DOI https://doi.org/10.51647/kelm.2020.5.4.34

GŁÓWNE KIERUNKI ROZWOJU PORÓWNAWCZEJ HISTORII PRAWA NA UKRAINIE NA POCZĄTKU XXI W.

Anatolii Shevchenko
doktor nauk prawnych, profesor,
kierownik Katedry Teorii, Historii Prawa i Państwa oraz Prawa Konstytucyjnego
Uniwersytetu Państwowej Służby Fiskalnej Ukrainy (Irpień, obwód kijowski, Ukraina)
ORCID ID: 0000-0003-2663-9892
hevchenko2757@ukr.net

Serhii Kudin
doktor nauk prawnych, docent,
profesor Katedry Teorii, Historii Prawa i Państwa oraz Prawa Konstytucyjnego
Uniwersytetu Państwowej Służby Fiskalnej Ukrainy (Irpień, obwód kijowski, Ukraina)
ORCID ID: 0000-0003-1396-3212
kydin@i.ua

Adnotacja. W artykule zbadano główne kierunki rozwoju porównawczej historii prawa na Ukrainie na początku XXI wieku. Autorzy zastosowali takie metody naukowe jak dialektyka filozoficzna, analiza, synteza, uogólnienie, porównawczo-historyczna, systemowo-strukturalna, synergetyczna i szereg innych metod, co pozwoliło osiągnąć cel badań. Stwierdzono, że główne kierunki rozwoju porównawczej historii prawa na Ukrainie na początku XXI w. dotyczy rozwiązywania epistemologicznych i metodologicznych problemów porównawczej historii prawa. Wyjaśniono, co wymaga opracowania sfera przedmiotowa, przedmioty porównawczej historii prawa, a jej głównym zadaniem jest identyfikacja uniwersalnego i unikalnego w historycznym rozwoju zjawisk prawnych. Doprowadzono do potrzeby zmian podejść metodologicznych, identyfikacji ich odmian i możliwych kombinacji, uzasadnienia teorii metody porównawczej i historycznej, możliwości metody komparatywno-historycznej w prowadzeniu badań w zakresie historii porównawczej prawa.

Słowa kluczowe: komparatystyka prawna; porównawcza historia prawa; epistemologia; metodologia; podejścia metodologiczne; metoda stosunkowo historyczna; metoda porównawczo-historyczna.

MAIN DIRECTIONS OF DEVELOPMENT OF COMPARATIVE HISTORY OF LAW IN UKRAINE AT THE BEGINNING OF THE XXI CENTURY

Anatolii Shevchenko
Doctor of Law, Professor,
Head of the Department of Theory, History of Law and State and Constitutional Law
University of the State Fiscal Service of Ukraine (Irpin, Kyiv region, Ukraine)
ORCID ID: 0000-0003-2663-9892
hevchenko2757@ukr.net

Serhii Kudin
Doctor of Law, Associate Professor,
Professor at the Department of Theory, History of Law and State and Constitutional Law
University of the State Fiscal Service of Ukraine (Irpin, Kyiv region, Ukraine)
ORCID ID: 0000-0003-1396-3212
kydin@i.ua

Abstract. The article deals with the main directions of development of comparative history of law in Ukraine at the beginning of the XXI century. The authors used such scientific methods as philosophical dialectics, analysis, synthesis, generalization, comparative-historical, system-structural, synergistic and a number of other methods, which allowed to achieve the goal of the study. It is revealed that the solution of epistemological and methodological problems of comparative history of law belongs to the main directions of development of comparative history of law in Ukraine at the beginning of the XXI century. It is found out that the subject sphere, objects of comparative history of law need to be developed, and its main task is to reveal its universal and unique nature in the historical development of legal phenomena. It is proved the necessity of changes in methodological approaches, identification of their variations and possible combinations, substantiation of the theory of comparative-historical method, possibilities of contrastive-historical method in conducting research in the field of comparative history of law.

Key words: legal comparative studies, comparative history of law, epistemology, methodology, methodological approaches, contrastive-historical method, comparative-historical method.

