legal science. The concept, subject and structure of jurisprudence.

The concept and subject of science. State and law as an object of special scientific knowledge. General characteristics and composition of jurisprudence as a legal science: subject, functions, structure. Legal validity - the subject of jurisprudence. Theoretical-cognitive, methodological, ideological, practical-applied and other functions of legal science. General theoretical jurisprudence. Basic branch and interdisciplinary legal science. Specialized Applied Law Sciences. International legal science. Place of legal science in the system of social sciences.

Topic 2. The general concept, subject, methodology and functions of the theory of state and law and its practical significance.

«Theory of state and law» is a science about patterns of occurrence, development and operation of state and law. This is a system of knowledge for people to learn the essence of law.

Structure of TSL: Methodology of state and law; Theory of State; Theory of Law.

Subject of TSL consists of the basic rules of law, their nature, purpose and development as well as the basic concepts of law system.

TSL is an independent branch of scientific knowledge about the state and law.

TSLs functions to some extent overlap with the functions of law in general, but some of them must also be emphasized.

Methods of studying of TSL.

Topic 3. Methodology of legal science

Concept and meaning of modern legal science. Classification of methods of learning legal science. General-philosophical (methods of analysis and synthesis, qualitative and quantitative analysis, abstraction and concretization, comparison and generalization, etc.), general-scientific methods (systemic, functional, extrapolation, modeling, historical, statistical, and others), special-legal (comparative- legal, formal-dogmatic, interpretation, conceptual-sociological) research methods as a means of theoretical analysis of legal science. General theoretical comparative material as a starting point for legal science research.

Topic 4. Origin, essence and main features of the state

Scientific views on understanding the state. State as a political, structural and territorial organization of the dominant section of the population. General concept and social purpose of the state. Variety of definitions of the state. The main features of the state. Territory. People. Organization of Political Public Power. Sovereignty. Mandatory rules of conduct (legal rules). Taxes The state apparatus. Power and norms of behavior in the conditions of the primitive communal system. Characteristic features of public authority and social norms of primitive society. The difference between the state and the right of the clan organization of primitive society.

Topic 5. Overview of theories of the state. The theory of the modern state. State and Civil Society.

The analysis of theories of the emergence of the state, the reasons for their diversity. Scientific ideas about the origin of the state in the works of prominent scholars. Contractual theory. Theory of violence. Patriarchal Theory. Psychological theory. Theological theory. Socio-economic or class theory. The theory of elites. Organic theory. The theory of "state of general welfare". The convergence theory. Space theory of the emergence of the state. Athenian, Roman, Germanic - classical forms of the emergence of the state. Constructive and false aspects of various studies on the origin of the state.

Topic 6. Types and function of the state - the main characteristics of the social nature of the state

Typology of States. Concept of historical (formative) type of state. The main reasons for changing the types of states. Dependence of the state type on the class of power, on the economy, on the mode of production, and on the type of socio-economic formation. The advantages and disadvantages of the state typological typology. Civilizational approach to the typology of the state. General characteristics of the slave, feudal, bourgeois, socialist, and modern states.

Concept of functions and tasks of the state and their correlation. System and content of state functions. Internal and external, basic and non-core, permanent and temporary functions of the state. Functions of the state in the humanitarian, economic and political spheres.

Topic 7. Forms of state

Concept of the form of the state and its structural elements. Republic and monarchy as a form of state government: their essence and modern varieties. Republican form of government and its types. General characteristics of the presidential, parliamentary, presidential-parliamentary republic. The main features of the monarchy as a form of government. Unlimited monarchies (absolute, despotic). Limited (constitutional) monarchies (dualistic, parliamentary).

The form of government, simple and complex state education. Unitary state and its characteristic features. Unitary states with autonomous formations. Federal state system, its types and features. Forms of inter-

state formations (empire, confederation, community, community, regional, economic, political, military and other unions) their difference from the unitary and federal state.

Concept of state-legal (political) regime and its kinds. Characteristics of democratic and anti-democratic regimes, their characteristics. Features of the authoritarian, totalitarian (fascist, racist, military-dictatorial) regime.

