

**AMERICAN UNIVERSITY OF CENTRAL ASIA**

**LAW DIVISION**

**LAW 110 - INTRODUCTION TO LAW**

**Fall 2018**

Instructor: Kasybekova Kanykei Erkinbekovna, LL.M.

Kovalchuk Jannat Rysbekovna, Assistant professor

Classes: Tu: 12:45 (room C03),14:10 (room CO2) ; W: 12:45 (room 4G34)

Phone: (O) +996 (312) 915 000, Ext. 475

E-mail: [kasybekova\\_k@auca.kg](mailto:kasybekova_k@auca.kg), [kovalchuk\\_j@auca.kg](mailto:kovalchuk_j@auca.kg)

Office Hours: By Appointment

**COURSE DESCRIPTION AND OBJECTIVES**

Introduction to Law is a 6 credit survey course intended to enable students to understand basic legal principles, various legal systems and knowledge of law in general. Students acquire essential knowledge of substantive areas of law, establishment of the state and law, sources of law, hierarchy of legal norms, different legal systems and the like. The course will also introduce students to specific areas of the law such as constitutional, international, civil, criminal law and so on from both a common law and civil law traditions. Throughout the course, an emphasis will be placed on the interrelation of the state and law, and different branches of law in both the common and civil law traditions. Finally, by introducing students to different legal cases emphasis is placed on precise reading, thinking and writing.

**LEARNING OUTCOMES**

Upon successful completion of the course, students should be able to:

- Identify origin of state, theories of establishment of state and elements of statehood;
- Define different forms of state governance;
- Explain the concept of separation of powers, its origin and potential problematic aspects;
- Identify and explain origin of law, theories of establishment of law, principle of justice and autonomy;
- Identify, explain, differentiate and compare sources of law around the world;
- Formulate rules and theories of interpretation of law;
- Describe and compare various legal systems around the world and identify their particular advantages and disadvantages.
- Define and explain basic principles and operations of different branches (areas) of law;
- Classify types of crimes and the elements of crimes in terms of both national and international law;
- Recognize and be able to know constitutional, civil and political rights; and

- Identify subjects of different branches of law and explain their place in these areas of law.

## **COURSE REQUIREMENTS AND POLICIES**

### **1. Class will meet twice a week.**

There will be no strict division between lecture and seminar classes. Students should come to each class prepared and ready to discuss the assigned materials. Students may be called on randomly to discuss the assigned materials, answer questions or perform any other task in furtherance of the class objectives.

### **2. Class participation is strongly encouraged.**

Class participation includes participation in class that shows the student's preparation for class through the use of and/or reference to the course materials that the student was assigned to read or to prepare.

### **3. Class attendance is required.**

Any student accruing more than three (3) class absences during the semester will receive a grade of "zero" (0) for class attendance and participation (-15%).

### **4. Students are expected to be on time for every class.**

Any student arriving late to any class will be marked as "absent" for that class period. Any student absent for more than three (3) classes will receive a grade of "zero" (0) for class attendance and participation (-15%).

### **5. Students are expected to submit any and all written assignments on the "due date".**

Late submissions will **not** be accepted and will be given a grade of "zero" (0) for the assignment.

### **6. The use of cell phones (talking, texting, etc.) during class is strictly prohibited.**

Students violating this policy will be given one (1) warning. A second violation of this policy will result in the student receiving a grade of "zero" (0) for class participation (-15%).

### **7. The use of any other electronic devices during class for any purpose not related to the furtherance of the class objectives is strictly prohibited.**

Students violating this policy will be given one (1) warning. A second violation of this policy will result in the student receiving a grade of "zero" (0) for class participation (-10%).

### **8. Students are expected to follow the AUCA ACADEMIC HONESTY code.**

All types of plagiarism are strictly prohibited. If a student fails to observe this requirement, the instructor may assign an "F" for the work or an "F" for the whole class, depending on the type of assignment and relevant circumstances. Students are expected to read and follow the section on the Student Academic Dishonesty of the AUCA Code of Student Rights, Responsibilities and Conduct.

### **9. This syllabus is subject to change.**

Any changes to the syllabus will be announced in class and the updated version of the syllabus may be found on "e-course". It is each student's responsibility to stay informed of any changes made.

## **GRADE COMPONENTS**

The final course grade will be determined based on the following components:

Class attendance and participation:	15%
Quizzes: (Average of best 7 of 10 in-class quizzes)	70%
<u>Final Examination:</u>	<u>15%</u>
TOTAL	100%

### GRADING SCALE

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

### UNDERSTANDING THE COURSE SYLLABUS

Below is an outline of the course content. Each class session identifies the general topic to be discussed during that meeting.

Required readings and homework, if any, are to be completed **before** the beginning of each class meeting (**not after!**). Each session's lecture and discussion will be based on these materials. In order to understand the day's topic and prepare for discussion of the same, you will need to have read the assigned materials and completed the homework assignments. All required readings and assignments will be posted on and available for downloading through AUCA "e-course".

This is **YOUR** class. What you learn and take from it will depend as much, if not more, on what you put into it than on what the instructor provides!