ОСНОВНІ НАПРЯМИ РОЗВИТКУ ПОРІВНЯЛЬНОЇ ІСТОРІЇ ПРАВА В УКРАЇНІ НА ПОЧАТКУ XXI СТ.

Анатолій Шевченко
доктор юридичних наук, професор,
завідувач кафедри теорії, історії права і держави та конституційного права
Університету Державної фіскальної служби України (Ірпінь, Київська область, Україна)
ORCID ID: 0000-0003-2663-9892
hevchenko2757@ukr.net

Сергій Кудін
доктор юридичних наук, доцент,
професор кафедри теорії, історії права і держави та конституційного права
Університету Державної фіскальної служби України (Ірпінь, Київська область, Україна)
ORCID ID: 0000-0003-1396-3212
kydin@i.ua

Анотація. У статті досліджено основні напрями розвитку порівняльної історії права в Україні на початку XXI ст. Авторами використано такі наукові методи як філософської діалектики, аналізу, синтезу, узагальнення, порівняльно-історичний, системно-структурний, синерегетичний та низку інших методів, що дало змогу досягти мети дослідження. Виявлено, що до основних напрямів розвитку порівняльної історії права в Україні на початку XXI ст. належить розв'язання епістемологічних і методологічних проблем порівняльної історії права. З'ясовано, що потребує розробки предметна сфера, об'єкти порівняльної історії права, а її основним завданням є виявлення універсального та унікального в історичному розвитку правових явищ. Доведено про необхідність змін методологічних підходів, виявлення їх варіацій та можливих поєднань, обґрунтування теорії порівняльно-історичного методу, можливостей компаративно-історичного методу при проведенні досліджень у сфері порівняльної історії права.
Ключові слова: юридична компаративістика, компаративна історія права, епістемологія, методологія, методологічні підходи, порівняльно-історичний метод, компаративно-історичний метод.

Introduction. One of the leading trends in the development of modern Ukrainian legal science is the formation of legal comparative studies in its depths. This is proved by numerous monographic studies on philosophical, epistemological, gnoseological, scientific, branch aspects of comparative law, on the history of formation and evolution of this science, the prospects for its development. It is proved that comparative jurisprudence is not just a method or methodological science or an auxiliary scientific discipline within the theory of state and law: it is an independent science with its own, separate subject of study. There is also a gradual institutionalization of comparative law in Ukraine: there are centers for the study of problems of legal comparative studies, specialized scientific publications. At the same time, within the framework of legal comparative studies there are processes of specialization and interdisciplinary differentiation, typical for the postmodern period and the stage of post-nonclassical development of science. We are talking about the selection and design of various scientific fields, an important place among which is the comparative history of law (historical and legal comparative studies).

It should be noted that the contrastive-historical perspective of knowledge of historical-legal reality is not fundamentally new for Ukrainian jurisprudence. Thus, in XIX – early XX century, it was one of the priorities in the research of scholars of the historical school of law, representatives of sociological positivism, the contrastive-historical method was actively used by M.D. Ivanyshev, M.F. Vladymyrskyi-Budanov, F.I. Leontovych, M.M. Yasynskyi, O.O. Malynovskyi, A.M. Stoyanov, M.O. Maksymeiko, F.V. Taranovskyi, H.V. Demchenko, scientists of Ukrainian emigration (Y. Padokh, A. Yakovliv, L. Okinshevych, M. Chubatyi and others). M.A. Damirli points out such an interesting trend that since the second half of the XIX century with the widespread use of contrastive-historical method, the general history of law is presented as a comparative history of law, within which there is the search for general patterns of legal systems of different societies and nations (Damirli, 2013: 127).

