



Course title: **Theory and Philosophy of Law**

ECTS credit allocation (and other scores): 5

Semester: SUMMER

Level of study: ISCED-7- long-cycle programmes (EQF-7)

Branch of science: Social sciences / Law

Language: English

Number of hours per semester: 15

Course coordinator/ Department and e-mail: : dr hab. Edyta Sokalska [edyta.sokalska@uwm.edu.pl]

Type of classes: classes

Substantive content

CLASSES:

1. What is the Philosophy of Law?
2. Philosophy, Law and Society (a multi- disciplinary approach)
3. The Nature of Law
4. German Jurisprudence and the Dispute over the Method: from Notional Jurisprudence to Teleological Perspective of Law
5. French Jurisprudence and the Dispute over the Method: from Positivist Exegesis to Free Scientific Research
6. American Legal Realism

LECTURES: -

Learning purpose: Presentation of a philosophical approach to law; natural and statutory law. Selected old and contemporary philosophical schools (legal perspective).

On completion of the study programme the graduate will gain:

Knowledge: Differentiation of philosophical schools in the light of legal norms; pedigree of rules laid down in law

Skills: The ability to indicate individual ways of the existence of law in the contemporary perspective

Social Competencies: Searching for new possibilities of enriching knowledge, personal development

Basic literature:

1. Pound R. & DeRosa M. L., *An introduction to the philosophy of law*, Routledge 2017.
2. Soper P., *A Theory of Law*, Harvard University Press 2013.
3. Patterson D., *A companion to philosophy of law and legal theory*, Wiley-Blackwell 2010.
4. Kelsen H., *General theory of law & state*, Routledge 2005.



Supplementary literature:

1. Wacks R., *Philosophy of law: a very short introduction*, Oxford University Press 2014.
 2. Sokalska E., Augustyniak M., *French Jurisprudence and the Dispute over the Method: From Positivist Exegesis to Free Scientific Research*, "Przegląd Prawa Konstytucyjnego" 2021, vol 64 (6), pp. 223-235, DOI 10.15804/ppk.2021.06.18.
 3. Sokalska E., *Searching for the best legal interpretation and the ideal formula of a state: Otto von Gierke and corporatism as the basis for a new federal state*, "Sudia Prawnoustrojowe" 2022, vol. 56, pp. 265-280, DOI: 10.31648/sp.7646
 4. Sokalska E., *Interpretations of the 'Living Constitution' in the American Legal and Political Discourse. Selected Problems*, "Zbornik Pravnog Fakulteta u Zagrebu", <https://doi.org/10.3935/zpfz.69.3.05> (DOI: 10.3935/zpfz.69.3.05) 2019, vol. 69, pp. 433-453, ISSN 0350-2058.
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The allocated number of ECTS points consists of:

Contact hours with an academic teacher: 1.5 hour every second week

Student's independent work: analyse of the chosen legal texts and presentation of a chosen legal philosopher