

**Subject card**

<b>Subject name and code</b>	Theory and philosophy of law - lecture, PG_00139821						
<b>Field of study</b>	Administration						
<b>Date of commencement of studies</b>	October 2024	<b>Academic year of realisation of subject</b>			2024/2025		
<b>Education level</b>	Master's studies	<b>Subject group</b>			Optional subject group		
<b>Mode of study</b>	full-time studies	<b>Mode of delivery</b>			at the university		
<b>Year of study</b>	1	<b>Language of instruction</b>			Polish		
<b>Semester of study</b>	1	<b>ECTS credits</b>			2.0		
<b>Learning profile</b>	academic	<b>Assessment form</b>			credit		
<b>Conducting unit</b>	Department of the Theory and Philosophy of Law and State -> Faculty of Law and Administration -> Rector						
<b>Name and surname of lecturer (lecturers)</b>	<b>Subject supervisor</b>		dr Magdalena Glanc-Żabiłowicz				
	<b>Teachers</b>		dr Magdalena Glanc-Żabiłowicz				
<b>Lesson types</b>	<b>Lesson type</b>	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	<b>Number of study hours</b>	30.0	0.0	0.0	0.0	0.0	30
	E-learning hours included: 0.0						
<b>Learning activity and number of study hours</b>	<b>Learning activity</b>	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	<b>Number of study hours</b>	30		0.0		20.0	50
<b>Subject objectives</b>	The aim of the course is to make students aware that legal theory can be, and at a certain level it is, an essential element of legal practice. During the course, students learn the basic issues of the theory and philosophy of law, such as the essence of law, ontology, validity, legal action, as well as the relationship between law and morality. Moreover, students learn the rules of legal argumentation and conclusions necessary in the work of a lawyer and an administrator.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[ADMINMU2_KK02] He/she critically assesses his/her knowledge in the field of law, including administrative law	The student is open to opposing positions and is able to present in a communicative manner a specific theoretical or philosophical-legal problem.	[SK1] oral statement/conversation/discussion [SK2] presentation/project/paper/report
	[ADMINMU2_UU01] He/she has deeper awareness of the level of own knowledge and skills, and understands the need for lifelong learning and is able to plan and implement it	The student is aware of the level of his knowledge and skills, and also understands the need for lifelong learning and is able to plan and implement it.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report
	[ADMINMU2_UW03] The graduate can use complex theoretical approaches to analyze, interpret and plan administrative action strategies; he/she can generate solutions to specific problems related to administration, forecast the course of their solution and predict the effects of planned activities	The student is able to construct a norm of conduct from the legal provisions provided to them, applies the rules of legal interpretation and names the rules applied by other participants of social life.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report
	[ADMINMU2_WG02] He/she has in-depth knowledge of the subject of regulation of individual branches of law	The student has in-depth knowledge of legal theory and knows the basic theoretical and legal concepts.	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report
[ADMINMU2_WK01] He/she knows and understands the most important dilemmas brought about by the development of civilization within the legal and administrative sciences	The student knows and understands the most important dilemmas of the theory of law and legal philosophy.	[SW1] oral statement/conversation/discussion [SW2] presentation/project/paper/report	
Subject contents	<p>What is legal theory? Legal theory as a dogmatics of hard cases - does it deserve state financing? The problem of scientificity of jurisprudence. Legal reasonings, or can the application of law be compared with mathematical operations? Reasons for distinguishing legal provisions and norms - necessity in the case of the Constitutional Tribunal. Law-making - what are the limits of legislative activities? Gaps in the law or in thinking about the law?</p>		
Prerequisites and co-requisites			
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
		50.0%	100.0%

Recommended reading	Basic literature	<p>A. Bielska-Brodziak, rozdział o wykładni językowej [w:] A. Bielska-Brodziak, Interpretacja tekstu prawnego na podstawie orzecznictwa podatkowego, Zakamycze 2009</p> <p>S. Hessen, Prawo i moralność [w:] S. Hessen, Studia z filozofii kultury, Warszawa 1968</p> <p>R. Alexy, W obronie niepozytywistycznej koncepcji prawa, "Państwo i Prawo" 1993, nr 11/12</p> <p>B. Williams, Subiektywizm moralny [w:] Tegoż, Moralność. Wprowadzenie do etyki, Warszawa 2000</p> <p>W. Sadurski, Zagadka tolerancji, "Studia z filozofii prawa" t. 1</p> <p>W. Sadurski, Paternalizm, tolerancja, uniwersalizm, "Studia z filozofii prawa" t. 2</p> <p>M. Zieliński, Wykładnia prawa, Zasady. Reguły. Wskazówki - dowolne wydanie</p> <p>L. Leszczyński, Zagadnienia teorii stosowania prawa, Zakamycze 2001,</p> <p>I. Bogucka, Zagadnienia tworzenia i funkcjonowania etycznych standardów zawodów prawniczych, [w:] Prawo a wartości. Księga jubileuszowa Profesora Józefa Nowackiego. Red. Iwona Bogucka, Zygmunt Tobor. Kraków 2003</p>
	Supplementary literature	J. Zajadło, K. Zeidler (red.), <i>Leksykon współczesnej teorii i filozofii prawa. 100 podstawowych pojęć</i> , CH Beck, Warszawa 2017
	eResources addresses	
	Example issues/ example questions/ tasks being completed	
Work placement	Not applicable	

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