However, this trend was unique not only to that period. Thus, at the beginning of the XXI century, a similar opinion was expressed by a number of Ukrainian scientists (Behruz, 2011: 44, Onishchenko, 2007: 14). But not only the use of contrastive-historical method, but also the accumulated actual material on the formation and development of legal institutions of different countries, suggests the need to move from descriptive-chronological to contrastive-historical diachronic and synchronic studies of legal phenomena, hence the transformation of descriptive national histories of law on the comparative history of law. Conducting of contrastive-historical diachronic and synchronic researches will achieve two important results: first, by comparing national histories of law to reveal the diversity of world history of law, the evolution of law in a particular region or continent. Secondly, to find out the uniqueness of the historical and legal development of a nation, country, civilization.

The purpose of the article is to determine the main directions of development of comparative history of law in Ukraine at the beginning of the XXI century.

Main part. The main research **objectives** are to analyze the state of development of comparative history of law in Ukraine at the beginning of the XXI century, and to clarify on this basis new perspectives on the knowledge of historical and legal reality in the framework of comparative history of law.

Research methods. The main research methods are the methods of philosophical dialectics, analysis, synthesis, generalization, contrastive-historical, system-structural, synergetic.

Results and discussion. Unconditional evidence and, at the same time, the direction of development of comparative history of law at the beginning of the XXI century is the inclusion of contrastive-historical aspect in the subject of comparative jurisprudence formulated by Ukrainian scholars, as well as the inclusion of contrastive-historical elements in the structure of comparative jurisprudence. Thus, scholars distinguish "vertical" comparative jurisprudence (historical comparative studies), relate contrastive-historical legal research to the general or special part of comparative jurisprudence (Kharytonova, Kharytonov, 2002: 9; Behruz, 2011: 28; Pohrebniak, Lukianov, Bylia-Sabadash, 2011: 15-16; Bysaha, 2013: 28).

In the structure of comparative jurisprudence, which is based on the structure of system knowledge – science, M.A. Damirli, along with comparative legal theory and branch comparative legal scientific disciplines, distinguishes the comparative history of law. It is part of the complex science of comparative law, belongs to the subsystem of historical comparative law, as a scientific discipline has its own object and subject (Damirli, 2013: 126-132).

According to M.A. Damirli, the object of comparative history of law is the world historical and legal process: in its entirety and on a relatively large spatio-temporal scale (legal systems and families); in more or less autonomous structures (branches and institutions of law). The subject is the patterns of large qualitative and quantitative changes in historical and legal development on a global and relatively large spatio-temporal scale, in more or less autonomous structures (Damirli, 2013: 129).

Agreeing with the scholar, it should be added that national histories of law are "bricks" of such historical and legal process, the formation and development of various legal systems form the necessary material for finding qualitative and quantitative changes in historical and legal evolution, identifying patterns of these changes.

Recently in national science, traditional understanding of objects of comparative jurisprudence change. Yes, O.D. Tykhomyrov notes that in comparative jurisprudence one of the traditional is the concept of legal system, but its limitations is that in terms of "legal pluralism" and a variety of forms of social regulation in different countries and civilizations, such a system should be a system of social regulation with the dominant social regulator and the legal system as one of its subsystems (Tykhomyrov, 2013: 278).

Agreeing with this view, it should be noted that for the comparative history of law, such objects as "non-legal socio-regulators" are particularly important. After all, for a long time in the history of individual countries and civilizations (in the countries of the Ancient East, Japan, the Arab Caliphate, civilizations of Central America (pre-Columbian era), etc.) the life of the population was regulated not only by law but also by ethics, morality, religion and traditions; they coexisted, intertwined, could coexist in one legislative monument (Laws of Hammurabi, Laws of Manu, Koran, etc.) (Kudin, 2019: 334). Therefore, research should not be limited to comparing only legal processes and phenomena: they should be aimed at understanding the rules of non-legal nature that governed the life of societies in different historical periods within a certain geographical area.

For some time there was an opinion that comparative jurisprudence in general and comparative history of law, in particular, are aimed at knowing only the universal (hence the idea of "universal", "world" law). However, this position is incorrect. After all, in the very nature of comparison there is a search for both general and different, distinct, "other"; therefore, an important task of the comparative history of law is to identify both the general, which was inherent in world civilizations, regions and countries, and unique to them.

