

Ministry of Education and Science of Ukraine
V.N. Karazin Kharkiv National University
Department of Constitutional and Municipal Law



The work program of the discipline
STATE LAW OF FOREIGN COUNTRIES

Level of academic	degree first (bachelor degree level)
Subject area	29 International Relations
Special field	293 International Law
Program of Study	International Law
Area of study	Compulsory discipline
Department	School of Law

2023/2024 academic year

The program is recommended for approval by the Academic Council of the School of Law
"31" of August 2023, Protocol № _1_

THE PROGRAM DEVELOPER: Gudz L.V., Hryshko L.M., Associate Professor of the Department
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Law.

The program was approved at the meeting of the Department of Constitutional and Municipal Law
Protocol "_31_" of August 2023 № 11


Head of Department
Constitutional and Municipal Law

 Mark VORONOV

The program is approved by the guarantor of the educational professional program international

Law Guarantor of the educational professional program  Lina FOMINA

The program is approved by the Methodological Committee of the School of Law Protocol of
"31" of August 2023 № 1

Head of the Methodical Committee of School of Law  Hanna ZUBENKO

INTRODUCTION

The curriculum program "State Law of Foreign Countries" is compiled in accordance with the educational-professional program of preparation of Bachelor of specialty 293 international law

1. Description of the discipline

1.1. Purpose of teaching discipline

The purpose of teaching discipline is to train specialists with a wide range of knowledge about the basics of theory and practice of constitutional and legal regulation of social relations in foreign countries, possessing the practical skills necessary for their professional activity to solve specific problems in the field of constitutional law; able to independently orient themselves in modern constitutional-legal relations, to take well-balanced, constitutionally grounded decisions within the framework of their professional competence.

1.2. The main tasks of studying the discipline

The main tasks of studying the discipline is the formation of such professional competencies:

- PC 2. Knowledge and understanding of the retrospective of the formation of international institutions, foreign policy structures, legal and state institutions.

- PC4. Respect for human honor and dignity as the highest social value, understanding of their legal nature. Knowledge and understanding of international human rights standards enshrined in universal (at the UN level) and regional human rights instruments (at the level of the Council of Europe, the OSCE, the European Union, the CIS); international universal and regional institutional mechanisms for the protection of human rights

- PC8. Ability to apply knowledge of the tasks, principles and doctrines of national law, as well as the content of legal institutions, at least in such areas of law as constitutional law, administrative law and administrative procedural law, civil and civil procedural law, criminal and criminal procedural law.

- PC 9. Knowledge and understanding of the peculiarities of the implementation and application of substantive and procedural law.

- PC11. Ability to provide legal opinions and advice on international law, national law of Ukraine and foreign countries; to determine the legal risks of certain foreign policy or foreign economic initiatives, to select ways to minimize them.

- PC12. Ability to develop a legal position in the interests of the client, as well as counter-arguments against the position of opponents; to lead discussions and debates on international legal and general legal issues.

- PC16. Ability to adapt and use international legal norms and principles in the national legal system.

1.3. Number of credits – 3.

1.4. The total number of hours is 90.

1.5. Characteristics of the discipline

Normative	
Full-time study form	Part-time (distance) form of study
Year of preparation	
1nd	1nd
Semester	
2nd	2nd
Lectures	
32 hours	6 hours
Practical, seminars	

16 hours	8 hours
Independent work	
42 hours	76 hours

1.6. Program learning outcomes

According to the requirements of the educational and professional program, students must achieve the following learning outcomes:

PLO 2. Analyze social processes in the context of the analyzed problem and demonstrate their own vision of ways to solve it;

PLO 3. Carry out collection and integrated analysis of materials from various sources;

PLO 4. Formulate own reasonable judgments based on the analysis of a known problem;

PLO 5. Give a brief conclusion regarding individual factual constitutional and legal relations of a certain state with sufficient justification;

PLO 6. Evaluate the shortcomings and advantages of arguments, analyzing the problems of the form of the state and the legal status of the person;

PLO 7. Compile and organize an individual task plan (essay, presentation) and independently collect materials from certain sources;

PLO 8. Use various sources of information to fully and comprehensively establish constitutional and legal validity;

PLO 18. Demonstrate knowledge and understanding of the main modern legal doctrines, values and principles of the functioning of the national legal system, be able to reveal the peculiarities of the establishment of principles and standards of international law at the level of constitutions;

PLO 23. Provide advice on possible ways to protect the rights and interests of clients at the national level in Ukraine.

2. Thematic plan of the discipline

Section 1. The General theoretical aspects of constitutional law (general part)

TOPIC №. 1. State (constitutional) law as a branch of law, state law of foreign countries as a science and educational discipline and the foundations of the theory of the constitution.

The emergence and evolution of state (constitutional) law of foreign countries. The state (constitutional) right of each country is the main branch of the national system of law.

The ratio of the terms "constitutional" and "state" law. State (constitutional) law as the main branch of law, as science and educational discipline. State (constitutional) law as the main branch of law. Subject of constitutional-legal regulation and constitutional-legal relations in foreign countries. Method of state (constitutional) law of foreign countries. Institutes of state (constitutional) law of foreign countries, which determine the system of course of state (constitutional) law of foreign countries. Subjects and objects of constitutional-legal relations.

Sources of state (constitutional) law of foreign countries: constitution, constitutional, organic and ordinary laws. Judicial precedents and decisions of bodies of constitutional supervision. Constitutional customs. Statutory acts of the heads of state and government. Acts issued in the order of interpretation of laws. Parliamentary regulations. Doctrinal sources. Ratio of the legal force of various sources of state (constitutional) law. Place and role of state (constitutional) law in national state-legal systems. Main tendencies of development of state (constitutional) law of foreign countries. The impact of international integration and international law on political institutions and constitutional rights of different countries. State (constitutional) law of foreign countries as a science. Formation of state (constitutional) law as an independent branch of legal science, its main directions and trends of development. Subject and methods of study. Task of the discipline. Construction of the training course, its internal structure.

