

**A COURSE SYLLABUS – DOCTORAL SCHOOL**  
**REGARDING THE QUALIFICATION CYCLE FROM 2020 TO 2024**  
**AND 2021 TO 2025**

<b>GENERAL INFORMATION ABOUT COURSE</b>				
Course title	<b>Philosophy of Law</b>			
Name of the unit running the course	Doctoral School at University of Rzeszów			
Type of course ( <i>obligatory, optional</i> )	Obligatory/optional/specialist			
Year and semester of studies	IV and VI Summer semester			
Discipline	Legal Sciences			
Language of Course	Polish			
Name of Course coordinator	Dr hab. prof. UR Grzegorz Maroń			
Name of Course lecturer	Dr hab. prof. UR Grzegorz Maroń			
Prerequisites	Basic general knowledge of legal sciences			
<b>BRIEF DESCRIPTION OF COURSE</b> (100-200 words)				
<p>The main goal of teaching the "Philosophy of Law" is to familiarize PhD students with selected issues that are the subject of reflection of contemporary general legal sciences, and at the same time often also the subject of public debate. As part of the course, an analysis of institutions, processes and phenomena in which law in content and function is related to other normative orders, in particular ethics and religion, is undertaken. PhD students are prepared for an independent critical appraisal of legally relevant issues - often controversial - taking into account their axiological side, multiple determinants and conditions or social consequences. Through the study of the justifications of judicial decisions made during the course, PhD students are made aware of the real impact of philosophical and legal findings and assumptions on the practice of interpreting and applying the law. The lecture and exercises in "Philosophy of Law" are designed to present their participants with arguments in favor of the need for a multifaceted overview of law and the subject of its regulation, and thus departing from analyzing it only from the perspective of legal positivism paradigms.</p>				
<b>COURSE LEARNING OUTCOMES AND METHODS OF EVALUATING LEARNING OUTCOMES</b>				
Learning outcome	The description of the learning outcome defined for the course	Relation to the degree programme outcomes (symbol)	Learning Format (Lectures, classes,...)	Method of assessment of learning outcomes (e.g. test, oral exam, written exam, project,...)
Knowledge (no.)	(Knows and understands)			
1	He knows, to the extent necessary to revise existing paradigms, the world acquis covering theoretical foundations and general and selected particular issues specific to the discipline of legal sciences, especially for the philosophy of law	P8S_WG/1	Lecture/exercises	observation during classes; research paper
2	Knows the main development trends of the discipline of legal sciences, especially for the philosophy of law	P8S_WG/2	Lecture/exercises	observation during classes; research paper

3	Knows a conceptual framework in the field of legal sciences	P8S_WG/3	Lecture/exercises	observation during classes; research paper
4	Knows scientific research methodology, especially in the field of legal sciences	P8S_WG/4	Exercises	research paper
<b>Skills (no.)</b>	<b>(Able to)</b>			
1	use knowledge of the field of legal sciences to creatively identify and innovatively solve complex problems or perform tasks of a research nature, in particular: - define the aim and subject of scientific research, formulate a research hypothesis, - develop research methods, techniques, research tools and apply them creatively - make conclusions on the basis of scientific research	P8S_UW/1	Exercises	research paper
2	use scientific literature to identify and solve research problems and problems related to innovative activity, and also uses the appropriate workshop to create new elements of this scientific output	P8S-UW/2	Exercises	research paper
3	communicate on specialist topics to a degree enabling active participation in an international scientific circles	P8S-UK/1;	Exercises	observation during classes;
4	write a scientific paper in the discipline of legal sciences.	P8S-UK/2;	Exercises	research paper
5	organize or participate actively in scientific conferences	P8S-UK/3;	Exercises	observation during classes;
6	initiate a scientific debate based on scientific evidence	P8S-UK/4;	Exercises	observation during classes;
7	participate in the scientific discourse.	P8S-UK/5;	Exercises	observation during classes;
<b>Social competence (no.)</b>	<b>(Ready to)</b>			
1	critical evaluation of the achievements within the discipline of legal science	P8S_KK/1	Exercises	observation during classes
2	recognition of the importance of philosophical and legal knowledge in solving cognitive	P8S_KK/3	Exercises	observation during classes