Such a research task will emphasize the diversity of manifestations of historical and legal reality, allow to speak of the existence of "historical and legal palette of the world", which will reflect the universal, general, special, unique in the legal evolution of different countries. The search for something different and unique will help to identify the natural contribution of a civilization, region, country in the world historical and legal development, and "pluralization" of the comparative history of law.

At its core, the comparative history of law is based on a combination of comparative and historical approaches. It seems that in this tandem of two approaches the main one is comparative, and the historical one is auxiliary; after all, it is about identifying common and different in the history of civilizations, legal systems, etc., on the basis of comparison (comparative perspective of legal history).

It should be noted that the study of legal phenomena and processes in the contrastive-historical aspect gives the comparative history of law a certain originality, and in the formation of approaches to their study – flexibility. The point is that in addition to using comparative and historical approaches, it is important to combine them with a humanistic approach. According to I.M. Sytar and O.L. Chornobai, this approach is complemented by a comparative study of the experience of different countries on, for example, ensuring fundamental human and civil rights and freedoms, comparing the relevant legal mechanisms for ensuring these rights and freedoms (Sytar, Chornobai, 2009: 22).

Within the framework of the comparative history of law, the humanistic approach is combined not only with a comparative perspective on the knowledge of human and civil rights and freedoms, but also with a contrastive-historical aspect. Thus, it is possible not only to compare the rights and freedoms enshrined in the political and legal documents of the United States and France during the national revolutions (late XVIII century), but also the legal status of certain segments of the population in the "Western" and "Eastern" legal traditions. Based on this, identify common and different between them (Shevchenko, Kudin, 2020: 75).

Certainly, the logical result of the development of jurisprudence was the emergence of legal anthropology, which studies the processes of legalization of human existence due to specific historical types of civilizations, as well as all legal diversity and wealth of all mankind and ethnic groups, people, nations that make it up, in their formation and development, real socio-historical existence (Rulan, 2000: 1, Behruz, 2011: 67). Therefore, it is important

to combine comparative, historical and anthropological approaches, which will allow in the contrastive-historical aspect to explore a person as a social individual who, depending on the specific historical situation has a set of rights in different historical communities.

We should refer to the significance of contrastive-historical legal research of the civilizational approach. As H. Behruz points out, it makes it possible to reveal both the uniqueness and equivalence not only of different civilizations, but also of legal systems; reveals the genetic roots of legal systems, their dialectical connection with religion, morality, politics, economics, social structure (Behruz, 2007: 12; Behruz, 2011: 204).

Within the historical and legal reality, each civilization reflects its own socio-economic, political, cultural, religious and legal features that have developed over a period of history. Knowledge of such features in the application of the civilizational approach will make it possible to identify both the multifaceted formation and evolution of the law of different nations, peoples, ethnic groups on a global scale, and to clarify certain patterns of this process. At the same time, the red line through every contrastive-historical study should be the rule-axiom that any civilization cannot be considered as an ideal model ("center of the universe", "master of the four corners of the world", "Third Rome", etc.). Therefore, such a scientific knowledge of law, which is based on the principles of equality of civilizations and their polylogue, will look objective and fair in the historical aspect.

One of the important methodological approaches in comparative jurisprudence becomes synergetic approach (as a logical manifestation of interdisciplinary connections). According to researchers, synergetics allows to identify the pattern, mechanism, principles of evolution and self-organization of legal systems; in addition to dialectical, a synergetic logic of comparative legal research is formed; it considers any development as nonlinear and multivariate, and law is presented as a complex, nonequilibrium, open, dynamic and nonlinear system, it "has development in time, through centuries and generations" (Kryvtsova, 2007: 72-73; Korunchak, 2011 : 61; Maik, 2012: 76; Kyrychenko, 2015: 99).

