



KAPITAŁ LUDZKI
NARODOWA STRATEGIA SPÓJNOŚCI

Projekt współfinansowany przez
Unię Europejską w ramach
Europejskiego Funduszu
Społecznego

UNIA EUROPEJSKA
EUROPEJSKI
FUNDUSZ SPOŁECZNY



Course title		ECTS code	
PILSP302 Philosophy of Law - Hard Cases		10.0.3267	
Name of unit administrating study			
null			
Studies			
faculty	field of study	type	five-year Master's
Faculty of Law and Administration	Law	form	full-time
		specialty	all
		specialization	all
Teaching staff			
dr hab. Tomasz Wiślak			
Forms of classes, the realization and number of hours		ECTS credits	
Forms of classes		2	
Wykład (to translate)			
The realization of activities			
lectures in the classroom			
Number of hours			
Wykład (to translate): 15 hours			
2019/2020 summer semester			
Type of course		Language of instruction	
elective (to translate)		english	
Teaching methods		Form and method of assessment and basic criteria for eveluation or examination requirements	
<ul style="list-style-type: none">- Analiza tekstów z dyskusją (to translate)- Analiza zdarzeń krytycznych (przypadków) (to translate)- Dyskusja (to translate)- Gry symulacyjne (to translate)- Metoda projektów (projekt badawczy, wdrożeniowy, praktyczny) (to translate)- Praca w grupach (to translate)- Rozwiązywanie zadań (to translate)- Wykład konwersatoryjny (to translate)- Wykład problemowy (to translate)- Wykład z prezentacją multimedialną (to translate)		Final evaluation	
		Zaliczenie na ocenę (to translate)	
		Assessment methods	
		<ul style="list-style-type: none">- ustalenie oceny zaliczeniowej na podstawie ocen cząstkowych otrzymywanych w trakcie trwania semestru (to translate)- wykonanie pracy zaliczeniowej - przeprowadzenie badań i prezentacja ich wyników (to translate)- zaliczenie ustne (to translate)- wykonanie pracy zaliczeniowej - wykonanie określonej pracy praktycznej (to translate)- wykonanie pracy zaliczeniowej - projekt lub prezentacja (to translate)	
		The basic criteria for evaluation	
		Grading scale: (A) very good (5.0) - 91% and more, (B) good plus (4.5) - 81% - 90%, (C) good (4.0) - 71% - 80%, (D) satisfactory plus (3.5) - 61% - 70%, (E) satisfactory (3.0) - 51% - 60%, (F) insufficient (2.0) - 50% and less.	
		The percentage determines the percentage of knowledge and skills required for a given assessment. Percentages are rounded up to whole numbers in accordance with the generally applicable rounding rules.	
Sposób weryfikacji założonych efektów kształcenia (DO TŁUMACZENIA)			
All assumed learning outcomes are verified during classes and through course completion.			
Required courses and introductory requirements			
A. Formal requirements			
Proven oral and written English at least on B2 level.			

B. Prerequisites Basic knowledge of the principles of law in statutory and common law countries.	
Aims of education <p>This course will consider a range of issues in contemporary philosophy of law with particular emphasis on the concept of the so-called hard cases. The main goal of the course is to raise awareness of theoretical problems involved in understanding the law as well as practical problems of its creation and application. Students' attention will be focused on the problems occurring in case of a clash of law with other normative systems and the conflict of law with itself. We will look carefully at philosophical problems arising in a number of highly contested contemporary legal and social issues.</p>	
Course contents <ol style="list-style-type: none"> 1. What is philosophy of law? Philosophical problems in law. 2. Theory of hard cases. Different concepts. 3. Law and morality in cannibalistic cases. R v. Dudley and Stephens. L.L. Fuller's The Case of the Speluncean Explorers. 4. Law vs. new technologies: autonomous cars and liability. Elaine Herzberg case. 5. Law vs. religion: Scopes monkey trial. 6. Law vs. human rights: The ticking bomb scenario and the legitimization of torture. 7. Legal moralism and paternalism. Lawrence vs. Texas. 8. Summary: Do hard cases make bad law? 	
Bibliography of literature <ol style="list-style-type: none"> 1) J. Zajadło, K. Zeidler (red.), Philosophy of Law – Law: The Basic Concepts, Wydawnictwo Uniwersytetu Gdańskiego, Gdańsk 2016 2) R. Wacks, Philosophy of Law: A Very Short Introduction, Oxford University Press 2014 3) Sykuna S., Zajadło J., Towards a New Theory of Hard Cases (in:) Wojciechowski B., Juchacz P.W. Cern K.M (eds.), Legal Rules, Moral Norms and Democratic Principles, DIA-LOGOS Vol. 15, Peter Lang Edition, Frankfurt am Main, Berlin, Bern, Bruxelles, New York, Oxford, Wien, 2013, pp. 133-162 4) S. Coyle, Modern Jurisprudence. A Philosophical Guide, Hart Publishing, Oxford and Portland 2014. 5) Allan C. Hutchinson, Is Eating People Wrong? Great Legal Cases and How They Shaped the World, Cambridge University Press. 	
KNOWLEDGE K_WG01 has in-depth and ordered knowledge of the nature of legal sciences, their place in the system of sciences and relations to other sciences K_WG02 knows the terminology and concepts of law and related fields to an extended degree K_WG03 has in-depth knowledge about the system of powers in Poland, with particular emphasis on legislative and judicial power K_WG04 knows the system of Polish law, interrelationships within this system and connections between Polish law and European Union law and international law K_WG05 has structured knowledge of the types of legal relations and regularities that govern them K_WG06 has structured knowledge about person as an entity constituting social structures and the principles of their functioning, as well as about person as an entity functioning in these structures K_WG07 knows methods and tools, including techniques for obtaining data and information, and research methods appropriate for legal sciences and related fields K_WG08 has in-depth knowledge of the sources of Polish law, its changes and the process of its creation K_WG09	Knowledge <p>The student has mastered the terminology in the field of jurisprudence and philosophy of law to an extended degree. She has an in-depth and structured knowledge about the application and interpretation of law in the context of contemporary social problems and changes.</p>
	Skills <p>The student is able to use complex theoretical and philosophical approaches to analyze, interpret and design legal strategies. The student has the ability to diagnose moral dilemmas and analyse their impact on legal solutions.</p>
	Social competence <p>The student has an extended awareness of the relationship between law and morality and understands the need to supplement and continually develop lawyer's professional competence with social and philosophical knowledge.</p>

