

1972

Soviet Legal Education Unveiled

John Nelson Washburn

Recommended Citation

John Nelson Washburn, *Soviet Legal Education Unveiled*, 6 INT'L L. 340 (1972)
<https://scholar.smu.edu/til/vol6/iss2/12>

This Article is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in International Lawyer by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

Soviet Legal Education Unveiled

The purpose of this short article is to share the author's good fortune with the legal community in the United States of America.

The idea of writing an article on the curriculum in Soviet legal education was suggested by Joe C. Barrett of Jonesboro, Arkansas, when Chairman of the Section of International and Comparative Law of the American Bar Association. Mr. Barrett knew that, while serving in the Office of the Legal Adviser of the Department, the author had served briefly in 1966 as escort-interpreter for the Dean of the Law Faculty of the University of Lvov who was in Washington on a United Nations Human Rights Fellowship.

Both Mr. Barrett and the writer were aware of the fact that heretofore in American legal scholarship the subject of the Soviet curriculum approved by the Ministry of Higher and Special Secondary Education of the USSR had been treated inadequately due to lack of concrete data.¹ However, more firsthand information on the subject was becoming available.²

In mid-November 1971 came the breakthrough in American ignorance of the elements comprising the curriculum currently utilized in Soviet legal education. The author then received a letter with the curriculum requested enclosed from Mikhail Ivanovich Kondakov, Deputy Minister of Education of the USSR, who in May 1971 headed a Soviet delegation of five educators whom the writer had the pleasure of serving during their two weeks in the United States pursuant to the USA-USSR Agreement on Exchanges covering 1970-1971.

*A graduate of Dartmouth College (A.B., 1946), School of Advanced Int'l Studies of Johns Hopkins Univ. (A.M., 1947), Russian Institute (Certificate, 1949) of Columbia Univ. (Ph.D., 1970), and Univ. of Michigan Law School (LL.B., 1957), Mr. Washburn is currently a contract escort-interpreter for Russians with the Department of State's Language Service Division. He is Chairman, Committee on Regional Treaty Organizations, Section of Int'l and Comp. Law, Am. Bar Assn, and a member of that Section's Committee on Soviet Law.

¹See, for example, Donald D. Barry and Harold J. Berman, *The Soviet Legal Profession*, 82 HARV. L. REV. 1 (1968). This 40-page article reappeared, slightly modified, as a chapter entitled "The Jurists," in H. GORDON SKILLING and FRANKLYN GRIFFITH, eds., *INTEREST GROUPS IN SOVIET POLITICS*, Princeton University Press, 1971.

²See Whitmore Gray, *Legal Education in the Soviet Union and Eastern Europe*, 4 THE INTERNATIONAL LAWYER 738 (1971).

The CURRICULUM (UCHEBNIYI PLAN), established by the Ministry of Higher and Special Secondary Education of the USSR for profession numbered 1801-JURISPRUDENCE (PRAVOVEDENIE), involving a term of study of five years at a State University for the education of a jurist (yurist), is reproduced here from the Russian-language original received from Mr. Kondakov. It consisted of one page, 15 x 11 inches, with material on the back side covering an area of 10 x 10 inches.

Utilizing the key items, and corresponding figures, which appear in the translation in precisely the pattern of the original document, each reader should be able to appraise this CURRICULUM without difficulty. Should the reader discover that, even as corrected in ink, the original's typed numerals in the overall total column and the practical training total column add up, as corrected, to 4270 and 1450 hours of instruction rather than 4290 and 1470, he may justifiably conclude that even Soviet educators make mistakes.

Although each reader should seek to interpret and appraise the material in accordance with his own interests and background, one item of significance might be pointed out to all: that, as numbered, composite course 35, together with the three sample course listings on the back of this CURRICULUM demonstrate, a three-way specialization along the lines of legal control by the state, or legal aspects of economic enterprises, or the legal nature of the court structure and investigational system, is scheduled to start in the second semester of the third year of instruction.

It is to be hoped that the strong points as well as the shortcomings which are reflected in this five-year State University CURRICULUM, utilized for legal education in the USSR approved May 15, 1967, can be applied as appropriate to benefit America's legal community, in dealings with the Soviet legal profession, in the wake of President Nixon's visit to Moscow scheduled for May 1972.