Topic 8. Mechanism and apparatus of the state

Concept of the mechanism of the state, its structure and role in the implementation of state functions. State organizations, state institutions, enterprises in the mechanism of the state. The main features of the state mechanism.

State apparatus and principles of organization and activity of the apparatus of a modern democratic state. State organs, their features and characteristics. The concept of an official. Authorities, their main features, types and guarantees. Competence as a set of powers.

Topic 9. The political system of society and the state

Development of ideas about the political system of society in the world classical thought about state and law. The essence of the political system of society and its main features. Elements of the political system of society. Political relations. Political entities (institutions, organizations). Political and legal norms. Political consciousness and political culture.

General characteristics and features of political power. Value of political and state power. The mechanism of political power and opposition. Place and role of the state in the political system and the exercise of state power.

Features.

Topic 10. State, law and the person

Society, person, state. Law as a measure of freedom and responsibility. The concept of law as a social phenomenon. The objective law and subjective law.

State and legal status of a person. Legal status of a person: concept, structure, types and tendencies. Man, person, citizen.

Basic human rights. Civic, political, economic, social, cultural, environmental rights. The main directions of the development of individual rights in the states of social democracy.

Basic rights of the child. Rights of the nation (people), humanity. Ensuring the rights of national minorities.

Topic 11. Nature and characteristic features of legal state.

Characteristic features of the legal state. The consolidation in the constitutions and other laws of fundamental human rights and freedoms. The rule in the society of laws that express the will of the majority of the population.

Feature of the rule of law in a state governed by the legal state. The essence and purpose of the distribution of power.

Content module 2.

Topic 12. Concept, origin of law, modern legal thinking

General notion and signs of law. Law as the main social regulator of social relations, as a system of norms, a set of rules of conduct of a general nature, the basis of organization and functioning of state power, associations of citizens, each person. Law as a measure of freedom.

Commonness and distinction of views on the right.

Topic 13. Social values, principles and functions of law

Objective necessity of law and its interconnection with the state, politics, economy. Relationship between economy and law. Value of politics and law. Law as the main means and form of policy implementation of the state.

Functions of law as the main directions of legal influence on social relations.

Topic 14. Legal norms in the system of normative regulation

Concepts, types and basic features of social norms. Social norms as general rules of behavior of people in society, which are conditioned by objective laws and are provided with various means of social influence. Classification of social norms. The norms of morality. Manners and traditions. Political norms. Norms of public associations (corporate norms). Technical and aesthetic norms. Religious norms. The legal norms. Types of legal norms. Classification of legal norms by subject of legal regulation. Norms of constitutional, civil, administrative, land, financial and other branches of law. Legal norms depending on the method of legal regulation. Imperative, dispositive, recommendatory, encouraging. Demarcation of the norm of law by subjects of law-making. Legal norms of state legislative bodies, state executive bodies, the head of state and other law-making subjects. Division of legal norms by subordination in legal regulation. Material, procedural. Distribution of legal norms by action on a circle of subjects, by action in time, by territorial action. General, special, exclusive norms of law. Legal norms are permanent and temporary, national and local.

Topic 15. Forms (sources) law. The formation of law.

Law-making process: concepts, principles and types. Social purpose of law-making. Stages of legal formation. Preparation of normative legal act. Adoption of normative legal act. Stages of the law-making process.

The concept of the form of law. Sources (forms) of law and their classification. Legal custom. Legal precedent. Normative contract. Legal act.

Topic 16. Legal system, system of law and system of legislation. Systematization of normative legal acts

The concept of the system of law and the legal system. Structural elements of the system of law: legal norm, institute of law, branch of law. Subject and method of legal regulation.

The system of law and the system of legislation: the relationship and interconnection. General characteristics of branches of law: constitutional law, administrative law, civil law, financial law, family law etc.

Systematization of normative legal acts (legislation): concepts, basic forms. Codification, consolidation and incorporation of normative legal acts. Characteristic features and types of codification. Concept and types of incorporation. Consolidation as a form of systematization of normative legal acts.

Topic 17. Realization of the law

The essence, concept, the main features of the realization of law. Basic forms of direct realization of law. Use of the law. Compliance with the norms of law.

