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| ***Course title*** | **Philosophy and Theory of Law**  |
| ***Lecturer*** | Dr hab. Piotr Szymaniec, prof. PWSZ w Wałbrzychu  |
| ***Hours*** | 15 |
| ***ECTS*** | 3 |
| ***Semester*** | fall/spring |
| ***Content*** | 1) The nature of law2) Natural law theory (Thomas Aquinas, Modern theory of natural law and natural rights, Immanuel Kant, Gustav Radbruch)3) Legal positivism and normativism,3) Legal realism (Scandinavian legal realism, Petrażycki’s psychological theory of law, Eugen Ehrlich’s sociology of law, American legal realism).4) Hermeneutics of legal text5) Legal norm as rules and principles6) Conflicting values in law7) Human rights: philosophical aspects8) The problem of punishment – philosophy of law approach |
| ***Prerequisites*** | General English B1-B2 |
| ***Learning outcomes*** | Knowledge: The student 1. knows main currents of philosophical views on law;
2. identifies main philosophical problems concerning legal system;
3. the tools and methods of interpretation of legal texts

Skills: The student 1. is able to discuss main philosophical problems of legal system;
2. applies the methods of interpretation of legal texts;
3. is prepared to read texts on philosophy and theory of law.

Competences: The student is prepared for the practical application of the basic values underlying Western legal cultures. |
| ***Selected literature*** | Mandatory:Mark Tebbit, Philosophy of Law: An Introduction, 3rd edition, Routledge, Abingdon–Oxford 2017.Additional:Immanuel Kant, The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right, trans. by W. Hastie, Edinburgh: Clark, 1887.Gustav Radbruch, ‘Statutory Lawlessness and Supra-Statutory Law(1946)’, trans. Bonnie Litschewski Paulson and Stanley L. Paulson, Oxford Journal of Legal Studies 26 (2006), pp. 1–11.Carla Faralli, ‘Law as Fact,’ Revus [Online] (2014), No. 24.Roger Cotterrell, ‘Leon Petrazycki and Contemporary Socio-Legal Studies,’ International Journal of Law in Context (2015) 11, pp. 1–16.Karl Olivecrona, Law as fact, London 1939.Michael Hanne, Robert Weisberg, Narrative and Metaphor in the Law, Cambridge: Cambridge University Press, 2018. |
| ***Teaching tools/methods*** | lecture |
| ***Form of examination*** | oral examination |