### COURSE CONTENT

Week #	Class #	Topic
<b>THE CONCEPT OF THE STATE</b>		
<b>1</b>	09/04; 09/05	<ul style="list-style-type: none"> <li>- Introduction to the course and organizational matters</li> <li>- Origins of the State</li> <li>- Elements of Statehood</li> <li>- Functions of the State</li> <li>- Types/Forms of Governance of the State</li> </ul>

		- Structure of the State and Separation of Powers
<b>THE CONCEPT OF LAW</b>		
<b>2</b>	09/11; 09/12	<p style="text-align: center;"><b>Quiz: The Concept of the State</b></p> <ul style="list-style-type: none"> <li>- Law Defined</li> <li>- Nature of Law</li> <li>- Origins of Law</li> <li>- Principles of “Justice”</li> <li>- The Role of Norms</li> <li>- Sources of Law</li> <li>- Functions and Social Role of Law</li> </ul>
<b>COMPARATIVE LEGAL SYSTEMS</b>		
<b>3</b>	09/18; 09/19	<p style="text-align: center;"><b>Quiz: The Concept of Law</b></p> <ul style="list-style-type: none"> <li>- Common Law System</li> <li>- Civil (“Continental”) Law System</li> <li>- Customary Legal System</li> <li>- Religious-Based Legal Systems</li> <li>- Legal Systems in the Courtroom</li> </ul>
<b>CONSTITUTIONAL LAW</b>		
<b>4</b>	09/25; 09/26	<p style="text-align: center;"><b>Quiz: Comparative Legal Systems</b></p> <ul style="list-style-type: none"> <li>- Constitutions and their Types</li> <li>- Constitution-making and Constitutional Design</li> <li>- Institutions under Constitutional Law</li> <li>- Basic Constitutional Rights and their Limitations</li> <li>- Introduction to the Constitution of the Kyrgyz Republic</li> </ul>
<b>CRIMINAL LAW</b>		
		<b>Quiz: Constitutional Law</b>

5	10/02; 10/03	<ul style="list-style-type: none"> <li>- Sources and Objectives of Criminal Law</li> <li>- Criminal Responsibility</li> <li>- Types of Crime</li> <li>- Elements of Crimes</li> <li>- Criminal Law of the Kyrgyz Republic</li> </ul>
<b>CIVIL LAW</b>		
6	10/09; 10/10	<p style="text-align: center;"><b>Quiz: Criminal Law</b></p> <ul style="list-style-type: none"> <li>- Sources and Objectives of Civil Law</li> <li>- Capacity in Civil Law</li> <li>- Subjects of Civil Law</li> <li>- Overview of Civil Law of the Kyrgyz Republic</li> </ul>
<b>LEGAL ENTITIES/BUSINESS ASSOCIATIONS</b>		
7	10/16; 10/17	<ul style="list-style-type: none"> <li>- Types and Forms of Legal Entities</li> <li>- Formation of Legal Entities</li> <li>- Overview of Business Law of the Kyrgyz Republic</li> </ul>
<b>CONTRACT LAW</b>		
8	10/23; 10/24	<p style="text-align: center;"><b>Quiz: Civil Law &amp; Legal Entities/Business Associations</b></p> <ul style="list-style-type: none"> <li>- Objectives of Contract Law</li> <li>- Validity of Contracts</li> <li>- Capacity to Contract</li> <li>- Breach of Contract</li> <li>- Consumer Protection</li> <li>- Overview of Contract Law of the Kyrgyz Republic</li> </ul>
<b>PROPERTY LAW</b>		
9	10/30; 10/31	<p style="text-align: center;"><b>Quiz: Contract Law</b></p> <ul style="list-style-type: none"> <li>- Objectives of Property Law</li> <li>- Public and Private Property</li> </ul>

		<ul style="list-style-type: none"> <li>- Intellectual Property Law</li> <li>- Trademarks, Patents and Copyrights</li> <li>- Overview of Property Law of the Kyrgyz Republic</li> </ul>
<b>10</b>	11/6; 11/7	<b>FALL BREAK</b>
<b>TORT LAW</b>		
<b>11</b>	11/13; 11/14	<p style="text-align: center;"><b>Quiz: Property Law</b></p> <ul style="list-style-type: none"> <li>- Objectives of Tort Law</li> <li>- Elements of Torts</li> <li>- Types of Torts</li> <li>- Overview of Tort Law of the Kyrgyz Republic</li> </ul>
<b>INTERNATIONAL LAW</b>		
<b>12</b>	11/20; 11/21;	<p style="text-align: center;"><b>Quiz: Tort Law</b></p> <ul style="list-style-type: none"> <li>- Sources of International Law</li> <li>- Treaties</li> <li>- Customary International Law</li> <li>- General Principles of International Law</li> </ul>
<b>13</b>	11/27; 11/28	<ul style="list-style-type: none"> <li>- Subjects of International Law</li> <li>- UN Bodies</li> </ul>
<b>14</b>	12/04; 12/05	<ul style="list-style-type: none"> <li>- International Humanitarian Law</li> <li>- Human Rights Law</li> </ul>
<b>15</b>	12/11; 12/12	<p style="text-align: center;"><b>Quiz: International Law</b></p> <ul style="list-style-type: none"> <li>- International Criminal Law</li> <li>- International Trade Law</li> <li>- Environmental Law</li> </ul>
<b>16</b>	12/17- 12/22	<b>Final Exam Period</b>