Application of the law as a special form of its implementation. The main features of the application of law.

Topic 18. Interpretation of the law

The notion and necessity of interpreting the law. The essence of interpretation-clarification, interpretation-explanation. Tools for the interpretation of the law, concepts and basic features.

Acts of interpretation (interpretative legal acts), their types and legal nature.

Types of interpretation-clarification (awareness) by methods. Philological (grammatical, semantic, linguistic) interpretation of legal norms. Logical, historical, systematic and special-legal interpretation of legal norms. Classification of interpretation-clarification (awareness) depending on the ratio of the text of the norm and its actual content. Literal (adequate), extended and restrictive interpretation.

Types of interpretation-clarification (interpretations). Official and unofficial interpretation of law and its types. Normative interpretation: authentic (author's), delegated (legal). Casual interpretation: judicial, administrative. Doctrinal, professional and everyday interpretation of legal norms.

Topic 19. The law and order

The notion of legality. Essence, main features and significance of legality. The general and obligatory observance and enforcement of the law. Lawfulness as a method of civilized government. Principles and requirements of legality.

Guarantees of legality, their concepts and types.

Guarantees of legality, their concepts and types. General social (economic, political, ideological) and legal (preventive, restorative, penal; presidential, parliamentary, prosecutorial, judicial, etc.) guarantees of legality. Invalidity of normative legal acts adopted contrary to laws. Cancellation or change of non-legal regulatory acts of the state authorities. Control and supervision of compliance with laws by special bodies. Timely and fair consideration of citizens' complaints regarding human rights violations. Constitutional guarantees of legality.

Topic 20. Legal behavior. Legal liability

Concepts and basic features of lawful conduct. Types of lawful conduct. Objective and subjective aspects of lawful conduct. Motivation of lawful behavior. Marginal and conformist behavior, conditions and causes of their existence in modern society.

General characteristics and features of the offense. Righteousness, social danger, harm, fault (intent, carelessness). Elements of the offense. Subject, object, subjective side, objective side of the offense. Types of offenses. Crimes Misdemeanors (types of misconduct). Causes of violations and ways to eliminate them.

Concepts, features, principles and types of legal liability. Constitutional, civil, disciplinary, administrative, criminal, material liability. Stages of legal liability. Circumstances that exclude legal liability. Grounds for exemption from legal liability. Necessary defense and extreme necessity. Presumption of innocence as a guarantee of human rights and citizen. Legal liability and state coercion.

Topic 21. Legal consciousness and legal culture

Concept and basic features of legal consciousness. Structure of legal consciousness, its elements: legal ideology, legal psychology, legal behavior. Influence of legal awareness on law-making and law enforcement activities. Types of legal consciousness: theoretical, professional, household. Professional legal counsel. The concept of legal ideological ideology.

Legal culture: its essence and main features, forms of manifestation in society. Legal views and principles. Legal nihilism, causes of its occurrence, form, influence on the state of the regime of law, the implementation and provision of the rights and freedoms of citizens. The role of legal culture in the formation of civil society and the rule of law. Legal culture in legislative and law enforcement activities. Professional legal culture.

Legal nihilism, causes of its occurrence, forms, influence on the state of the regime of legality, implementation and provision of rights and freedoms of citizens. Legal nihilism as a deformed state of legal consciousness of a person, society, flu, which is characterized by a conscious disregard of the requirements of the law, the value of law, contemptuous attitude to legal principles and traditions.

Legal education as a way of forming legal awareness and legal culture. The task of legal education. Forms of legal education. Legal education, legal propaganda, legal education, legal agitation, forms of legitimate social and active activity, etc.

Topic 22. Legal relationships

Concepts and basic features of legal relations. Relationships as volitional social relations are created on the basis of the rules of law. Individual nature of legal relationship. Provision of legal relations with the protection of state coercion. Basic types of legal relations. Regulatory and protective, active and passive, relative and absolute legal relationships. Prerequisites for the emergence and functioning of legal relations. Interconnection of the rules of law and legal relations.