The concept and essence of the constitution. Correlation between constitutions and reality. The constitutional legal and factual, fictitious and real, democratic and undemocratic. General and special in foreign constitutions. Objects of constitutional regulation, the tendency to expand their circle. Form and structure of constitutions. The meaning of the preamble, transitional, interim and final provisions. Language and style of constitutions. Adoption of constitutions. Making changes to the constitutions. Conditions under which constitutions can be canceled. Classification of constitutions: in form, in accordance with the procedure for their adoption, by means of amendments and additions, by terms of action.

TOPIC №2. Constitutional and legal foundations of the social system

Concept of the constitutional system, its features and conditions. Interconnection between the constitutional system, the social system and the state policy. The consolidation of the constitutional order in the constitutions. Constitutional consolidation of the political system of the state. Political pluralism as the basis of the political system of a democratic state. Constitutional and legal status of the main subjects of the political system of the state. The economic system of the state and its legal regulation. Economic pluralism as the basis of the economic system of a democratic state. Social system and social structure of society. Constitutional and legal principles of social policy of the state and their realization. Constitutional and legal foundations of spiritual and cultural relations. Ideological pluralism as the basis of spiritual and cultural relations. Concepts and signs of the principles of the constitutional system. The system and content of the principles that form the basis of the constitutional order.

TOPIC № 3. Constitutional legal status of a person and a citizen

Human rights in constitutional law. Human rights and rights of a citizen (subject). The difference between rights and freedoms. Evolution of constitutional rights and freedoms. Subjects of constitutional rights and freedoms. Peculiarities of constitutional provisions declaring rights and freedoms. Relationship with duties and responsibilities. Equality of rights, freedoms and responsibilities. Limitation of rights and freedoms. Guarantees for the protection of fundamental rights and freedoms. Classification of rights and freedoms: socio-economic, socio-cultural, political, personal. Their specific content and the possibility of realization. Human rights and citizen's rights. Guarantees of rights and freedoms.

Constitutional and legal institute of citizenship (citizenship). Concept and principles of citizenship. The notion of citizenship. Ways of obtaining and termination of citizenship. Loss of citizenship and deprivation of citizenship: concept and difference.

Statelessness and multi-nationality. The regime of foreign citizens and stateless persons. Asylum institute. Expatriation from the country. Publication to a foreign state.

TOPIC № 4. Constitutional forms of the modern state

Ratio of the essence, content and form of the state. Variety of forms of modern foreign countries and their causes. The combination of the principles of the distribution of power, the rule of parliament, the mechanism of checks and balances. Concept and types of forms of government. Characteristics of absolute and constitutional (limited) monarchies on the example of specific states. Election monarchy. Theocratic monarchy. Republican form of government, concepts and main types. Presidential republic. Parliamentary republic. Semi-presidential (mixed) republic.

Concept of political-territorial organization and its importance for social management. Factors that determine the political-territorial structure. Unitary form of the political-territorial system. A centralized and relatively decentralized unitary state. Decentralized Unitarian State. Territorial (regional) autonomy, its types: political autonomy, administrative autonomy. Federal form of political-territorial organization. Concepts, signs, main features. The difference between the federation and the confederation. Legal status of subjects of federation and federal territories. The problem of secession. Distribution of competency between general federal authorities and bodies of subjects of the federation. Exclusive competence of the union, sphere of joint (competing)

competence of the union and subjects of the federation. Residual powers. Mechanism of control of central government over the activities of bodies of subjects of the federation.

Concept of the political regime and its kinds. Factors determining the establishment of a political regime and its evolution. Influence of the political regime on the form of the state system. Reflection of the political regime in the constitutional (state) law. Democratic regime and its signs. Varieties of a Democratic State Regime: a regime of liberal democracy and a regime of social democracy. Different forms of restriction of democracy. Emergency situation The notion of an authoritarian political regime and its variety. Totalitarian state regime. Military-dictatorial regime. Monocratic mode. Clerical regime. Constitutional-authoritarian regime. Authoritarian regime of personal power.

TOPIC №5. Constitutional forms of direct democracy Concepts and forms of direct democracy.

Concept of elections, types of elections and their constitutional and legal regulation. Social function of elections. Frequency of elections. Political parties and elections. The concept of electoral law and its basic principles. Elective right in the objective sense. General suffrage. Active and passive electoral law. Election qualifications. Absenteeism, its causes and evaluation. Obligatory voting and its evaluation. Principles of equality in electoral law and ways of violating it. Direct and indirect (multi-stage) elections, their assessment. Secret ballot: purpose and ways.

Election process. Its main stages. Constituencies. Registration of voters and drafting of lists. The procedure for the nomination of candidates. Primery. The role of political parties in the electoral process. Legislation on electoral expenditures. Voting procedure. Electoral system (in the broad and narrow sense). Majority electoral system, its varieties: absolute majority, relative majority, qualified majority (on examples of specific states). Ways to overcome the ineffectiveness of the first round of voting for a majority or majority majority voting system. Proportional electoral system. Correction of the proportional electoral system: means of determining the electoral meter (quotas), the method of dividers. Different types of constraints on the principle of proportionality: the rule of the most common, distribution of mandates in the middle of the list (free list system, system of linked lists), preferential voting, manipulation, blocking point, and combination of lists (blocking). A combination of majority and proportional electoral systems in some countries. The semi-proportional electoral system: a system of limited vote, a system of united voices that is not transmitted, a system of cumulative vote.

Referendum, its concepts and types: an optional referendum, a mandatory referendum. Constitutional referendum. People's veto. The social function of the referendum. Constitutional and legal regulation: initiative, appointment, campaigning company, voting, definition of results. The practice of referendums in different countries and their assessment. Plebiscite. Other forms of direct democracy in foreign countries.

TOPIC № 6. The system of the highest bodies of state power Ingredients of the supreme bodies of power, administration, and constitutional supervision.