It is especially important to emphasize the role of a synergetic approach in comparative historical legal research. In this regard, an interesting and extraordinary opinion was expressed by I.S. Kryvtsova: research should focus not only on "lived" scenarios, but also on unrealized potential trajectories in the historical retrospective of the development of legal phenomena; it is necessary to compare not only determined and bifurcated periods of systems development, but also to take into account the influence of the future, to compare possible alternative ways of further development with the present, past and unrealized past (Kryvtsova, 2006: 163, 165). We can add that such use of the heuristic potential of this approach harmonizes with the worldview of comparativism: it allows to focus not only on the plurality of forms of historical and legal reality (legal system, legal culture, legal family, civilization, etc.) and the variety of these forms, but also on the probability, polyvariance, alternative, randomness of the development of systems that have developed within this reality. Therefore, we can only welcome the attempt of domestic scientists T.I. Bondaruk and I.V. Muzyka to determine a number of characteristics of the synergetic legal system of Byzantium based on this approach (Bondaruk, Muzyka, 2012: 22–27).

It should be noted that the leading method for the comparative history of law is the contrastive-historical method. When conducting contrastive-historical studies of the legal development of different civilizations, subcivilizations, or the development of legal cultures, legal systems, legal families in different historical periods, it is the core of a comprehensive contrastive-historical analysis, but the latter should harmoniously include a set of other methods. According to some domestic scientists, the application of the comparative legal method involves only the identification of general, special and individual in the compared objects, without resorting to their study. Instead, comparative law analysis has three stages: the study of systems; determination of their positive and negative properties; drawing conclusions on the implementation of positive and negative experiences and prospects for the development of their own legal system (Onishchenko, 2002: 125).

Obviously, all this is true for contrastive-historical analysis of the phenomena of historical and legal reality. Given the above, it is necessary to involve in such an analysis of a number of general, general scientific, specific scientific and special scientific methods of cognition. At the same time, such involvement should be carried out on the principle of expediency.

In our opinion, it is worth paying attention to the new possibilities of the comparative method. Yes, some Ukrainian scholars suggest the need for its "comparative" understanding. The point is that the comparative method, in contrast to the contrastive one, is not limited to the study of one object or one state of the object, but studies "this, that and the other". Therefore, it combines the comparative method, as well as methods of comparison, opposition, parallel comparison, confrontation, contrast, topology, areal, contrastive-historical, by analogy, and others (Tykhomyrov, 2006: 124–125; Tykhomyrov, Gusarev, 2013: 127–128).

In this interpretation of the comparative method and its components, it is a heuristic way of knowing the whole variety of legal reality. At the same time, the contrastive-historical method, which can be considered as a part of the comparative method, can turn into a comparative-historical method. In this sense, by combining these methods, it directs the researcher to identify not only common (or general) and different, but also universal and unique in legal history, the multiplicity and diversity of phenomena, manifestations and forms of reflection of historical and legal reality, establishing its relationships and relationships with other chronologically relevant realities.

Conclusions. One of the important directions of development of comparative history of law in Ukraine at the beginning of the XXI century is a solution of the epistemological problems of the comparative history of law. It requires the development of its subject area, as well as the definition in the subject of comparative law part of the comparative-historical aspect, and in its structure – the contrastive-historical element. It is considered

necessary to single out objects of comparative history of law, among which it is necessary to allocate both "traditional" (legal), and "not legal", social regulators. An important task of the comparative history of law should be to conduct contrastive-historical legal diachronic and synchronous research aimed at identifying both universal, which was inherent in world civilizations, regions, legal systems, families, cultures, and unique to them in the process of historical and legal evolution.

Another direction is the solution of methodological problems of comparative history of law, in particular, further development of methodological approaches of the research (contrastive-historical, humanistic, anthropological, civilizational, synergetic), identification of their variations and possible combinations. It is important to conduct research on the development of the theory of contrastive-historical method, elucidation of its possibilities in the development of legal comparative studies, establishing the essence and substantiation of the structure of comparative-historical method and its significance in research in comparative history of law.