<p>has in-depth and ordered knowledge of the processes of change in power systems and its individual organs as well as the consequences of these changes</p> <p>K_WK10</p> <p>knows and understands the basic concepts and principles in the field of protection of industrial property and copyright and understands the need for proper protection of intellectual property and management of its resources</p> <p>K_WK11</p> <p>has in-depth knowledge of the principles of creating and developing basic forms of individual entrepreneurship</p> <p>K_WK12</p> <p>has knowledge of health and safety at work in public administration institutions</p> <p>K_WK13</p> <p>has in-depth knowledge of the functioning of self-governments of legal professions, knows the rules of exercising the profession of judge and prosecutor, has knowledge about the organization of justice in Poland</p> <p>SKILLS</p> <p>K_UW01</p> <p>has deepened skills in observing and interpreting social phenomena, analyzes their connections with various areas, branches of law and related sciences</p> <p>K_UW02</p> <p>is able to use and integrate theoretical knowledge of law and related scientific disciplines to analyze and interpret complex legal problems</p> <p>K_UW03</p> <p>is able to use complex theoretical approaches to analyze, interpret and design legal strategies; can generate solutions to specific problems related to the law and forecast the course of their solutions and predict the effects of planned activities</p> <p>K_UW04</p> <p>efficiently uses legal and professional principles and norms in undertaken professional activity</p> <p>K_UW05</p> <p>can analyze and has the ability to diagnose moral and legal dilemmas in professional work</p> <p>K_UW06</p> <p>is able to assess the usefulness of typical procedures and good practices for the implementation of complex tasks related to various areas related to law and related fields</p> <p>K_UK07</p> <p>has developed the ability to understand and analyze social phenomena and to use this analysis in professional work</p> <p>K_UK08</p> <p>has an in-depth ability to prepare various essays in Polish and in a foreign language related to his work</p> <p>K_UK09</p> <p>has deepened ability to prepare oral presentations, in Polish and in a foreign language, in the field of law and related sciences</p> <p>K_UK10</p> <p>has language skills in the fields of science and scientific disciplines relevant to the field of study being studied, in accordance with the requirements set for level B2 + of the European Language Description System</p> <p>K_UO11</p>	
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<p>is able to cooperate in a team and is able to coordinate the work of the team in solving legal problems, interpreting legal acts, preparing a written or oral position on</p> <p>K_UU12</p> <p>is able to efficiently acquire knowledge and develop his professional skills using a variety of sources (in native and foreign languages) and modern technologies</p> <p>COMPETENCES</p> <p>K_KK01</p> <p>has deepened awareness of the level of their knowledge and skills, and also understands the need for lifelong learning</p> <p>K_KK02</p> <p>is aware of the need to expand professional competences and qualifications as well as improves skills, is able to independently determine the directions of their own development and education in an extended and in-depth degree</p> <p>K_KO03</p> <p>is ready to actively participate in groups, organizations and institutions carrying out professional activities related to law, at the same time is able to communicate with people who are not specialists in the field of law</p> <p>K_KO04</p> <p>is ready to undertake the preparation of own social projects, taking into account legal, economic and political aspects, including the preparation and implementation of projects co-financed by the European Union</p> <p>K_KR05</p> <p>prepares responsibly for his work, is able to set priorities at work which is properly laid out</p> <p>K_KR06</p> <p>is convinced of the importance of behaving in an ethical and professional manner, acting in accordance with the principles of ethics</p> <p>K_KR07</p> <p>is ready to take on professional challenges, undertakes efforts and is characterized by perseverance in the implementation of individual and team activities in the field of law and related sciences</p>	
Contact	
http://prawo.ug.edu.pl/pracownik/3151/tomasz_widlak	