

DESCRIPTION OF THE DOCTORAL STUDY SUBJECT

Title of the subject	Field of science (branch) code	Faculty	Department
Problematic aspects of the Western legal tradition	Law (S 001)	Law	Public Law
Study methods	Number of credits	Study methods	Number of credits
lectures	–	consultations	2
Individual work	4	seminars	–
Subject annotation			
<p>The aim of the subject is to develop competencies of solving scientific problems of the development of the Western legal system using various modern methodologies.</p> <p>Topics analyzed: genesis and change of law types in Europe, problems of assigning existing legal systems to a type of law; pluralism of legal systems as a source of progress in Western law, reception and enforcement of domestic and foreign law, problems of coexistence, cooperation and competition of these legal systems; the contribution of the papal revolution and reformation to the creation and development of the Western legal tradition; a retrospective analysis of the establishment and defense of fundamental constitutional values – the rule of law, democracy and human rights; problems of cooperation between law science and other sciences, development of interdisciplinary and multidisciplinary research, paradigms of modern and postmodern law science, crisis and revival of the Western legal tradition.</p> <p>After completing the study of the subject, the doctoral student will be able to choose a methodology with a higher potential for solving a specific scientific problem, to carry out the research correctly and to interpret its results in the context of the general paradigm of law history. The main attention is paid to the problems, the solution of which would help to study the development of Lithuania as a part of the Western law world, constitutionalism, parliamentarism, rule of law, use historical legal experience to improve relevant legal regulation, get to know the Lithuanian legal tradition and the integrity of the Western legal tradition.</p>			
Main literature			
<ol style="list-style-type: none"> 1. Machovenko, J.; Valančienė, D. (2018). Democracy in Lithuanian Temporary Constitutions of 1918 and 1919. In: <i>Western and Eastern traditions and influences in the history of law, state and legal thought: Materials of the XXXVIII International historical juridical conference, June 1–3, 2018, Vinnytsia</i>. Kyiv–Kherson: Oldi-Plus, p. 143–156. 2. Machovenko, J. (2017). The Constitution of the Commonwealth of Two Nations of 1791. In <i>Lithuanian Constitutionalism: The Past and the Present</i>. Vilnius: the Constitutional Court of the Republic of Lithuania, p. 42–56. 3. History of Lithuanian Constitutionalism (Historic Lithuanian Constitution) 1387, 1566, 1791, 1918, 1990. In: Griškevič, L.; Machovenko, J.; Paužaitė-Kulvinskienė, J.; Vaičaitis, V. A. (2016). <i>Lietuvos konstitucionalizmo istorija (istorinė Lietuvos konstitucija). 1387 m. – 1566 m. – 1791 m. – 1918 m. – 1990 m.: monografija</i>. Vilnius: Vilniaus universitetas: Vilniaus universiteto leidykla, p. 265–276. 4. Machovenko, J. (2014). European <i>ius commune</i> in the legal system of the Grand Duchy of Lithuania. In <i>Lithuanian legal system under the influence of European Union law: Collection of scientific articles</i>. Vilnius: Vilnius University, p. 93–123. 5. <i>Law Faculty of the Vilnius University in 1641–2010</i> (2011). Compiled by Jevgenij Machovenko, translated into English by Ada Jurkonytė. Vilnius: published by Vilnius University, 135 p. 6. The conception of justice in antiquity and its influence upon the Western legal tradition. In: Baublys, L. (2005). <i>Antikinė teisingumo samprata ir jos įtaka Vakarų teisės tradicijai</i>. Vilnius: MRU leidybos centras, p. 244–259. 			

7. Berman, H. J. (2003). <i>Law and Revolution II. The Impact of the Protestant Reformations on the Western Legal Tradition</i> . Cambridge, London: The Belknap Press of Harvard University Press.		
Names, surnames of advising lecturers	Science degree	Major works in the area (direction) of science published over the last 5 years
Jevgenij Machovenko	Dr. (HP)	<ol style="list-style-type: none"> 1. Machovenko, J. (2022). Teisinių papročių taikymas Lietuvoje 1918–1919 m. <i>Teisė</i>, t. 123, p. 38–49. 2. Machovenko, J.; Valančienė, D. (2022). Valstybės politinis režimas pagal 1918–1919 m. Lietuvos konstitucinius aktus. <i>Teisė</i>, t. 122, p. 94–103. 3. Machovenko, J. (2021). „... Mūsų visų likimas priklauso vien tik nuo tautos konstitucijos įvedimo ir išstobulinimo ...“: Gegužės trečiosios Konstitucija kaip testamentas ateities kartoms. Iš: <i>Constitution as a Basis of State and Social Development. For the 25th Anniversary of the Constitution of Ukraine</i>. Collection of Academic Works. Materials of the XII International Juridical Conference (Kyiv, June 24, 2021). Kyiv: Koretskyi Institute of State and Law of the NAS of Ukraine, p. 23–30. 4. Machovenko, J. (2021). Teisės istorijos ir teisės teorijos susiliejimo perspektyva: Vilniaus universiteto Teisės fakulteto patirtis. Iš: <i>Organization of Legal Research & Education in Ukraine and Worldwide: Historical Outline, Current State and Future Prospects</i>. Collection of Academic Works. Materials of the XI International Juridical Conference (Kyiv, December 22, 2020). For the 85th Anniversary and 55 years from the Beginning of the Research Activity of Academician of the NAS of Ukraine Yu. S. Shemshuchenko. Kyiv: Koretskyi Institute of State and Law of the NAS of Ukraine, p. 36–41. 5. Machovenko, J.; Valančienė, D. (2020). Constitutional Foundations for the Coordination of Received and National Lithuanian Law in 1918–1920. <i>Конституційно-правові академічні студії = Constitutional and Legal Academic Studies</i>, Випуск 2 = Issue 2, p. 69–77.
Approved by the Doctoral Committee of Law Science of Vilnius university on May 12, 2023, protocol No. (7.17 E) 15600-KT-209		
Chairman of the Doctoral Committee		Prof. habil. dr. G. Švedas