Bibliography:

1. Бехруз Х.Н. Методологические основы сравнительного правоведения: Открытая лекция. Киев, Симферополь: Ин-т гос. и права им. В.М. Корецкого НАН Украины, Изд-во «Логос», 2007. (Серия научно-методических зданий «Академия сравнительного правоведения»). 2007. Вып. 6. – 32 с.
2. Бехруз Х. Место цивилизационного подхода в становлении сравнительного правоведения. *Історія порівняльного правознавства як сфера наукових досліджень: Зб. наук. праць* [За ред. І.В. Кресіна, І.М. Ситара]. Київ: Ліга-прес, 2015. С. 200 – 210.
3. Бондарук Т.І., Музика І.В. Тоталлогія і синергетика в історико-правових дослідженнях. *Правова держава*. 2012. Вип. 23. С. 19 – 30.
4. Дамирли М.А. Сравнительное правоведение: Ч.1: Статус, предмет и система. Одесса: Фенікс, 2013. 174 с.
5. Кириченко В.Є. Синергетика в історико-правових дослідженнях. *Розвиток методології сучасної юриспруденції: Мат-ли Четвертої наук. конф*. Одеса: Фенікс, 2015. С. 96 – 99.
6. Корунчак Л.А. Проблема використання синергетичного підходу при дослідженні правових явищ. *Часопис Київського університету права*. 2011. № 3. С. 58 – 61.
7. Крывцова И.С. Развитие методологии сравнительного правоведения под воздействием синергетической парадигмы. *Порівняльне правознавство: сучасний стан і перспективи розвитку: Зб. наук. статей* [За ред. Ю.С. Шемшученка, О.В. Кресіна]. Київ: Ін-т держави і права ім. В.М. Корецького НАН України, 2006. С. 160 – 166.
8. Крывцова И.С. Эвристическая ценность идей синергетики в сравнительно-правовом познании. *Порівняльно-правові дослідження*. 2007. № 1-2. С. 71 – 74.
9. Кудін С.В. Порівняльна історія права: вітчизняна традиція концептуалізації : монографія. Вінниця, ТОВ «ТВОРИ», 2019. 540 с.
10. Маїк І.С. Доктрина синергетики як важіль впливу у порівняльному правознавстві. *Порівняльне правознавство: сучасний стан і перспективи розвитку: зб. наук. праць* [за ред. Ю.С. Шешученка]. Львів: Львівський держ. ун-т внутр. справ, 2012. С. 73 – 76.
11. Порівняльне правознавство (теоретико-правове дослідження): Монографія. [За ред. Н.М. Оніщенко]. Київ: «Видавництво «Фенікс», 2007. 430 с.
12. Порівняльне правознавство: підручник для вузів. [Бехруз Х.]. Одеса: Фенікс. Москва: ТрансЛіт, 2011. 504 с.
13. Порівняльне правознавство. [С.П. Погребняк, Д.В. Лук'янов, І.О. Биля-Сабадаш]. Харків: Право, 2011. 272 с.
14. Порівняльне правознавство. [Упоряд. Бисага Ю.М.]. Ужгород: Видавничий Дім «Гельветика», 2013. 230 с.
15. Рулан Н. Юридическая антропология: учебник для вузов. Москва: Изд-во «НОРМА», 2000. 310 с.
16. Ситар І.М., Чорнобай О.Л. Методологічні основи порівняльного правознавства: навчально-методичний посібник. Львів: ЛьвДУВС, 2009. 72 с.
17. Тихомиров О. Проблеми осмислення плюралістичної природи порівняльного правознавства та його інтерпретацій. *Право України*. 2013. № 10. С. 275 – 289.
18. Тихомиров О.Д. Юридична компаративістика як постнекласичний етап розвитку порівняльного правознавства. *Порівняльне правознавство: сучасний стан і перспективи розвитку: Зб. наук. статей* [За ред. Ю.С. Шемшученка, О.В. Кресіна]. Київ: Ін-т держави і права ім. В.М. Корецького НАН України, 2006. С. 117 – 125.
19. Тихомиров О., Гусарєв С. Методологія порівняльних досліджень в Україні: філософсько-правовий аспект. *Право України*. 2013. № 9. С. 117 – 137.
20. Харитонова О.І., Харитонов Є.О. Порівняльне право Європи: Основи порівняльного правознавства. Європейські традиції: Посібник. Харків: Одіссей, 2002. 253 с.
21. Шевченко А.Є., Кудін С.В. Основні напрями удосконалення методології порівняльної історії права в умовах компаративізації юридичної наук. *Альманах права. Роль правової доктрини у забезпеченні прав людини.* Випуск 11. Київ: Інститут держави і права імені В. М. Корецького НАН України, 2020. С. 74 – 78.