The main features and trends inherent in this system. Legislative power: parliament. The concept of parliament and parliamentarian. Social purpose and political role of parliament, as a body of people's representation. Factors that determine the legal and actual value of the parliament in the mechanism of public administration of society. The structure of parliaments: unicameral, bicameral. The order of their formation and the peculiarities of the legal status of the chambers. The internal structure of the chambers of parliament. Officials of the chambers and their legal status (vice president, speaker, lord chancellor, etc.). Committees and chambers of commissions, their purpose and role. Deputy groups, factions, groups, etc.. Social and party composition of parliaments. Competence of parliaments and acts adopted by the parliament (laws, private and public bills, resolutions, resolutions, appeals, etc.). Methods of limiting the competence of parliament. Parliamentary procedures. Legislative process and its main stages. Budget process. Forms of parliamentary control over the government's activities: a vote of confidence and distrust, a

constitutional vote, a resolution of condemnation, interpellation, committees of inquiry, ombudsmen. Litigation procedures. Legal status of the deputy. Rights and duties of the deputy. Immunity and indemnity. Deputy privileges and privileges.

Social purpose, political role of the head of state in the system of higher bodies of state. The sole and collegial head of state. The order of replacement of the head of state. Legal and actual status of the head of state. Responsibility of the head of state (impeachment). Competence of the head of state depending on the form of government and the political regime. Relations between the head of state and parliament, government, state apparatus. The powers of the head of state in the field of higher representation in the state and beyond. Powers in the field of personal status of citizens (subjects). Extraordinary powers. Acts of the head of state. The countersignatures of the acts of the head of state. The apparatus of the head of state, his political role.

Social purpose and political role of government. The place of government in the system of higher bodies. Types of Governments. Government and Cabinet. The order of formation of the government depending on the form of government. Their party and social composition. Head of Government, his legal status and political role. Competence of government. Relations with Parliament and Head of State. Methods of influence of the government on legislative activity of parliament. Delegated legislation, its essence and types. Parliamentary responsibility of the government. Government authority in foreign policy. Extraordinary powers. Government apparatus, its functions and political role. Offices and bodies that function under the government and its head. Constitutive oversight and control bodies and constitutional justice.

The concept and position of the institute of constitutional control. Types of constitutional control. Constitutional control over the use time, according to legal consequences, in form. Models of constitutional control. Functions of bodies of constitutional control.

TOPIC №7. Local government and self-government.

The concept of local self-government, its social purpose and its political role. Basic Concepts of Local Self-Government. The principle of recognition and guaranteeing local self-government as one of the foundations of the constitutional system. Local Self-Governance and Management. Models of local self-government and management in foreign countries. Influence of administrative-territorial division on the system of local authorities. The order of organization, structure and functions of local self-government and management. Local self-government bodies in foreign countries. Interrelations of local self-government bodies with executive authorities. Forms and methods of control by the central government. Responsibility of local self-government bodies.

Section 2. Principles of the constitutional order of individual states (special part)

TOPIC № 8. Basics of state (constitutional) law of Great Britain

Features of constitutional law of Great Britain and its source. The constitutional and legal status of a person and a citizen. Nationality. Citizenship of the Commonwealth. Economic system. Social structure. Political system. Features of the party system and major political parties. The political role of trade unions and business organizations. Election rights and electoral system. Election deposit.

Parliament of Great Britain. Its structure, the order of the formation of chambers, their internal organization and relationships. Powers of the chambers. Legislative process.

Legal status of the British monarch. The order of succession. The prerogatives and the real role of the monarch in the management of the state.

Government and Cabinet. Order of formation and responsibility. Legal status and role of the prime minister. Government apparatus. The political and administrative structure of the territory. Status of Wales, Scotland, Northern Ireland, and others. Local Government.

TOPIC № 9. Fundamentals of the state (constitutional) law of the USA

The Constitution of 1787 and its specific features. Constitutional development of the USA. Content of constitutional amendments. The order of changing the state constitution. Constitutional status of a person and a citizen. The pain of rights. Economic system. Pluralism of ownership forms. Social structure of society and its development trends. Middle layers Political system. Political system and political parties. Features of the bipartisan system. The political role of trade unions and business organizations. Election rights and electoral system.

Primary elections (primers). The order of the election of the president, vice president, congressmen, and senators. Congress of the USA Its structure, the order of the formation of chambers, their internal organization, and relationships. Powers of the chambers. Special prerogatives of the Senate. Legislative process. Impeachment. Foreign policy functions. President, Vice-President, their powers. Office. Executive management. The federal apparatus of officials. Supreme Court. Order of formation and function. Legal Status of States and the Federal District of Columbia. Dependent Territories. State and local governments.

TOPIC №10. Fundamentals of the state (constitutional) law of the French Republic

Constitutional development of France after the Second World War. The Constitution of 1958, and its subsequent amendments. Constitutional status of a person and a citizen. Economic system. Forms of ownership and their development. Social structure. Political system. Features and main political parties. French trade unions and socio-economic organizations of entrepreneurs. Election rights and electoral system. Election geometry and electoral law.

Parliament of France. Its structure, the order of the formation of chambers, their internal organization, and relationships. Constitutional limitations of the competence of the Parliament (Articles 34, 37, 38 of the Constitution). Legislative process. Legislative shuttle. Absence of the right of interpellation. President. The order of election and competence. Relations with Parliament and Government. The role of the president in the legislative process. Acts of the president. Government (Council of Ministers, Cabinet of Ministers). The order of formation and competence. Incompatibility of the post of a member of the government with a parliamentary mandate. Liability Acts. Countersignature Government apparatus. The system of constitutional control in France. The procedure for the formation and powers of the Constitutional Council and the State Council. Local government and self-government. Forms of control of the center for local self-government. The legal status of overseas departments - Martinique, Reunion, and others.

TOPIC №11. Fundamentals of the state (constitutional) law of the Federal Republic of Germany

Basic Law of the Federal Republic of Germany 1949 Constitutional reform of the 1968 Constitution of the land. Constitutional status of a person and a citizen. Practice Prohibition on Profession. Extraordinary legislation. Economic reform. Forms of ownership and their development. Social structure. Political system. Party system. Major political parties and their constitutional and legal status. German trade unions and socio-economic organizations of entrepreneurs. Election rights and electoral system. Elective geometry. Constituencies. Mandate distribution system. Federal government Legislative body of the Federal Republic of Germany - Bundestag, the order of its formation and organization. Bundesrat. Federal President. The order of election, competence and real political role. Controller of acts of the president, responsibility. Federal government The order of its formation and powers. The status of the federal chancellor. The peculiarity of parliamentary responsibility. The concept and essence of a constructive vote. Federal constitutional court Features of constitutional control. Bodies of constitutional supervision in the lands. German federalism. Legal status of lands and their relationship with the Union in normal and extraordinary circumstances. Bodies of power and governance in the lands. Organization of local government and self-government.