Topic 23. The legal regulation of social relations and its mechanism

Legal regulation and its influence on social relations. Concept, subject, receptions and types of legal regulation. Legal regulation as a power influence of the state through all legal means on social relations with a view to their development. Basic stages of legal regulation.

The mechanism of legal regulation as a system of means of legal influence on all subjects of social life, the formation of their legal behavior. Elements of the mechanism of legal regulation.

The quality of legal regulation of social relations. Effectiveness of legal regulation, factors that ensure it. Economy of legal regulation. The value of legal regulation.

4. Structure of a credit in an educational discipline "THEORY OF STATE AND LAW"

	Number of hoursu					Control measures
	Lectures	Practical training	Self-work	Individual work	Training, CPIT	
Content module 1.						
Topic 1. General description of jurisprudence as a legal science. The concept, subject and structure of jurisprudence	4	2	2	-		Tests, questions
Topic 2. The general concept, subject, methodology and functions of the theory of state and law and its practical significance	2	2	3	-		Tests, questions, cases
Topic 3. Methodology of legal science	2	2	3			Tests, questions, Cases
Topic 4. Origin, essence and main features of the state	2		3			Tests, questions, Cases
Topic 5. Overview of theories of the state. The theory of the modern state. State and Civil Society	2	2	3	2		Tests, questions, cases
Topic 6. Types and function of the state - the main characteristics of the social nature of the state	2		3			Modular control work
Topic 7. Forms of state	4	2	3	-		Tests, questions, cases
Topic 8. Mechanism and apparatus of the state	2	2	3	-		Tests, questions, cases
Topic 9. The political system of society and the state	2	2	3	-		Tests, questions, cases
Topic 10. State, law and the person	4	2	2	1		Tests, questions, cases

Topic 11. Nature and characteristic features of legal state.	4	2	2	1		Modular control work
Total 1 semester	30	14	30	4	7	
Content module 2.						
Topic 12. Concept, origin of law, modern legal thinking	4	4	4	-		Tests, questions, cases
Topic 13. Social values, principles and functions of law	4		4	-		Tests, questions, cases
Topic 14. Social norms. The system of law regulation	4	4	4	-		Tests, questions, cases
Topic 15. Forms (sources) law. The formation of law.	4	4	3	1		Tests, questions, cases
Topic 16. The legal system, system of legislation. Systematics of regulations	4	4	4	-		Tests, questions, cases
Topic 17. Realization of the law	2	2	3			Modular control work
Topic 18. Interpretation of the law	4	2	3	1		Tests, questions, cases
Topic 19. The law and order	4	2	3			Tests, questions, cases
Topic 20. Legal behavior. Legal liability	4	4	3			Tests, questions, cases
Topic 21. Legal consciousness and legal culture	4		3			Tests, questions, cases
Topic 22. Legal relationships	4	2	3			Tests, questions, cases
Topic 23. The legal regulation of social relations and its mechanism	4	2	3	1		Modular control work
Total 2 semester	46	30	40	3	6	
TOTAL	76	44	70	7	13	

5. TOPICS OF PRACTICAL CLASSES ON THE DISCIPLINE

Topic 1. THE THEORY OF THE STATE AND THE LAW IN THE LEGAL SYSTEM

1. Jurisprudence as a science.
2. The system of legal sciences.
3. The concept and subject of the theory of state and law.

4. Methods of research of state-legal phenomena.
5. Interconnection of the theory of state and law with other legal disciplines.
6. Prospects for the development of legal science and legal education in Ukraine.

Topic 2. HISTORICAL TYPES OF THE STATE. FUNCTIONS OF STATE

1. General characteristics of the typology of states (essence, approaches, classification).
2. Historical types of state.
3. Pre-industrial types of state:
 - A slave state.
 - The feudal state.
4. Industrial types of state:
 - The bourgeois state.
 - Socialist state.
5. Features of transition economies (post-industrial).
6. Functions of States.
7. Internal and external functions of the modern state.

Topic 3. FORMS OF STATE

1. The general concept and characteristic of the state form.
2. Structure (elements) of the state form.
3. Concept and types of government.
4. The essence and main types of government.
5. Concept and main types of state (political) regime.