	and practical problems				
3	initiate activities for the public interest	P8S_KK/4	Exercises	observation during classes	
<b>LEARNING FORMAT – NUMBER OF HOURS</b>					
Semester (no.)	Lectures	Seminars	Lab classes	Internships	others ECTS
IV and VI	5	10			
<b>METHODS OF INSTRUCTION</b>					
Lecture: a problem-solving lecture supported by a multimedia presentation					
Exercises: discussion with the active participation of PhD students of a predetermined subject matter; analysis and interpretation of source texts, normative acts and judicial decisions					
<b>COURSE CONTENT</b>					
<p>1. Lectures/ Seminars:</p> <ul style="list-style-type: none"> <li>- The influence of philosophical and legal thought on the practice of making and applying the law</li> <li>- Conscience clause and cultural exemptions</li> <li>- Religion as an object and determinant of judicial decisions in a democratic state of law</li> </ul> <p>2. Seminars / Lab classes/ others:</p> <ul style="list-style-type: none"> <li>- Hard case: concept and study of selected examples from jurisprudence</li> <li>- Civil disobedience in philosophical and legal thought and Polish jurisprudence</li> <li>- Judicial moralizing and the requirement of judicial impartiality and ideological neutrality of the state: an analysis of selected Polish judgments</li> <li>- Rights and freedoms of a person who is a public official in and out of service: between personal and professional integrity</li> <li>- Potential of non-legal sources (e.g. religion, philosophy, fiction, pop culture) for the explanation and rationalization of judicial decisions: study of the justifications of selected judgments</li> <li>- Mercy: legally significant or legally irrelevant category?</li> </ul>					
<b>COURSE ASSESSMENT CRITERIA</b>					
Lecture - credit; exercises - credit with a grade.					
A credit of the lecture - on the basis of discussion and observation during classes.					
A credit for exercises - on the basis of the preparing a research paper on one of the issues discussed during the course or another agreed with the teacher in the field of legal philosophy. The assessment will include the manner of setting a research problem, the justification of undertaken problem, the choice of research methods, the substantive content of the work, the selection of appropriate literature on the subject (possibly also normative acts and judicial decisions), the formal side of the work - linguistic correctness, logic of the argument, correctness of footnotes, presence of critical and evaluation elements. The work should be about 7-10 A4 pages (font 12, line spacing 1.5), contain footnotes for citation and a bibliography. Grading scale: 51-60% dst; 61-70% + dst; 71-80% db; 81-90% + db; 91-100% very good.					
<b>TOTAL PhD STUDENT WORKLOAD REQUIRED TO ACHIEVE THE INTENDED LEARNING OUTCOMES</b>					

<b>– NUMBER OF HOURS AND ECTS CREDITS</b>	
Activity	Number of hours
Scheduled course contact hours	15
Other contact hours involving the teacher (consultation hours, examinations)	2
Non-contact hours – student`s own work (preparation for classes or examinations, project, etc.)	18
<b>Total number of hours</b>	35
<b>Total number of ECTS credits</b>	0
<b>INSTRUCTIONAL MATERIALS</b>	
Compulsory literature:	<p>J. Zajadło, K. Zeidler (red.), <i>Fascynujące ścieżki filozofii prawa 2</i>, Warszawa 2021</p> <p>G. Maroń, <i>Sądy, sędziowie, religia</i>, Wydawnictwo Uniwersytetu Rzeszowskiego, Rzeszów 2022.</p> <p>Grzegorz Maroń, <i>Integralność religijna sędziego oraz argumentacja religijna w amerykańskim procesie orzeczniczym</i>, Wydawnictwo Uniwersytetu Rzeszowskiego, Rzeszów 2018.</p> <p>G. Maroń, <i>Obywatelskie nieposłuszeństwo w świetle uzasadnień sądowych wyroków. Komparatystyczne studium orzecznictwa polskiego i amerykańskiego</i>, „Prokuratura i Prawo” 2022, nr 7-8, s. 53-87.</p> <p>Grzegorz Maroń, <i>Sędziowie jako „arbitrzy moralni” i „moralisci” na przykładzie wybranych orzeczeń sądów karnych</i>, "Prokuratura i Prawo" 2020, nr 10-11, s. 5-38</p> <p>Grzegorz Maroń, <i>Odwołania biblijne w uzasadnieniach wyroków sądowych. Komparatystyczne studium orzecznictwa polskiego, czeskiego i irlandzkiego</i>, „Glosa - Prawo Gospodarcze w Orzeczeniach i Komentarzach” 2020, nr 1, s. 113-130</p> <p>Grzegorz Maroń, <i>Odniesienia do popkultury w uzasadnieniach orzeczeń polskich sądów</i>, „Przegląd Prawa Publicznego” 2020, nr 5, s. 25-41</p> <p>Grzegorz Maroń, <i>Odwołania do filozofów w polskim orzecznictwie</i>, „Krytyka Prawa. Niezależne studia nad prawem” 2019, t. 11, nr 4, s. 262–280</p> <p>Grzegorz Maroń, <i>Odwołania do literatury pięknej w uzasadnieniach orzeczeń sądowych</i>, „Przegląd Sądowy” 2019, nr 1, s. 87-104.</p> <p>G. Maroń, W. Dziedziak <i>Z zagadnień sprawiedliwości, miłosierdzia i prawa</i>, „Studia Iuridica Lublinensia” 2009, t. 12, s. 101-119.</p> <p>G. Maroń, <i>Odwołania do miłosierdzia w procesie karnym w świetle orzecznictwa sądów Stanów Zjednoczonych</i>, „Prokuratura i Prawo” 2019, nr 9, s. 5-35.</p> <p>G. Maroń, <i>Wpływ feministycznej jureksprudenckiej na procesy tworzenia i stosowania prawa – perspektywa anglosaska</i> [w:] J. Karczewski, M. Żuralska (red.), <i>Refleksyjność w prawie. Inspiracje</i>, Warszawa 2015, s. 99-118.</p>
Complementary literature:	<p>J. Zajadło (red.), <i>Leksykon współczesnej teorii i filozofii prawa</i>, Warszawa 2017.</p> <p>J. Oniszczyk, <i>Filozofia i teoria prawa</i>, Warszawa 2012.</p>

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15.09.2022 r. Grzegorz Maroń.....  
Date and signature of the Course lecturer

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Approved by the Head of the Department or an authorised person