TOPIC №12. Fundamentals of the state (constitutional) law of the Republic of Turkey

The Constitution of the Republic of Turkey. Features of its adoption. Constitutional status of a person and a citizen in the Turkish Republic. Economic system. Forms of ownership and their development. Social structure of society. Political system. Features of the party system and major political parties. Features of the trade union movement. Business unions. Characteristics of the electoral law and the electoral system. The procedure for parliamentary elections. Parliament. The structure of Parliament, its internal organization. Legislative process. President, his powers, political role. Government, the procedure for its formation, acts of responsibility. The role of the head of government. Judiciary of the Republic of Turkey. Organization of local government and self-government.

TOPIC № 13. Fundamentals of the state (constitutional) law of the Republic of Poland

First Polish Constitution 3th of May, 1791. Constitutional development of Poland after the Second World War. Manifesto of the Polish Liberation Committee. Restoration of the democratic principles of the Constitution of 1921. Constitutional law on the structure and competence of the highest bodies of the Polish republic (Small Constitution of 1947). Constitution of 1952 in the wording of 1990. Constitutional Law 1992 on the relationship between the legislative and executive power of the Republic of Poland and on territorial self-government in the wording of 1995, as amended in 1996 (Small Constitution). The Constitutional Law of 1992 on the procedure for the preparation and adoption of the Constitution. The Constitution of April 2, 1997 Constitutional status of person and citizen, his guarantee. Polish citizenship and the regime of foreigners. Economic system. Forms of ownership and their development. Social structure of society and its development trends. Political system and its constitutional and legal regulation. Political parties and public organizations. Trade unions and organizations of entrepreneurs. Union "Solidarity" and its role in socio-political and public life. The role of the church in political life. Symbolism of the Polish state. Characteristics of the electoral law and the electoral system. The procedure for the election of deputies and senators, members of the national council. Mandate distribution system. The order of recall of members of representative bodies.

The Sejm and The Senate. Its composition, powers, organization, procedure, legislative process. Commissioner for Public Rights. Senate. Its composition, powers, organization, procedure, and relationship with the Sejm. President of the republic. The procedure for his election, authority, and responsibility. Government apparatus. Constitutional tribunal and procedure of constitutional responsibility of senior officials. Upper Chamber of Control. The order of its formation, powers, the procedure of activity, and responsibility. The political and administrative structure of the territory. Local government and local government bodies. Order of formation, authority, responsibility.

TOPIC № 14. Fundamentals of the state (constitutional) law of Italy

The Constitution of 1947 and its further development. The constitutional status of a person and a citizen, his guarantees. Economic system. Forms of ownership and their development. Social structure of society. Political system. Features of the party system and major political parties. The legal basis for the activities of political parties in Italy (Article 49). Features of the trade union movement in Italy. Activities of business unions. Characteristics of electoral law and electoral systems in Italy. The combination of majoritarian and proportional systems. Referendum and the procedure for conducting it. Reasons that limit the possibility of holding a referendum (Article 75).

Parliament. The structure of the parliament, the procedure for the formation of the chambers, their internal organization, and relations. Legislative process and its features. Powers of the chambers of commissions. President of Italy. The procedure for his election, competence, acts, and responsibility (Article 89). Real political power. Government, the order of its formation, competence, acts, and responsibility. Delegated legislation (Article 77). Presidium of the Council of Ministers. Status and political role of the Head of Government. Constitutional Court. Features of its formation, duration of activity, and the most important powers. Regional autonomy. Organization of local government and self-government.

TOPIC № 15. Fundamentals of state (constitutional) law of Spain

The necessity and circumstances of the adoption of the Constitution of 1978, and its peculiarities. The constitutional status of man and citizen in Spain. Economic system. Forms of ownership and their development. Social structure. Characteristics of the electoral law and the electoral system.

The legal and actual status of the King of Spain. System of succession. General Cortes. Their structure, internal organization, and relations of chambers. Legislative process. The Government of Spain. The order of its formation, powers, acts, responsibility. The role of the prime minister. Spanish Judiciary. Supreme Court. Constitutional Court. Features of the territorial structure of the state. Autonomous communities. Levels of autonomy.

Topic 16. Fundamentals of state (constitutional) law of the Kingdom of Saudi Arabia

Basic Law of Governance of the Kingdom of Saudi Arabia 1992. Sources of state law of Saudi Arabia: features and types. The Holy Qur'an and the Sunna (Traditions). General principles of the state system of Saudi Arabia. The influence of state religion on political and legal life.

Basic System of Government. The King of the Kingdom of Saudi Arabia. Peculiarities of the status of the king and his prerogatives. The order of succession to the throne. Executive Authority, its functions and powers. The Council of Ministers. The order of government formation. The Prime Minister (the King), the Deputy Prime Minister (the Crown Prince). Government accountability and responsibility. The judicial power of the Kingdom. The Shura Council of the Kingdom of Saudi Arabia. The regulatory authority of Saudi Arabia: order of formation, powers. Rights and obligations of subjects and guarantees of their implementation.

3. Structure of the discipline

Title of sections and topics	Number of hours											
	full-time(distance) form						Extramural form					
	all	including					all	including				
		l	p	lab	individ.	Independ		l	p	lab	individ.	independ.
1	2	3	4	5	6	7	8	9	10	11	12	13
Section1.The general part												
Topic 1. State (constitutional) law as a branch of law, state law of foreign countries as a science and academic discipline. Fundamentals of the theory of constitution o f the foreign state	6	2				2	6	2				4

Topic 2. Constitutional and legal foundations of the social system	5	2	2			3	7		2			5
Topic 3. Constitutional and legal status of a person and a citizen	4	2	2			2	7		2			5
Topic 4. Constitutional forms of the modern state	7	2	2			3	7		2			5
Topic 5. Constitutional institutes of direct democracy	8	2				4	4					4
Topic 6. The system of supreme bodies of state power	4	2				2	6		2			4
Topic 7. Local government and self-government	4	2				2	4					4
Together in Section1	38	14	6			18	41		6	4		31
Section2.Principles of the constitutional order of individual states (special part)												
Topic 8. Fundamentals of the state (constitutional) law of Great Britain	6	2	2			2	7		2			5
Topic 9. Fundamentals of the state (constitutional) law of the USA	6	2	2			2	5					5
Topic 10. Fundamentals of the state (constitutional) law of the French Republic	6	2	2			2	7		2			5