References:

1. Behruz, H.N. (2007). Metodologicheskie osnovy sravnitelnogo pravovedenija [Methodological foundations of comparative law]: Otkrytaja lekcija. Kyiv, Simferopol: In-t gos. i prava im. V.M. Koreckogo NAN Ukrainy, Izd-vo «Logos». (Serija nauchno-metodicheskih zdanij «Akademija sravnitelnogo pravovedenija»). Issue 6. 32 p. [in Russian].
2. Behruz H. (2015). Mesto civilizacionnogo podhoda v stanovlenii sravnitelnogo pravovedenija. Istorija porivnjalnogo pravoznavstva jak sfera naukovih doslidzhen [The place of the civilizational approach in the formation of comparative jurisprudence]: Zb. nauk. prac [Za red. I.V. Kresin, I.M. Sytar]. Kyiv: Liga-pres, pp. 200–210 [in Russian].

3. Bondaruk T.I., Muzyka I.V. (2012). Totallohiia i synerhetyka v istoryko-pravovykh doslidzhenniakh [Totallogy and synergetics in historical and legal researches]. Pravova derzhava. Issue 23, pp. 19 – 30 [in Ukrainian].
4. Damirli M.A. (2013). Sravnitelnoe pravovedenie [Comparative law]: Ch.1: Status, predmet i sistema. Odessa: Feniks. 174 p. [in Russian].
5. Kyrychenko V.Y. (2015). Synerhetyka v istoryko-pravovykh doslidzhenniakh [Synergetics in historical and legal researches]. Rozvytok metodolohii suchasnoi yurysprudentsii: Mat-ly Chetvertoi nauk. konf. Odesa: Feniks, pp. 96 – 99 [in Ukrainian].
6. Korunchak L.A. (2011). Problema vykorystannia synerhetychnoho pidkhodu pry doslidzhenni pravovykh yavyshch [The problem of using a synergetic approach in the study of legal phenomena]. Chasopys Kyivskoho universytetu prava. № 3. pp. 58 – 61 [in Ukrainian].
7. Kryvtsova I.S. (2006). Razvitie metodologii sravnitelnogo pravovedenija pod vozdejstviem sinergeticheskoj paradigm [Development of the methodology of comparative jurisprudence under the impact of the synergetic paradigm]. Porivnialne pravoznavstvo: suchasnyi stan i perspektyvy rozvytku: Zb. nauk. statei [Za red. Y.S. Shemshuchenko, O.V. Kresin]. Kyiv: In-t derzhavy i prava im. V.M. Koretskoho NAN Ukrainy. Pp. 160 – 166 [in Russian].
8. Kryvtsova I.S. (2007). Jevristicheskaja cennost idej sinergetiki v sravnitelno-pravovom poznanii [The heuristic value of synergetic ideas in comparative law]. *Porivnialno-pravovi doslidzhennia.* № 1-2. Pp. 71 – 74 [in Russian].
9. Kudin S.V. (2019). Porivnialna istoriia prava: vitchyzniana tradytsiia kontseptualizatsii: monohrafiia [Comparative history of law: domestic tradition of conceptualization: a monograph]. Vinnytsia, TOV «TVORY». 540 p. [in Ukrainian].
10. Maik I.S. (2012). Doktryna synerhetyky yak vazhil vplyvu u porivnialnomu pravoznavstvi [The doctrine of synergetics as a lever of influence in comparative law]. Porivnialne pravoznavstvo: suchasnyi stan i perspektyvy rozvytku: zb. nauk. prats [za red. Y.S. Sheshuchenko]. Lviv: Lvivskyi derzh. un-t vnutr. sprav. Pp. 73 – 76 [in Ukrainian].
