

<b>Course title</b>	<b>PHILOSOPHY AND THEORY OF LAW</b>
<b>Lecturer</b>	Dr hab. Piotr Szymaniec, prof. PWSZ w Wałbrzychu
<b>Hours</b>	15
<b>ECTS</b>	3
<b>Semester</b>	Spring
<b>Content</b>	<p>1) The nature of law</p> <p>2) Natural law theory (Thomas Aquinas, Modern theory of natural law and natural rights, Immanuel Kant, Gustav Radbruch)</p> <p>3) Legal positivism and normativism,</p> <p>3) Legal realism (Scandinavian legal realism, Petrażycki's psychological theory of law, Eugen Ehrlich's sociology of law, American legal realism).</p> <p>4) Hermeneutics of legal text</p> <p>5) Legal norm as rules and principles</p> <p>6) Conflicting values in law</p> <p>7) Human rights: philosophical aspects</p> <p>8) The problem of punishment – philosophy of law approach</p>
<b>Prerequisites</b>	General English B1-B2
<b>Learning outcomes</b>	<p><u>Knowledge:</u> The student</p> <ol style="list-style-type: none"> <li>1. knows main currents of philosophical views on law;</li> <li>2. identifies main philosophical problems concerning legal system;</li> <li>3. the tools and methods of interpretation of legal texts</li> </ol> <p><u>Skills:</u> The student</p> <ol style="list-style-type: none"> <li>1. is able to discuss main philosophical problems of legal system;</li> <li>2. applies the methods of interpretation of legal texts;</li> <li>3. is prepared to read texts on philosophy and theory of law.</li> </ol> <p><u>Competences:</u> The student is prepared for the practical application of the basic values underlying Western legal cultures.</p>
<b>Selected literature</b>	<p>Mandatory:</p> <p>Mark Tebbit, <i>Philosophy of Law: An Introduction</i>, 3rd edition, Routledge, Abingdon–Oxford 2017.</p> <p>Additional:</p> <p>Immanuel Kant, <i>The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right</i>, trans. by W. Hastie, Edinburgh: Clark, 1887.</p> <p>Gustav Radbruch, 'Statutory Lawlessness and Supra-Statutory Law(1946)', trans. Bonnie Litschewski Paulson and Stanley L. Paulson, <i>Oxford Journal of Legal Studies</i> 26 (2006), pp. 1–11.</p> <p>Carla Faralli, 'Law as Fact,' <i>Revus [Online]</i> (2014), No. 24.</p>

	<p>Roger Cotterrell, 'Leon Petrazycki and Contemporary Socio-Legal Studies,' <i>International Journal of Law in Context</i> (2015) 11, pp. 1–16.</p> <p>Karl Olivecrona, <i>Law as fact</i>, London 1939.</p> <p>Michael Hanne, Robert Weisberg, <i>Narrative and Metaphor in the Law</i>, Cambridge: Cambridge University Press, 2018.</p>
<b><i>Teaching tools/methods</i></b>	On-site lectures
<b><i>Form of examination</i></b>	oral examination