Topic 11. Fundamentals of the state (constitutional) law of the Federal Republic of Germany	7	2	2			3	5					5
Topic №12. Fundamentals of the state (constitutional) law of the Republic of Turkey	5	2	2			3	5					5
Topic 13. Fundamentals of the state (constitutional) law of the Republic of Poland	5	2				3	5					5
Topic № 14. Fundamentals of the state (constitutional) law of Italy	5	2				3	5					5
Topic 15. Fundamentals of Spanish (constitutional) law	5	2				3	5					5
Topic 16. Fundamentals of state(constitutional) law of the Kingdom of Saudi Arabia	7	2				3	5					5
Together in Section 2	52	18	10			24	49	0	4			45
Together	90	32	16			42	90	6	8			76

4. Topics of seminars

№	Name of topic	Number of hours	
		Full-time study form	Part-time (distance) form of study
1	Constitutional and legal foundations of the social system	2	2

2	The system of supreme bodies of state power	-	2
3	Constitutional and legal status of a person and a citizen	2	-
4	Constitutional forms of the modern state	2	-
5	Fundamentals of the state (constitutional) law of Great Britain	2	2
6	Fundamentals of the state (constitutional) law of the USA	2	-
7	Fundamentals of the state (constitutional) law of the French Republic	2	2
8	Fundamentals of the state (constitutional) law of the Federal Republic of Germany	2	-
9	Fundamentals of the state (constitutional) law of the Republic of Turkey	2	-
Together		16	4

5. Tasks for independent work

№	Title of topic	Number of hours	
		Full-time study form	Part-time (distance) form of study
1	State (constitutional) law as a branch of law, state law of foreign countries as a science and academic discipline. Fundamentals of the Theory of constitution of the Foreign State	2	4
2	Constitutional and legal foundations of the social system	2	5
3	Constitutional and legal status of a person and a citizen	2	5
4	Constitutional forms of the modern state	2	5
5	Constitutional institutes of direct democracy	4	4
6	The system of supreme bodies of state power	2	4
7	Local government and self-government	2	4
8	Fundamentals of the state (constitutional) law of Great Britain	4	5
9	Fundamentals of the state (constitutional) law of the USA	2	5
10	Fundamentals of the state (constitutional) law of the French Republic	2	5
11	Fundamentals of the state (constitutional) law of the Federal Republic of Germany	2	5
12	Fundamentals of the state (constitutional) law of the Republic of Turkey	2	5
13	Fundamentals of the state (constitutional) law of the Republic of Poland	2	5
14	Fundamentals of the state (constitutional) law of Italy	2	5
15	Fundamentals of the state (constitutional) law of Spanish	2	5
16	Fundamentals of the state (constitutional) law of the Kingdom	2	5

	of Saudi Arabia		
Together		42	76

6. Individual tasks

Individual tasks develop opportunities for independent work and contribute to more in-depth study of theoretical material, the formation of skills for using knowledge to solve appropriate practical tasks.

Types of individual tasks in the discipline (presentations, control works performed during classes and independent work, coursework, theses, etc.) are determined by the curriculum. Individual tasks are to prepare a presentation for a certain, or selected student with the help of a teacher, subject and other types of work approved by the department. Terms of issue, execution and protection of individual tasks are determined by the curriculum.

Individual tasks are performed by the person who is studying independently with the obtaining of the necessary consultations from the scientific and pedagogical worker. It is allowed to perform works on complex subjects by several persons.

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Individual tasks are performed in the form of scientific articles, speeches (reports) at scientific conferences, presentations, etc.

For a published scientific article a student can get 10 points, a speech (report) at a scientific conference - 7 points, and a presentation - 5.

Rules for presentations

Creating presentations is one of the forms of research work.

The presentation is executed using the Microsoft Office PowerPoint program and should consist of at least 15 slides.

The material on the slide can be divided into main and secondary. The main one should be highlighted so that when displaying a slide, he carries the main semantic load: the size of the text or object, color, special effects, and the order of appearance on the screen. Additional material is intended to emphasize the main idea of the slide.

Different types of objects are recommended for different font sizes. The title of the slide is better written the font size 22-28, the subtitle and signature data in the diagrams - 20-24, the text, captions, and headings of the axes in the charts, and information in the tables - 18-22.

Use bold or underlined font to highlight the title and keywords. For registration of secondary information and comments - italics. On all presentation slides, use the same name font.

For a good reception of the presentation from any distance in the hall, it is best to type the text in the font Arial, Bookman Old Style, Calibri, Tahoma, Times New Roman, or Verdana.

1. On the first slide, the name of the MES, the name of the university, the department, the surname, the name and patronymic of the student the topic of the presentation, and the number of the training group should be indicated.

2. On the second slide, the presentation content is presented.

3. On other slides - fill the theme.

4. In the text on the slides, words that are not widely used (UN, EU, OSCE, etc.) are not allowed.

5. Slides should be theses. To provide a presentation of PowerPoint visibility and, if necessary, the colorfulness of some slides, you can place different diagrams, graphics, photographs, drawings, and collages. Inserted photos or pictures should be of high quality and of a fairly large size, otherwise, they will lose sharpness when stretching, which can only spoil the effect of the presentation. During the preparation of the presentation can be used audio.

6. The presentation should be prepared in the provided background (slide template). You should not make slides too colorful and color-coded. This harms the formation of unstable visual images.

7. Slides should either focus on something or visualize the material (the same tables, diagrams, drawings with designations, if any). Do not place multiple blocks of visual or textual information on one slide. This distracts, disperses attention, and aggravates concentration.

8. The slide should be simple for perception - a little text on one slide.

Creating a presentation includes a series of steps:

1. Select a theme.

Student independently chooses a topic from the list of topics of individual research tasks. It should be borne in mind that the student has the right to choose the topic of the presentation, which should be agreed upon with the teacher, in the scope of the curriculum of public associations in Ukraine.