Topic 4. MECHANISM AND APPARATUS OF THE STATE

1. General characteristics and concepts of the mechanism and apparatus of the state.
2. Principles and features of the apparatus of the states of social-democratic orientation.
3. Concept, types and characteristics of state bodies.
4. State bodies, their system.
5. Significance of knowledge about the mechanism and apparatus of the state for lawyers.

Topic 5. POLITICAL SYSTEM OF SOCIETY

1. The concept, structure and general characteristics of the political system of society.
2. The state is the center of the political system.
3. The value of political and state power.
4. Public associations, types and principles of their activities.
5. The role of political parties in the political system of society, their functions.
6. Forms of interaction of the state with public organizations.

Topic 6. BASIC HUMAN RIGHTS. LEGAL STATUS OF PERSON, CITIZEN.

1. The concept of law as a social phenomenon.
2. Legal status of a person (a citizen). Types of legal status.
3. The concept of basic rights, freedoms and responsibilities of a person and a citizen, their classification.
 - Personal rights and freedoms of a person, a citizen;
 - Political rights and freedoms of a person, a citizen;
 - Socio-economic and cultural rights and human freedoms;
 - Physical rights.
4. Constitutional duties of a person, a citizen.
5. Basic rights of the child and ways of their improvement.
6. International legal measures and means of protection of human rights, the nation.

Topic 7. LEGAL STATE AS ACHIEVEMENT OF WORLD CIVILIZATION

1. The legal state in the world classical thought about the state and the law.
2. The legal state as the main guarantor of human rights and freedoms (concepts, attributes).
3. Initial provisions of the modern theory of legal state:
 - consolidation in the Constitution and other basic human rights laws;
 - the rule of law and law;
 - mutual responsibility of the individual and the state;
 - legal awareness and legal culture - a condition for the formation of a law-governed state;
 - the essence and legal design of the distribution of authorities;
 - legal protection of the person;
 - independence of the judiciary, its high status in society;
 - Continuous and widespread enforcement of laws.
4. Problems of the formation of legal state.

Topic 8. LAW - LEGAL CONTEXT (GENERAL THEORETICAL CHARACTERISTICS)

1. The concept of law, its properties, social nature and purpose.
2. The main characteristic of the theories of law.
3. Functions and principles of law, their notions.
4. Legal systems, their characteristics.
5. Legal consciousness and law.
6. Relationship between economy, politics and law.
7. Interconnection of state and law.
8. Signs of the legal state.

Topic 9. LEGAL NORMS

1. Legal norms (notions and signs).
2. Elements (structure) of the legal norm.
3. Types of hypotheses, dispositions, and sanctions of legal norms.
4. Forms of presentation of legal norms in articles of normative legal acts.
5. Value of the legal norm and articles of the normative act.
6. Types of legal norms.

Topic 10. LEGAL ACTS AND OTHER FORMS OF LAW

1. The concept of the form (source) of law and its types.
2. Dependence of the form of law from its type.
3. Law-making: concepts, types, principles.
4. Stages of law-making.
5. Normative legal act as the main form of law.
6. Legal properties and types of legal acts.

Topic 11. THE SYSTEM OF LAW AND THE SYSTEM OF LEGISLATION

1. The legal system (the notion of structure).
2. The concept of a system of law, characteristic.
3. Branches and institutes of law, concepts and types.
4. Criteria for building a system of legislation.
5. The system of legislation., The concept and general characteristic.
6. Signs distinguishing the system of law from the system of legislation.

Topic 12. SYSTEMMATIZATION OF LEGAL ACTS

1. Concept, composition and meaning of law-making (legislative) technique for improvement of legislation in Ukraine.
2. Legal style.

3. Systematization of normative legal acts, their purpose, forms (methods).
4. Concept and types of incorporation of normative legal acts.
5. General characteristic of codification of normative legal acts.
6. The essence of consolidation.

Topic 13. APPLICATION OF LEGAL NORMS AS A SPECIAL FORM OF THEIR IMPLEMENTATION.

1. Concepts and forms of implementation of the rules of law (use, execution, compliance).
2. The essence of the application of legal norms (concepts, main features).
3. General requirements for the correct application of law.
4. Signs and types of acts of application of legal norms.
5. Basic stages of application of legal norms.
6. Analogy of application of legal norms as a means of overcoming the gaps in the law.