11. Porivnialne pravoznavstvo (teoretyko-pravove doslidzhennia) [Comparative jurisprudence (theoretical and legal research)]: Monohrafiia. [Za red. N.M. Onishchenko]. Kyiv: «Vydavnytstvo «Feniks», 2007. 430 p. [in Ukrainian].
12. Porivnialne pravoznavstvo: pidruchnyk dlia vuziv [Comparative jurisprudence: a textbook for universities]. [Behruz H.]. Odesa: Feniks. Moskva: TransLit, 2011. 504 p. [in Ukrainian].
13. Porivnialne pravoznavstvo [Comparative jurisprudence]. [S.P. Pohrebniak, D.V. Lukianov, I.O. Bylia-Sabadash]. Kharkiv: Pravo, 2011. 272 p. [in Ukrainian].
14. Porivnialne pravoznavstvo [Comparative jurisprudence]. [Uporiad. Bysaha Y.M.]. Uzhhorod: Vydavnychyi Dim «Helvetyka», 2013. 230 p. [in Ukrainian].
15. Rulan N. (2000). Juridicheskaja antropologija: uchebnik dlja vuzov [Legal anthropology: textbook for universities]. Moskva: Izd-vo «NORMA», 2000. 310 p. [in Russian].
16. Sytar I.M., Chornobai O.L. (2009). Metodolohichni osnovy porivnialnoho pravoznavstva: navchalno-metodychnyi posibnyk [Methodological bases of comparative jurisprudence: educational and methodical manual]. Lviv: LvDUVS. 72 p. [in Ukrainian].
17. Tykhomyrov O. (2013). Problemy osmyslennia pliuralistychnoi pryrody porivnialnoho pravoznavstva ta yoho interpretatsii [Problems of understanding the pluralistic nature of comparative jurisprudence and its interpretations]. Pravo Ukrainy. № 10. Pp. 275 – 289 [in Ukrainian].
18. Tykhomyrov O.D. (2006). Yurydychna komparatyvistyka yak postneklasychnyi etap rozvytku porivnialnoho pravoznavstva [Legal comparative studies as a post-classical stage of development of comparative jurisprudence]. Porivnialne pravoznavstvo: suchasnyi stan i perspektyvy rozvytku: Zb. nauk. statei [Za red. Y.S. Shemshuchenko, O.V. Kresin]. Kyiv: In-t derzhavy i prava im. V.M. Koretskoho NAN Ukrainy. Pp. 117 – 125 [in Ukrainian].
19. Tykhomyrov O., Husariev S. (2013). Metodolohiia porivnialnykh doslidzhen v Ukraini: filosofsko-pravovyi aspekt [Methodology of comparative research in Ukraine: philosophical and legal aspect]. Pravo Ukrainy. № 9. Pp. 117 – 137 [in Ukrainian].
20. Kharytonova O.I., Kharytonov Y.O. (2002). Porivnialne pravo Yevropy: Osnovy porivnialnoho pravoznavstva [Comparative law of Europe: Fundamentals of comparative law]. Yevropeiski tradytsii: Posibnyk. Kharkiv: Odissei. 253 p. [in Ukrainian].
21. Shevchenko A.Y., Kudin S.V. (2020). Osnovni napriamy udoskonalennia metodolohii porivnialnoi istorii prava v umovakh komparatyvizatsii yurydychnoi nauk [The main directions of improving the methodology of comparative history of law in terms of comparative legal sciences]. Almanakh prava. Rol pravovoi doktryny u zabezpechenni prav liudyny. Issue 11. Kyiv: Instytut derzhavy i prava imeni V. M. Koretskoho NAN Ukrainy. Pp. 74 – 78 [in Ukrainian].