2. Analysis of literature on this topic.

Presentation is the accompaniment of a report or speech, therefore, it is first necessary to develop the concept of a speech and then to take up the presentation of the presentation.

In general, the presentation should be based on materials from the textbooks. Therefore, the creation of a presentation should precede the careful and in-depth study of literature related to this topic. First of all, it is useful to get acquainted with the scientific work (or the indicated chapters, paragraphs, parties) in general in order to obtain an initial general presentation about it, which can be expanded by reviewing the preface, the content and the conclusion of the work, if any. The main thing at this stage is to identify the core problems of the topic under study and make them the main points of the presentation plan.

3. Statement of the content of the topic with the help of slides.

The presentation should be consistently considered all the questions of the plan. It is important to strive for the theoretical content of work to be linked to the analysis of practical and legal phenomena. The student must be able to demonstrate the practical significance of knowledge of principles, laws, and categories.

When creating slides it is not necessary to use outdated sources, which may contain false views, inaccurate formulations and conclusions, and outdated digital data. Consequently, the ability to highlight the main theoretical issues and to explain them on a particular material, using contemporary literature, are the basic requirements for preparing a presentation.

Topics of presentations

- Constitutional (state) law of foreign countries as a science
- Comparative analysis of sources of constitutional law in different countries of the world
- Main directions and schools in the science of state (constitutional) law of foreign countries
- Constitutional custom as a source of constitutional law in foreign countries
- Describe a state (of your choice) in the form of government
- Describe a state (of your choice) in the form of a state system
- The constitutional and legal status of autonomy in the UK, Italy, Spain
- The structure of parliaments in foreign countries
- Legal status of the ombudsman in foreign countries
- The concept of the president's impeachment, his grounds, procedure, and consequences
- The constitutional responsibility of the government
- Comparative legal analysis of the status of the prime minister in foreign countries
- Models of judicial authorities in foreign countries
- The constitutional and legal status of a person and a citizen in the UK
- Elections and electoral systems in the UK
- Head of State of the United Kingdom
- UK Judicial System
- The constitutional and legal status of a person and citizen in the United States

- United States Election System
- The legal status of political parties and the party system in the United States
- President in the United States government system
- The Supreme Court in the United States government system
- The constitutional and legal status of a person and a citizen in France
- Election Law and the electoral system of France
- Constitutional control in France
- Legal status of the overseas territories of the French Republic
- Basic human rights and citizen rights in the Federal Republic of Germany
- Election of electoral systems in the Federal Republic of Germany
- Status and powers of the Federal President of the Federal Republic of Germany
- Legal status of federal subjects in Germany
- Legal status of the Federal Constitutional Court of the Federal Republic of Germany
- Constitutional process in Poland
- Election Law and Electoral System of the Republic of Poland
- Legal status of the President of Poland
- Features of constitutional control of the Polish Republic: the Constitutional Tribunal and the State Tribunal

7. Teaching methods

Training within the teaching discipline "State Law of Foreign Countries" includes oral lectures and seminar classes. Visual teaching methods are used for each topic, in particular, presentations, schemes, and videos.

8. Control methods

Control methods are methods of diagnostic activity that allow feedback in the learning process to obtain data on the success of learning, and the effectiveness of the learning process.

Control measures determine the compliance of the level of knowledge acquired by students with the requirements of the normative documents on higher education.

Self-control is intended for the self-evaluation by the higher education students of the quality of the learning material of the discipline (section, themes). For this purpose, in the training manuals for each topic (section), as well as in the methodological workings for seminars, questions are foreseen for self-control.

The control of the cathedral is carried out to assess the level of preparation of students in the discipline at various stages of its study and is carried out in the form of entrance, current, secondary, and semester control.

In the educational process, the following types of control of learning outcomes are used: input, current during the semester, control work, provided by the curriculum, individual tasks, coursework, final semester, and deferred control.

Current control is carried out on all types of classroom activities during the semester. Current control can be carried out in the form of oral questioning or written control at practical, seminars, lectures, in the form of a colloquium, student speeches when discussing issues at seminars, in the form of computer testing, etc. Specific forms of ongoing control and criteria for assessing the level of knowledge are determined by the curriculum. Student evaluation results should be communicated to students in a timely manner. The form of current control is the rector's control work. The results of the evaluation of the rector's control works can be counted as the results of the implementation of the control work provided for by the curriculum.

The final semester control of the academic discipline is a mandatory form of evaluation of the student's study results. It is conducted in the terms established by the schedule of the educational process, and in the amount of educational material determined by the work program of the educational discipline. Semester control is conducted in the form of a credit. A student is admitted to the semester control on the condition that he completes all types of work in this academic discipline provided by the curriculum and scores a minimum of 10 points.

The maximum amount of points that a student can score while completing a credit from a discipline is 40.

Assessment of final control is displayed on a national scale as the sum of the points scored by a higher education student during the semester when the control measures provided for by the curriculum and the points scored during the semester credit are completed.

The maximum amount of points that a student can gain in studying a discipline is 100.