Topic 14. INTERPRETATION OF LEGAL NORMS

1. The concept and essence of the interpretation of legal norms and its role in the application and implementation of law.
2. Types of interpretation-clarification.
3. Types of explanation-explanation.
4. Grammatical and logical interpretation of law.
5. Official and unofficial interpretation of the law.
6. Concept, types and legal properties of interpretative and legal acts.

Topic 15. LEGAL BEHAVIOR, LIABILITY AND LEGAL RESPONSIBILITY

1. The concept of lawful conduct, its composition and species.
2. Offenses: essence, characteristic features and elements.
3. Types of offenses.
4. The role of justice and legal culture in improving law and order.
5. Concept, characteristic features, grounds and functions of legal responsibility.
6. Types of legal liability.
7. The meaning of legal liability for ensuring law and order

Topic 16. LEGAL RELATIONS

1. The concept, features and types of legal relations.
2. Subjective legal right and legal obligation.
3. The concept and types of legal entities.
4. Legal capacity of actors.
5. Objects of legal relations: concept, types.
6. Legal facts: concept, classification.

Topic 17. LEGAL REGULATION AND ITS MECHANISM

1. General characteristics of legal regulation.
2. Concept, object, methods, types of legal regulation.
3. Stages of right regulation.
4. The mechanism of legal regulation and its elements.
5. Effectiveness of legal regulation of social relations and directions for its improvement.
6. Place and role of the state in the functioning of the legal regulation mechanism.

6. COMPLEX PRACTICAL INDIVIDUAL TASK

1. Place of the theory of state and law in the system of humanities.
2. Problems of the subject of studying the theory of state and law.
3. Law science and education in Ukraine.

4. The role of the theory of state and law for the training of a lawyer in modern conditions.
5. Problems of the essence of the state.
6. The distinction between the concept of "state" and "country".
7. The reasons for the diversity of definitions of the state.
8. The value of the state for the development of society.
9. Value of state, national and national sovereignty.
10. Structural and false aspects of various studies on the origin of the state.
11. Features of the transformation of the developed and post-totalitarian countries of the world into a state of social democracy.
12. Ukraine as a state of socio-democratic orientation.
13. The Value of Civil Society and State.
14. The main reasons for changing the types of states.
15. Value of functions of the state with its tasks.
16. Humanization of state functions at the present stage.
17. Dependence of the methods of the implementation of state functions from the historical type of state.
18. Areas and limits of state interference in the activities of subjects of legal relations.
19. Factors that determine the diversity of forms of government.
20. Comparative characteristic of democracy and totalitarianism.
21. Patterns of democracy in a post-totalitarian state.
22. Status and prospects of development of the form of the Ukrainian state.
23. Value of the concepts of "mechanism" and "apparatus" of the state.
24. Principle of the distribution of power as a basis for the organization and operation of the mechanism of the rule of law.
25. Difference between the notions of "state body" and "official".
26. Status and prospects of development of state bodies of Ukraine.
27. Problems of cooperation between state and local self-government bodies.
28. Broad and narrow understanding of the political system of society.
29. Forms of the influence of state bodies on associations of citizens and public associations on state bodies.
30. The limits of state regulation of the creation and operation of public associations.
31. Tasks of political parties and public organizations as elements of the political system society in the formation of civil society and the rule of law.
32. Problems of interconnection of the state and associations of citizens in the process of development of civil society.
33. Main directions of formation and development of the political system of Ukraine.
34. Value of the concepts of "man", "person", "citizen".
35. Trends in the development of the legal status of a person in the states of socio-democratic orientation.
36. Value of the legal status of a person and legal status of a citizen.
37. Basic directions of the development of human rights in the states of social democracy.
38. Constitutional and legislative consolidation and realization of the basic duties of the citizen as a guarantee the realization of human rights and citizen.
39. Efficiency, effectiveness of the international legal mechanism for ensuring human rights.
40. The rule of law in Ukraine: the prospect or the present day?
41. The essence and purpose of the distribution of power, its importance for the formation and development of a lawful state.
42. The ratio of the concepts of "rule of law" and "rule of law".
43. Interdependence of the rule of law and civil society.
44. State, Law and Religion.
45. The role of law in regulating social relations.

