

General Information			
Course name	Jurisprudence	ECTS Credits	4
		Semester	winter
Aims			
<p>The aim of these lessons is to provide the students of Jurisprudence by a basic and clear analysis of the major and most important theories in this field. The main theories are explained with discussion of their proper context. Contents include:</p>			
Content			
<ol style="list-style-type: none"> 1. On Jurisprudence in General 2. Classical Doctrine of Natural Law (Plato, Aristotle, Augustine, Aquinas, Hobbes, Locke, Rousseau) 3. Classical Positivism (J. Bentham, J. Austin) 4. Pure Theory of Law (H. Kelsen) 5. Naturalist's Revival (L. L. Fuller, G. Radbruch) 6. The Concept of Law and of the Legal System (H. L. A. Hart) 7. Dworkin's Theory of Principles 8. Justice Theory (J. Rawls) <p>Films to be shown, related to Legal History and Jurisprudence of the Courts:</p> <p>SPIELBERG, S.: The Amistad Historical drama based on the notable mutiny in 1839 by newly captured Mende slaves who took control of the ship La Amistad off the coast of Cuba and the international legal battle that followed their capture by a U. S. revenue cutter. It became a United States Supreme Court case of 1841 (40 U. S. 518; January 1841).</p> <p>LUMET, S.: Twelve Angry Men Eleven jurors are convinced that the defendant is guilty of murder. The twelfth has no doubt of his innocence. How can this man steer the others toward the same conclusion? It is a case of seemingly overwhelming evidence against a teenager accused of killing his father.</p> <p>KRAMER, S.: Inherit the Wind The controversial subject of evolution versus creation causes two polar opposites to engage in one explosive battle of beliefs. Attorney Henry Drummond faces off fundamentalist leader Matthew Harrison Brady in a small Tennessee town where a teacher has been brought to trial for teaching Darwinism.</p> <p>SIMONEAU, Y.: Nuremberg (Trial) Preparation of a war crime tribunal against Hermann Göring and the surviving Nazi leadership. Cross-examinations of the defendants.</p>			

Assessment Methods and Criteria

Written examination: 2 tests (maximum 2 x 50 points), and 1 final test (maximum 100 points). 1 essay on a chosen topic related to Jurisprudence.

Grading Scale (in %):

Grading System:

The University recognises the following six degrees for the evaluation of the study results:

- a) A – excellent (excellent results) (numerical value 1)
- b) B – very good (above average results) (1.5)
- c) C – good (average results) (2)
- d) D – satisfactory (acceptable results) (2.5)
- e) E – sufficient (results meet the minimum criteria) (3)
- f) FX – failed (requires further work) (4)

Bibliography

Basics and suggested further reading:

- ARISTOTLE: Politics. London 1981.
- ARISTOTLE: Nicomachean Ethics. Oxford 1908.
- AUSTIN, J.: The Province of Jurisprudence Determined (1832) and The Uses of the Study of Jurisprudence (1863). Indianapolis/ Cambridge 1954.
- BENTHAM, J.: An Introduction to the Principles of Morals and Legislation. 1781.
- BENTHAM, J.: Of Laws in General. London 1970.
- BIX, B.: Jurisprudence: Theory and Context. London 1999 (4th edition 2006).
- BODENHEIMER, E.: Jurisprudence. The Philosophy and Method of the Law. Cambridge (Mass.) – London 1962.
- DWORKIN, R. M.: Taking Rights Seriously. Cambridge (Mass.) 1999.
- DWORKIN, R. M.: Laws Empire. London 1986.
- DWORKIN, R. M.: A Matter of Principle. 1985.
- DWORKIN, R. M.: Justice in Robes. Cambridge (Mass.) – London 2006.
- FULLER, L. L.: Morality of Law. New Haven 1969.
- HART, H. L. A.: The Concept of Law. Oxford 1961 (2nd edition 1994).
- HART, H. L. A.: Law, Liberty, and Morality. London 1963.
- HOBBS, T.: Leviathan. Cambridge 1996.
- KELSEN, H.: Pure Theory of Law. Berkeley 1967.
- LOCKE, J.: Two Treatises of Government. Cambridge – New York, etc. 1960.
- MACCORMICK, N.: Institutions of Law. Oxford – New York 2007.
- MCCOUBREY, H. – WHITE, N. D.: Textbook on Jurisprudence. London 1993.
- PLATO: The Laws. London 1970.
- PLATO: The Republic. London 1987.
- RADBRUCH, G.: Five Minutes of Legal Philosophy (1945). Statutory Lawlessness and SupraStatutory Law (1946). Oxford Journal of Legal Studies 2006.
- RAWLS, J.: A Theory of Justice. Oxford 1972.
- RAZ, J.: The Authority of Law. Essays on Law and Morality. Oxford 1979.
- RIDDALL, J. G.: Jurisprudence. London – Boston, etc. 1991.
- ROUSSEAU, J. – J. : The Social Contract. Harmondsworth 1968