Matters to be made for the preparation of intermediate and final control

1. Constitutional law of foreign countries as a branch of law, science, and educational discipline. Subject, method, and system of constitutional law.
2. Concept, features, and types of constitutional-legal norms.
3. Constitutional-legal relations, their essence, and characteristics.
4. Characteristics of subjects of constitutional and legal relations. Objects of constitutional-legal relations.
5. Sources of constitutional law of foreign countries.
6. Constitutional and legal principles of the social system of foreign countries.
7. The role of political parties in the political organization of the society of foreign countries.
8. Party systems. The main functions of political parties.
9. Classification of political parties of foreign countries.
10. Concept of the constitution. Legal properties of the constitution.
11. Classification of constitutions.
12. Relationship between constitutions and reality.
13. Procedure for the adoption of constitutions and amendments thereto.
14. Institute of constitutional control in foreign countries, its essence and assessment. The procedure for the formation of bodies of constitutional supervision in the USA, Germany, and France.
15. Types of constitutional control.
16. Constitutional and legal status of a person and a citizen in foreign countries: concepts and types.
17. Concept and principles of citizenship.
18. Ways of acquiring citizenship.
19. Methods of termination of citizenship.
20. The concept and classification of human and civil rights and freedoms.
21. Concepts and types of personal rights and freedoms.
22. Concept and water of political rights and freedoms.
23. The concept and types of socio-economic rights and freedoms.
24. Concepts and types of cultural rights and freedoms.
25. The concept and classification of duties of a person and a citizen.
26. Variety of forms of modern foreign countries and their causes.
27. Classification of forms of government of modern foreign states.
28. Monarchy, its features (to show on examples of different states).
29. Types of monarchies (to show examples of different states).
30. Presidential republic (to show examples of different states).
31. Parliamentary republic, its features (to show on examples of different states).
32. The semi-presidential republic is a form of government in foreign countries (shown in examples of different states).
33. Classification of forms of state systems of modern foreign countries (shown on examples of different states).
34. Unitary form of government in foreign countries (shown in examples of different states).
35. The main features of foreign federations (shown on examples of different states).

36. Autonomy in foreign countries (illustrated by examples from Italy, Finland, Denmark, India, Spain, PRC).
37. The concept of a political regime and its types.
38. Democratic regime, its general features, and features in individual countries.
39. Authoritarian political regime, its general features.
40. Social purpose and the role of elections in foreign countries.
41. Concept of electoral law in objective and subjective meanings.
42. Principles of Election Law.
43. Absintheism, its causes, and evaluation.
44. Concept of elections, their assessment. Types of elections.
45. Forms of identification of inequality in the electoral law of foreign countries.
46. The concept and stage of the election process.
47. The concept of the electoral system. Types of electoral systems.
48. The essence of the majoritarian electoral system. Varieties of majoritarian system.
49. Proportional electoral system (concepts, methods of distribution of seats in the middle of the party list).
50. "Protective point" and its assessment.
51. Referendum: concept, essence, constitutional and legal regulation.
52. Organization and procedure for holding referendums.
53. Types of referendum and its legal consequences.
54. The main features inherent in the system of higher authorities and management in foreign countries.
55. Head of State: social appointment and political role.
56. Functions and competence of the head of state.
57. Legal status of the monarch in foreign countries.
58. Legal status of the president in foreign countries. Means of electing the president, their political significance.
59. Institute of executive veto in foreign countries. His views and evaluation.
60. Grounds for early termination of the president's powers.
61. Vice President in foreign countries.
62. Parliament and parliamentarian in foreign countries.
63. Classification of foreign parliaments and peculiarities of the legal status of chambers.
64. Structure of the Chamber of Foreign Parliament. The role of the heads of party factions and committees in the process of its work.
65. Legal status of permanent commissions (committees) of parliament.
66. Functions and competence of the Parliament.
67. Acts of Parliament.
68. Status of a deputy of parliament.
69. Ombudsman.
70. The main features of the legislative procedure in the chambers of foreign parliaments.
71. Concepts and types of government.
72. The order of formation of the government at various forms of government.
73. Head of Government and his status in various forms of government.
74. Models of judicial authorities in foreign countries.
75. Status of judge in foreign countries.
76. Models of bodies of local self-government in foreign countries.
77. US Constitution 1787
78. The German Constitution of 1949
79. The French Constitution of 1958
80. Basic Law of Governance of the Kingdom of Saudi Arabia 1992
81. The Constitution of Poland in 1997
82. The Italian Constitution of 1947

83. The Spanish Constitution of 1978
84. Constitution of the Republic of Turkey 1982
85. The Constitution of the United Kingdom.
86. Parliament of the United Kingdom.
87. US Congress.
88. Parliament of Italy
89. The Bundestag of the Federal Republic of Germany.
90. National Assembly of France.
91. The Sejm and the Senate of Poland.
92. Parliament of Spain.
93. The Grand National Assembly of Turkey.
94. The Shura Council of the Kingdom of Saudi Arabia.
95. President of Poland.
96. The President of Turkey.
97. The President of Italy.
98. US President, his place in the system of higher state bodies.
99. Federal Chancellor, his legal position.
100. President of the Federal Republic of Germany, his legal status.
101. President of France, his place in the system of supreme state bodies.
102. The King of the Kingdom of Saudi Arabia.
103. Federal form of government of Germany.
104. American federalism. Legal status of the states.
105. Electoral Law and Electoral System of the Federal Republic of Germany.
106. Election Rights and United States Electoral System. Primaries
107. Cabinet of the United States. Executive Office under Presidential.
108. Cabinet and Government of Great Britain.
109. Legal status of the Government of France.
110. Legal status of the Council of Ministers of Turkey.

9. Scheme of calculation of points

Full-time education. Example of the offset

The total number of points is 100.

The number of points for the exam is 40.

Number of points during the semester - 60:

The number of points for answers to seminars, and individual tasks - 40:

Formula about

$$\Sigma 40 = \Sigma 1$$

Note:

$\Sigma 40$ - the sum of the maximum number of points

$\Sigma 1$ - the sum of the points received by the student for the answers to the practical (seminar) classes and for the individual task.

Control work (one per semester) - 20 points.

Current control									independent work	Total Settlement	Amount
T1	T2	T3	T4	T5	T6	T7	T8	Control work	60	40	100
$\Sigma 40$									20		

T1, T2 ... T8 – topics.

Criteria for evaluation in control work:

Current control is carried out, in particular, control work, in the form of written test tasks.

Each test version contains 20 test questions with one correct answer. For each correctly solved test the student receives 1 point.

For the successful scientific work (writing of scientific work, abstracts, participation in scientific conferences, participation in the work of a scientific circle, etc.) on the profile of this discipline, by the decision of the department by the criteria set by the curriculum program, can receive up to 10 additional (encouragement) points.

The answer to the seminar is 1-5 points.

Criteria for evaluating oral answers.

The current control is carried out, in particular, in the form of a survey and verification of the results of speeches at seminars and practical classes in a five-point scale of assessments.

5 points are put under the following conditions:

- the student actively works during all practical lessons;
- gives a complete, correct, consistent, coherent, substantiated statement of the issue, accompanied by correct examples and a reference to the current legislation;
- all that is taught should indicate a profound understanding and orientation in the phenomena and processes being studied;
- correct comprehensive answers to additional questions of the teacher.

