

THE MAIN POINTS OF TEACHING THE DISCIPLINE "COMPARATIVE HISTORY OF LAW"

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One of the leading trends in the development of modern Ukrainian legal science is the formation in its depths of legal comparative studies. This is evidenced by numerous monographic studies on philosophical, epistemological, gnosiological, scientific, branch aspects of comparative law, on the history of the formation and evolution of this science, its development prospects. It is a proven fact that comparative law is not just a method or a methodological science, or an auxiliary scientific discipline within the framework of the theory of state and law, but it is an independent science with its own separate subject for study. There is also a gradual institutionalization of comparative law in Ukraine: there are centers for research on legal comparative studies, specialized scientific professional publications.

It is enough to note the important fact that comparative law is included in the passport of the scientific specialty 12.00.01, according to the order of the Ministry of education of Ukraine No. 1477 as of 28.12.2018. "On approval of the approximate list and description of subject areas of research within the specialty 081 "Law" [1]. However, although slowly, the recognition of comparative law as an effective tool for identifying common and different between national, subnational and supranational legal systems is taking place.

It is also important to note that comparative law is being introduced into the educational process, becoming an important and basic academic discipline in the cross-cutting academic curricula in Ukraine for applicants of the first and second levels of higher legal education. Scientists note that it is necessary to highlight the General and Special parts of this course; it is noted that comparative law contributes to the consideration of the legal system by students as a phenomenon that directly depends on the characteristics of different societies, and has a direct relationship with religion, morality, ethics, politics, ideology, traditions, etc. [2, p. 90-91]. This is also noted by other domestic scientists [3; 4; 5].

At the same time, within the framework of comparative law (legal comparative studies), there are processes of specialization and interdisciplinary differentiation intrinsic for the postmodern period and the stage of post-non-classical development of science. We are talking about the identification and design of various scientific areas, among which the *comparative history of law (or historical and legal comparative studies)* is ranking high.

Comparative history of law is *an integral element of comparative jurisprudence*, the subject of which includes a comparative historical aspect, and has a direct connection with it through a comparative perspective of knowledge of historical and legal reality and attention to the study of law as an object.

Comparative history of law has a number of relationships with the block of historical and legal sciences (History of the state and law of Ukraine, History of the state and law of foreign countries, History of Ukrainian law). In particular, the ratio of comparative history of law with the mentioned unit is the lack of "overlying" of the subject "field" of comparative history of law and the subjects of mentioned historical-legal sciences; the existence of common and different angles of knowledge of historical and legal reality; mutual use of subject knowledge; application of comparative-historical and historical-comparative methods, which are the basic elements for the method of the comparative history of law, namely, comparative-historical; the combination of study in the field of comparative history of law of national and foreign legal materials, which are investigated separately the historical-legal sciences; conducting by historians-comparativists of a broader criterion of "space-time continuum" of study.

As it is seen, the Comparative history of law is a field of interdisciplinary and comparative research [6, p. 480-481], it can be introduced into the educational process as a selective discipline for the preparation of applicants for the third (PhD) level of higher education in Ukraine. It can be reasoned by the fact that comparative law as an academic discipline is the basic for the preparation of bachelor's (master's) in the field of "Comparative law" ("Legal comparative studies"); possible training courses in industry-specific comparative disciplines (for example, "Comparative constitutional law", "Comparative civil law", "Comparative criminal law", etc.). However, the specificity of the comparative history of law as a structural part of comparative law gives grounds to assert that it is possible to introduce this training course in the curriculum for the preparation of applicants for the third (PhD) level of higher education.

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