

Jurisprudence/philosophy of law

<u>Title of course in Hungarian:</u>	Jogelmélet/jogfilozófia
<u>Language of instruction:</u>	English
<u>Department:</u>	Department of Jurisprudence
<u>Type of course:</u>	optional course
<u>Form of course:</u>	full time
<u>Level of programme:</u>	
<u>Number of lessons:</u>	2 hours/week
<u>Semester</u>	autumn semester
<u>Credit point value:</u>	6 credits
<u>Code of course:</u>	
<u>Prior course(s) required:</u>	-
<u>Course supervisor:</u>	
<u>Lecturer(s):</u>	Ádám Miklós Balássy
<u>Course description, purpose of the course:</u>	

This course aims to introduce students to the fundamental theories and practices in the fields of philosophy of law and state, as well as jurisprudence. It is designed to provide a comprehensive understanding of the nature of legal norms, the sources and dynamics of law, and the philosophical underpinnings of legal systems. Through a detailed examination of key texts and thinkers, students will explore various legal concepts, including the structure and operation of legal norms, the role of the judiciary, constitutional principles, and the historical development of legal thought.

Course outline, description of acquired knowledge, skills and competences:

The course will encourage critical analysis and discussion, enabling students to develop a nuanced understanding of how legal systems are formed, interpreted, and applied. By the end of the course, students should be able to critically engage with legal texts, understand the complexities of legal philosophy, and appreciate the interplay between law, morality, and society. The objective is to equip students with the analytical skills and knowledge necessary for advanced study in law, political science, and related disciplines.

- 1 - Introduction to Legal Norms:
- 2 - Legal Norms and Legislation:
- 4-5 - Sources of Law and Constitutional Concepts
- 6 - Legal Dynamics and Judicial Practice:
- 7 - Judicial Practice and Constitutional Review
- 8 - Natural Law Theory
- 9 - The History of Law and Legal Interpretation

10 – Contemporary jurisprudence – modern schools of legal thinking

11 – Excerpts of political philosophy

12 – Law, morality, and justice

Interim course requirement(s): attendance of classes, exams

Type of evaluation: exam evaluation / course performance evaluation

Method of evaluation: written / oral exam

Obligatory course materials:

H.L.A. Hart, "The Concept of Law", Oxford University Press, 2012 (3rd edition), ISBN: 978-0199644704

Roscoe Pound, "Introduction to the Philosophy of Law", Martino Fine Books, 2012, ISBN: 978-1614273207

Kelsen Hans: "Pure Theory of law", University of California Press, 1967 ISBN-13: 978-1-58477-578-2

Joseph Raz, "The Authority of Law", Oxford University Press, 2009 (2nd edition), ISBN: 978-0199573561

Ronald Dworkin, "Law's Empire", Hart Publishing, 1998, ISBN: 978-1841130415

Benjamin N. Cardozo, "The Nature of Judicial Process", Quid Pro, LLC, 2012, ISBN: 978-1610271352

John Finnis, "Natural Law and Natural Rights", Oxford University Press, 2011 (2nd edition), ISBN: 978-0199599141

William Eskridge, "Interpreting Law: A Primer on How to Read Statutes and the Constitution", Foundation Press, 2016, ISBN: 978-1634599387

Further recommended reading:

Ronald Dworkin, "Taking Rights Seriously", Bloomsbury Publishing, 2013, ISBN: 978-1780937564

Jeremy Waldron, "The Concept of Law" (Clarendon Law Series), Oxford University Press, 2012, ISBN: 978-0199573561

Lon L. Fuller, "The Morality of Law", Yale University Press, 1969, ISBN: 978-0300010701

Thomas Aquinas (edited by William P. Baumgarth and Richard J. Regan), "On Law, Morality, and Politics", Hackett Publishing Company, 2002 (2nd edition), ISBN: 978-0872206632