МИНИСТЕРСТВО ВЫСШЕГО И СРЕДНЕГО СПЕЦИАЛЬНОГО ОБРАЗОВАНИЯ СССР

УЧЕБНЫЙ ПЛАН

1801 - ПРАВОВЕДЕНИЕ

УТВЕРЖДЕНО

Министерством высшего и среднего специального образования СССР

В. И. Купцов (подпись)

№ 57/У

Срок обучения: 5 лет

ГОСУДАРСТВЕННЫЙ УНИВЕРСИТЕТ (входит учебное подразделение)

Квалификация специалиста

II. Средние данные по бюджету времени (в неделях)

Курс	I. График учебного процесса												Итого	Всего часов	
	Сентябрь	Октябрь	Ноябрь	Декабрь	Январь	Февраль	Март	Апрель	Май	Июнь	Июль	Август			
I	1	9	15	21	27	3	9	15	21	27	3	9	15	21	27
	2	2	3	10	17	24	3	10	17	24	3	10	17	24	3
II	3	1	9	15	21	27	3	10	17	24	3	10	17	24	3
	4	2	3	10	17	24	3	10	17	24	3	10	17	24	3
III	5	1	9	15	21	27	3	10	17	24	3	10	17	24	3
	6	2	3	10	17	24	3	10	17	24	3	10	17	24	3
IV	7	1	9	15	21	27	3	10	17	24	3	10	17	24	3
	8	2	3	10	17	24	3	10	17	24	3	10	17	24	3
V	9	1	9	15	21	27	3	10	17	24	3	10	17	24	3
	10	2	3	10	17	24	3	10	17	24	3	10	17	24	3
VI	11	1	9	15	21	27	3	10	17	24	3	10	17	24	3
	12	2	3	10	17	24	3	10	17	24	3	10	17	24	3
Обозначения: <input type="checkbox"/> Теор. обучение <input type="checkbox"/> Экзмен. сессия <input type="checkbox"/> Учен. практика <input type="checkbox"/> Прочная работа <input type="checkbox"/> ИИ <input type="checkbox"/> Изучение прорисовки или работы <input checked="" type="checkbox"/> Государств. экзамен <input type="checkbox"/> Каникулы															

III. План учебного процесса

№ п/п	Название дисциплины	РАСПРЕДЕЛЕНИЕ ПО СЕМЕСТРАМ							Итого	РАСПРЕДЕЛЕНИЕ ПО КУРСАМ И СЕМЕСТРАМ																
		1	2	3	4	5	6	всего часов		1 курс	2 курс		3 курс		4 курс		5 курс		6 курс	7 курс		8 курс				
		лекции	семинары	практические занятия	курсовые проекты	самостоятельная работа	экскурсии			лекции	семинары	практические занятия	курсовые проекты	самостоятельная работа	экскурсии	лекции	семинары	практические занятия	курсовые проекты	самостоятельная работа	экскурсии	лекции	семинары	практические занятия	курсовые проекты	самостоятельная работа
1.	Юридический язык	1,2,3						170	80	90																
2.	Историческо-правовое введение в право	5,6						140	60	60																
3.	Политическая философия	2,4	1,3					350	110	140																
4.	Защитная деятельность	8	7					70	30	40																
5.	Международный язык	5	1,2,3,4					300	300	300																
6.	Лекция	1						40	30	10																
7.	Теория государства и права	2	1					140	60	60																
8.	История РСФСР-а и права субъектов страны и СССР	1,2,3						210	150	60																
9.	Методика политической науки	8	2					40	40	40																
10.	Основы философии гражданского права	3						90	70	20																
11.	Государственное право СССР	7						50	30	20																
12.	Семестровое организационное																									
13.	Юридическое введение в философию и социологию права							50	50	50																
14.	Юридическое введение в философию и социологию права							70	70	70																