46. The commonality and distinction of views on the right.
47. The value of the principles of law in law-making and law-enforcement.
48. Value of law and law.
49. General and special in law and morals.
50. Value of law and norms of morality: general and distinctive features, interaction, contradiction.
51. Place the rules of law in the system of social norms.
52. The commonality and distinction between law and other social norms.
53. Dependence of the form of law on the type of legal system.
54. The ratio of law-formation and law-making.
55. Lobbyism in law-making and law-enforcement activities.
56. Ways to improve the law-making process.
57. Legal systems of the present, criteria for their classification.
58. The main features of the legal system. Its distinction from the legal system.
59. The system of law and the system of legislation: the relationship and interconnection.
60. The problem of collisions and ways of overcoming them in the modern legislation of Ukraine.
61. The significance of systematization for the improvement of Ukrainian legislation.
62. Official and informal forms of systematization of legislation.
63. Peculiarity of application as a form of implementation of legal norms.
64. Comparative characteristics of a legal act and an individual act of law.
65. Gaps in the law, the causes of their occurrence and ways of elimination.
66. Problems of the legal structure of offenses.
67. Grounds for exemption from legal liability.
68. Legal liability and state coercion.
69. Problems of environmental legal liability.
70. Problems of establishing a legal entity in Ukraine.

7. STUDENT-SELF STUDY ON THE DISCIPLINE

Student-self-study is the main way for students to learn educational material outside of classroom time without the participation of a teacher. The scope and content of independent work is determined by the work program and work plan within the established amount of hours from the academic discipline, methodical instructions of the teacher. The student's independent work is provided by a system of educational and methodological tools: notes of the teacher's lectures, textbooks, educational and methodical guides, monographic literature and periodicals, as well as self-monitoring tools (tests, situational tasks). Students have the opportunity to study the educational material independently in the library, classrooms and computer classrooms using the Internet, as well as at home (when receiving the appropriate package of educational and methodological literature).

1. The monarchy as a mode of government in the modern world – is there an effective or obsolete form?
2. The basic method of exercising state power of the modern state: persuasion, encouragement or legitimate coercion?
3. The parliamentary-presidential republic is a balanced mechanism of interaction between different branches of government or a way to complicate management?
4. In the parliamentary republic, the president or the head of government plays a decisive role in the management of the state?
5. Is Ukraine a democratic state or just standing in the way of its formation?
6. Is Ukraine a unitary state or is it more expedient to transform into a federation as a result of the availability of the Autonomous Republic of Crimea?
7. State-owned enterprises as an element of the state mechanism are an effective way of managing or in the context of building a rule-of-law state must be fully privatized?
8. For the construction of a law-governed state, is an independent and just justice or a high profitability of state-owned enterprises, which ensures budget filling?

9. For the fulfillment of the tasks and functions of the rule of law state bodies that implement educational, cultural, educational functions or law enforcement and judicial bodies are crucial?

10. The customary law in the modern state is an equal source of law or the subject of the study of historical science?

8. TRAINING ON THE DISCIPLINE

Training (eng *of training*) is the pre-arranged process of modification (changes) of relation, knowledge or skills of that, who studies, through acquisition of educational experience in order to attain effective implementation in one type of activity or in certain industry. Training from discipline plugs combination of methods of colloquium and discussion of students in academic groups at participation of teacher with the aim of deep study of themes of discipline, which came into question a less measure on seminar employments and taken away as priority on the independent working (see a list higher). A training aim is systematization of knowledge of students from discipline with the aim of increase of the productivity of preparation to the stowage to examination.

Recommended order of preparation of student to training of seminar: a 1) independent working of corresponding divisions of educational literature (textbooks, manuals); 2) direct prosecution of original source (using reading-books, self-controls in textbooks, Internet). The special value is folded by the independent conclusions of student, done to them as a result of analysis and comparison of separate legal materials, exposure of general state and law progress of separate countries trends. A large help the records of the preliminary listened lectures and study of additional literature, both historical and law can render in the correct understanding of original sources, that extends material of separate divisions of textbook (monographs, scientific publications and others like that).