4 points are put under the following conditions:

- the student actively works during the practical training;
- gives a correct, complete statement of the content of the textbook and the material provided by the teacher, but additional control questions that the teacher sets to clarify the depth of understanding and ability to navigate in phenomena and processes, responds only with some help from a teacher or colleagues;
- insufficiently comprehensive answers to additional questions of the teacher.

3 points are put under the following conditions:

- the student at the lesson behaves passively, responds only to the challenge of the teacher;
- as a whole, reveals the knowledge of the main study material under consideration, but during the answer makes mistakes and recognizes them only after the instruction of the teacher;
- answers to the questions does not immediately, but only after some tension of memory, with the answers being fuzzy;
- is not able to draw a relation with other problems of the studied discipline without the help of the teacher;

2 points are put under the following conditions:

- admits significant errors or completely misses the material and partially corrects these errors only after the instruction of the teacher;
- the student reveals ignorance of a significant part of the educational material, which illogical and uncertainly teaches him, in the answer there are humps and breaks, can not explain the problem, although he understands it;
- the material is not sufficiently coherent and consistent.

1 point is given on the following conditions:

- the student assumes gross errors in the presentation of the material and does not correct these errors, even if instructed them by the teacher;
- reveals misunderstanding of the educational material and, as a result, a complete lack of skills in the analysis of phenomena, and in the further implementation of practical tasks.

Criteria for scoring:

The final control is carried out, in particular, in the form of written test tasks. Each version of the test tasks contains 40 test questions with one correct answer. For each correctly solved test the student receives 1 point.

9.1. Scheme of calculation of points
Extramural form education. Example for the offset

The total number of points is 100.

The number of points for the exam is 40.

Number of points during the semester - 60:

The number of points for answers to seminars, individual tasks - 40:

Formula about

$$\Sigma 1$$

$$\Sigma 40 = \frac{\Sigma 1}{\Sigma 2} \times 8 \text{ (eight)}$$

$$\Sigma 2$$

Note:

$\Sigma 40$ - the sum of the maximum number of points

$\Sigma 1$ - the sum of the points received by the student for answers to practical (seminar) classes.

$\Sigma 2$ the number of practical (seminary) classes during the semester.

8 is the coefficient

Control work (one per semester) - 20 points.

Current control									independent work	Total Settlement	Amount
T1	T2	T3	T4	T5	T6	T7	T8	Control work	60	40	100
$\Sigma 40$									20		

T1, T2 ... T8 – topics.

Criteria for evaluation in control work:

Current control is carried out, in particular, control work, in the form of written test tasks.

Each test version contains 20 test questions with one correct answer. For each correctly solved test, the student receives 1 point.

For the successful scientific work (writing of scientific work, abstracts, participation in scientific conferences, participation in the work of a scientific circle, etc.) on the profile of this discipline, by the decision of the department by the criteria set by the curriculum program, can receive up to 10 additional (encouragement) points.

The answer to the seminar is 1-5 points.

Criteria for evaluating oral answers.

The current control is carried out, in particular, in the form of a survey and verification of the results of speeches at seminars and practical classes in a five-point scale of assessments.

5 points are put under the following conditions:

- the student actively works during all practical lessons;
- gives a complete, correct, consistent, coherent, substantiated statement of the issue, accompanied by correct examples and a reference to the current legislation;
- all that is taught should indicate a profound understanding and orientation in the phenomena and processes being studied;
- correct comprehensive answers to additional questions of the teacher.

4 points are put under the following conditions:

- the student actively works during the practical training;
- gives a correct, complete statement of the content of the textbook and the material provided by the teacher, but additional control questions that the teacher sets to clarify the depth of understanding and ability to navigate in phenomena and processes, responds only with some help from a teacher or colleagues;

- insufficiently comprehensive answers to additional questions of the teacher.

3 points are put under the following conditions:

- the student at the lesson behaves passively, responds only to the challenge of the teacher;
- as a whole, reveals the knowledge of the main study material under consideration, but during the answer makes mistakes and recognizes them only after the instruction of the teacher;
- answers to the questions do not immediately, but only after some tension of memory, with the answers are fuzzy;
- is not able to draw a relation with other problems of the studied discipline without the help of the teacher;

2 points are put under the following conditions:

- admits significant errors or completely misses the material and partially corrects these errors only after the instruction of the teacher;
- the student reveals ignorance of a significant part of the educational material, illogical and uncertainly teaches him, the answer there are humps and breaks, can not explain the problem, although he understands it;
- the material is not sufficiently coherent and consistent.

1 point is given on the following conditions:

- the student assumes gross errors in the presentation of the material and does not correct these errors, even if instructed on the teacher;
- reveals misunderstanding of the educational material and, as a result, a complete lack of skills in the analysis of phenomena, and in the further implementation of practical tasks.

Criteria for scoring:

The final control is carried out, in particular, in the form of written test tasks. Each version of the test tasks contains 40 test questions with one correct answer. For each correctly solved test, the student receives 1 point.

Scale of evaluation

The number of points for all types of training activities during the semester	Score on a national scale
50-100	pass
1-49	fail

10. Recommended literature

Basic literature:

Legal acts:

1. Basic Law for the Federal Republic of Germany: 23 May 1949, Last amended on 28 June 2022. URL: https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html
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8. European Convention on Human Rights: as amended by Protocols Nos. 11, 14 and 15, supplemented by Protocols Nos. 1, 4, 6, 7, 12, 13 and 16. Council of Europe. 34 p. URL: https://www.echr.coe.int/documents/convention_eng.pdf
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13. The Spanish Constitution 1978. Agencia Estatal Boletín Oficial del Estado. 52 p. URL: <https://www.boe.es/legislacion/documentos/ConstitucionINGLES.pdf>
14. Universal Declaration of Human Rights: proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A). ООН: вебсайт. URL: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Tutorials:

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2. Савчин М. Порівняльне конституційне право. Київ: ВАІТЕ, 2020. 462 с. [Savchyn M. Comparative constitutional law. Kyiv: VAITE, 2020. 462 p.]
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