№ ин. посылки	Название дисциплины	РАСПРЕДЕЛЕНИЕ ПО СЕМЕСТРАМ						РАСПРЕДЕЛЕНИЕ ПО КУРСАМ И СЕМЕСТРАМ																	
		вкладыши	зачеты	курсовые проекты	курсовые работы	всего	в т.ч. в к.ч.:	I курс		II курс		III курс		IV курс		V курс		VI курс							
								лекции	семинары	лекции	семинары	лекции	семинары	лекции	семинары	лекции	семинары	лекции	семинары						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
		<p align="center">П Р О Г Р А М М А</p> <p align="center">С П Е Ц И А Л И З А Ц И Я П О П Р А В У</p> <p align="center">А. ЮРИДИЧЕСКО-ПРАВОВАЯ</p> <p>1. Основы науки управления</p> <p>2. Наука организации труда в рабочих колхозах, совхозах и их подразделениях</p> <p>3. Экономика отраслей народного хозяйства</p> <p>4. Делегирование в государственном аппарате</p> <p>5. Административная ответственность в СССР</p> <p>6. Внутренний контроль</p> <p>7. Прямое и косвенное государственное управление</p> <p>8. Основы правового положения личности в СССР и ЧУ.</p> <p align="center">Б. ЮРИДИЧЕСКО-ПРАВОВАЯ</p> <p>1. Конституционное право</p> <p>2. Правовые формы экономического стимулирования</p> <p>3. Анализ хозяйственной деятельности предприятий и сельскохозяйственных предприятий</p> <p>4. Арбитраж и хозяйственный договор</p> <p>5. Обеспечение собственности</p> <p>6. Прямое и косвенное государственное управление</p> <p>7. Авторское и изобретательское право</p>																							

THE MINISTRY OF HIGHER AND SPECIAL SECONDARY
EDUCATION OF THE USSR

APPROVED

by the Ministry of
Higher and Special
Secondary Education
of the USSR

N. Krasnov
(signature)
15 May 1967
No. 571/cert

CURRICULUM

STATE UNIVERSITY

(institution of higher learning)

Professional skill JURIST

Term of study 5 years








of profession 1801 — Jurisprudence

I. Diagram of instructional process

II. Summary data on budgeting
of time (in weeks)

COURSE YEARS	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	THEORETICAL INSTRUCTION	EXAMINATION SESSION	ACADEMIC TRAINING	PRACTICAL TRAINING	GRADUATION THESES OR PROJECTS	STATE EXAMS	VACATION	GRADUATION THESES OR PROJECTS	PRACTICAL TRAINING	ACADEMIC TRAINING	GRADUATION THESES OR PROJECTS	VACATION	TOTAL	COURSE YEARS	
I													35	7											10	52	I
II													35	7											10	52	II
III													35	7	6										8	52	III
IV													35	7											10	52	IV
V													8	2		15								2	43	V	
VI																										VI	

DESIGNATIONS:

Theoretical instruction	Examination session	Academic training	Practical training	Graduation theses or projects	State exams	Vacation
						

III. Plan of instructional process

No. in order	Name of courses	Distribution by Semesters			Hours of which			Distribution by Years and Semesters												Hours per week			
		Of Exams	Of Tests	Of Yearly Projects	Total	Lectures	Laboratory Work	Practical Trng.	Seminars	Yearly Projects & Yearly Theses	Year I		Year II		Year III		Year IV		Year V		Year VI		
											Sem	Wks	Sem	Wks	Sem	Wks	Sem	Wks	Sem		Wks	Sem	Wks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
		1,3	2			170	80			90		4	3	3									
	1. History of the CPSU																						
	2. Marxist-Leninist Philosophy	5,6				140	80			60													
	3. Political Economy	2,4	1,3			250	110			140		4	3	4	3	2	4						
	4. Scientific Communism	8	7			70	30			40													
	5. Foreign Language	5				300	30		300	40		4	4	3	4	2							
	6. Logic		1,4,2,3,			40	30			10		2											
	7. Theory of State and Law	2	1			140	80			60		4	4										
	8. History of State and Law of Foreign Countries in USSR	1,2				210	150			60		6	6										
	9. History of Political Doctrines	8				70	70																
	10. Bases of Roman Civil Law		2			40	40																
	11. State Law of the USSR	3				90	70			20				5									
	12. Soviet Construction	7				50	30			20													
	13. State Law of Foreign Socialist Countries	7	5			50	50								3								
	14. State Law of Bourgeois States and Countries Liberated from Colonial Dependency	7				70	70																