Reference structure of planning of training

Part	Task	Exercises	Duration
Introductory	Creation of favourable psychological space. Making, acceptance of mastering of rules of work of group. Adjusting of direct and reverse connections is a «participant-group» and «group-participant». Creation of situation of reflection.	Acquaintance. Governed. Limbering-up. Expectation. Exercises are on a reflection.	To 15 min
Basic	An estimation of level of awareness is in relation to проблематики. Actualization of problem and concrete tasks is for her decision. Grant to information, mastering of knowledge. Forming of abilities, skills, developing flairs. Working out the totals is in relation to maintenance of work.	Interactive technicians. Exercises are on the estimation of group processes, development of group status.	Settles accounts as a difference of general time of training and time, necessary for realization of introductory and final parts together.
Final	Working out the totals is in relation to the process of work. Estimation of the got experience. Tuning of participants is on the atmosphere of ordinary life	Exercises are on a reflection and proceeding in forces of participants. Farewell.	To 15 min

Training is conducted at the end of semester on separate employment. On results training a teacher does a result about the level of mastering of material of themes of discipline, taken away on the

independent working students.

9. ASSESSMENT TOOLS AND METHODS OF DEMONSTRATION OF LEARNING RESULTS

In the process of studying of the discipline the followings methods of evaluation of educational work of student are used:

- tests;
- current survey;
- credit module tests and survey;
- abstracts, essays;
- presentations of the results of completed tasks and research;
- evaluation for the results of CPIT;
- student presentations and performances at scientific events;
- other types of individual and group tasks.

10. CRITERIA, FORMS OF CURRENT AND FINAL CONTROL

Semester 1

Credit module 1	Credit module 2	Credit module 3
30	40	30
1. Oral questioning during the class (6 topics of 5 points each = 30 points) 2. Written work = 70 points	1. Oral questioning during the class (5 topics of 8 points each = 40 points) 2. Written work = 60 points	1. Active participation in trainings = 20 points 2. Writing a CPIT based on the formed individual tasks = 50 points. 3. Defence of the CPIT = 30 points.

Semester 2

Credit module 1	Credit module 2	Credit module 3	Writing Exam	Total
20	20	20	40	100%
Oral survey during classes (6 topic) – 5 points per topic – max. 30 points. Modular control work – max. 70 points	Oral survey during classes (6 topic) – 5 points per topic – max. 30 points. Modular control work – max. 70 points	Preparation of CPIT – max. 40 points. Protection of CPIT – max. 40 points. Participation in trainings – max. 20 points	Theoretical questions (2 questions) – max. 60 points. Case (1 case) – max. 40 points	

Rating scale:

On the scale university	On the national scale	On the ECTS scale
90-100	excellent	A (excellent)
85-89	good	B (very good)
75-84		C (good)
65-74	satisfactory	D (satisfactory)
60-64		E (enough)
35-59	non-satisfactory	FX (non-satisfactory with possibility of repeated passing)
1-34		F (non-satisfactory with repeated cours of lectures)

11. TOOLS, EQUIPMENT AND SOFTWARE, THE USE OF WHICH PROVIDES FOR THE DISCIPLINE

№	Найменування	Номер теми
1.	Methodical materials on the discipline (electronic version).	1-23
2.	Test tasks from the course.	
3.	Electronic version of lectures and materials for distance learning.	1-23
4.	Variants of complex practical individual tasks.	1-23
5.	Epson EB-S05 multimedia projector (1 pc.), Year of manufacture 2018, year of operation 2019. Does not require repair. Interface: USB 2.0 Type A, USB 2.0 Type B, VGA in, HDMI in, Composite in, Cinch audio in, Wireless LAN IEEE 802.11b / g / n (optional)	1-23
6.	Basic information technology software: MS Office, telecommunication software (Internet Explorer, Opera, Google Chrome, Firefox).	1-23

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Information sources

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 Pravo Publishing House. <https://pravo-izdat.com.ua/>
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