15. International Law	7	70	70			4	
16. Organization of a Law-Court and Procurator's Office in USSR	1	40	40	2			
17. Administrative Law	4	100	70		30		
18. Financial Law	5	50	30		20	6	
19. Criminal Law	4,6	250	130		120	4	4
20. Criminology	8	30	30				2
21. Correctional-Labor Law	7	40	40				2
22. Criminal Procedure	6	140	170		70	5	4
23. Criminal Investigation	8	140	50		40		4
24. Psychology/general and forensic	8	70	60		10		4
25. Civil and Family Law	4,6	270	150		120	4	4
26. Labor Law	5	120	60		60	4	3
27. Land Law and Legal Protection of Nature in the USSR	7	50	40		10		3
28. Collective Farm Law	8	60	40		20		4
29. Civil Procedure	6	140	70		70	4	5
30. Forensic statistics/with bases of general theory	2	70	40		30	2	2
31. Bases of Accounting and Legal Accounting Expert Examination	8	70	20		50		4
32. Procurator's Supervisory Power in the USSR	7	50	30		20		3
33. Forensic medicine and Forensic Psychiatry	7,8	70	60		10		2
34. Courses introduced in accordance with particular features of the Republic and University/History of the State and Law of the Republic. Latin Language, Russian Language and others!	3	190	70		120	2	4
						5	5

35. Courses of Specialization and Elective Courses	9,9 6,6,7, 8,9,9	420 220 200	8 3 4 24
36. Physical Education	1,2 3,4	140	2 2 2 2
IV. Elective Courses 1. Scientific Atheism 2. Marxist-Leninist Ethics 3. Marxist-Leninist Aesthetics 4. Forensic Mastery 5. Foreign Language 6. Physical Education and others	Quantity of hours of instruction Quantity of yearly projects Quantity of yearly theses Quantity of exams Quantity of tests	4290 2280 40 1470 500 4 34 38	32 30 30 30 30 30 24 1 1 4 4 3 4 4 5 4 4 2 5 5 5 3 5 2 6 5 2
V. Academic Training	Kind of trng. Sem Wks	VI. Practical Training Kind of trng. sem Wks	VII. Theses or Projects for Graduation
Academic	6 6	Practical 9 15	VIII. State Exams Name of subjects requiring state exams
			1/Theory of State and Law 2/Per specialization: Criminal Law or Civil Law or State Law of the USSR 3/History of the CPSU

Reverse side of CURRICULUM—The Material (27 courses and 4 notes)
Inserted on a blank form of III. Plan of instructional process

**AN EXEMPLARY LISTING OF COURSES OF
SPECIALIZATION AND ELECTIVE COURSES**

A. STATE LAW SPECIALIZATION

1. Bases of the Science of Management
2. Scientific Organization of Labor in Work of Local Soviets and their Executive Committees
3. Economics of Branches of the National Economy
4. Clerical Work in the State Apparatus
5. Administrative Responsibility in the USSR
6. National Control
7. Legal Position of Public Organizations
8. Bases of the Individual's Legal Position in the USSR, and others

B. ECONOMIC LEGAL SPECIALIZATION

1. Economic Law
2. Legal Forms of Economic Stimulation
3. Analysis of Economic Activity of Industrial and Agricultural Enterprises
4. Arbitration and the Economic Covenant
5. Social Security
6. Legal Bases of Management of the National Economy
7. Copyright and Patent Law
8. Organization of the Juridical Service in the National Economy
9. Transportation Law, and others

C. COURT AND PROCURATOR-INVESTIGATIONAL SPECIALIZATION

1. Soviet Advocacy
2. Problems of Proof in Soviet Law
3. Practical Work in Criminal Investigation
4. Housing Legislation
5. Theoretical Problems of Qualification of Crimes
6. Investigation of Various Types of Crimes
7. Bases of Operational-Investigational Work of Organs of Inquiry
8. Criminal Investigation Expert Examination
9. Problems of Prevention of Crimes of Minors
10. Organization of the Work of a Regional/Municipal/ People's Court, and others

NOTE: 1. The Faculty Council shall have the right to change the quantity of hours and sequence of study of individual courses on condition that students obtain the minimum of information envisaged by the approved programs without exceeding the maximum weekly instructional load.

2. The appellation and scope of courses of specializations, as well as courses taken on an elective basis, shall be established annually by the Faculty Council. The programs made up of these courses shall be approved by the Faculty Council.
3. The listing of courses in which written course work is required shall be determined by the Faculty Council.
4. The Faculty Council shall have the right to change the hours of academic and practical training with due regard to local conditions.