



SYLLABUS OF THE COURSE "PHILOSOPHY OF LAW"

Basic data of the subject			
Academic Unit:	University "Ukshin Hoti" Prizren, Faculty of Law		
Course title:	Philosophy of law		
Program	Bachelor		
Level:	Bachelor		
Course status:	Obligatory		
Study year:	I		
Number of hours per week:	3+2		
Credit value – ECTS:	6		
Time / location:	13:00-15:45 Office:402		
Lecturer:	Prof. asoc. dr. Halim Bajraktari		
Contact details:	halim.bajraktari@uni-prizren.com		
Course description	<p>The Philosophy of Law course studies issues such as: what is law; are principles or policies part of law; is there any place for morality in the validity of the legal norm; what is the role of the judge in dealing with concrete cases, etc. In the Philosophy of Law, ideas take precedence over legal facts. However, the latter occupy an important place because they serve as an illustration in favor of one school of law or another.</p>		
Course objectives:	<p>Philosophy of Law aims to encourage students to learn and study the views of different schools of Philosophy of Law and to build critical thinking on the ideas presented by these schools. The Philosophy of Law is not only educational and informative, but primarily aims to encourage analytical thinking, the logic of thinking about law, to enable students to participate in debate, to teach them to argue their theses, formulate questions and so on.</p>		
Expectation:	<p>At the end of the course, students should be able to: - To understand the basics of philosophical thought on it right; - To know the main schools of philosophy of right; - To argue their beliefs about one's morality legal norms; - Demonstrate analytical skills for problems philosophy of law</p>		
Student workload (should correspond to the student's learning outcomes)			
Activity	Hour	Day/Week	Total
Lectures	3	15	45



Exercise theoretical/laboratory	2	15	30
Practice work	1	15	15
Contact with lecturer/consultations	1	4	4
Field exercises	2	6	6
Mid-terms, seminars	2	2	4
Homework	1	5	5
Individual time spent studying (at the library or home)	1	15	15
Final preparation for the exam	1	5	5
Time spent in evaluation (tests, quiz, final exam)	1	10	10
Projects, presentations, etc.	1	10	10
Total			150 hours (6 ECTS)
Teaching methodology:	Lectures, exercises, individual work, experimental/practical work, seminar papers, colloquiums, essays, field work, group work, etc. - Presentation of the teaching topic in Power Point (students can download it after each lecture from the faculty's website); - Case study or assignment (for the exercise class) related to the taught topic. Repetition of the previous topic by the assigned group of students, analysis and discussion.		
Evaluation:	<p>The midterm exam considered successful if the student reaches 51% of the possible points (100).</p> <p>- Success is calculated successfully if the student reaches 51% of the possible points (100). Each student must undergo the exam! -If the grade of the successful collocation is higher than that of the successful exam, then the average grade will be taken as the final grade. In all other cases, only the exam grade is valid. Attendance and engagement in learning will be assessed at 10% of potential points (100).</p>		
Literature			
Literature Basic:	Luljeta Ikonimi, Filozofia e së Drejtës, Tiranë, 2010. Fatmir Zanaj, Filozofia e së drejtës, Tiranë, 2012. Kadri Kryeziu,		



	Filozofia e së drejtës, Prizren, 2020. Additional literature: Susan Dimock, Classic Readings and Cases in Philosophy of Law, Published by Routledge, 2016. Jeffrey Brand, Philosophy of Law Introducing Jurisprudence, Published by Bloomsbury, 2013
Sekondar literature:	Luljeta Ikonimi, Filozofia e së Drejtës, Tiranë, 2010. Fatmir Zanaj, Filozofia e së drejtës, Tiranë, 2012. Kadri Kryeziu, Filozofia e së drejtës, Prizren, 2020. Additional literature: Susan Dimock, Classic Readings and Cases in Philosophy of Law, Published by Routledge, 2016. Jeffrey Brand, Philosophy of Law Introducing Jurisprudence, Published by Bloomsbury, 2013

Designed lesson plan:		
Week Lectures Exercises	Week Lectures Exercises	Week Lectures Exercises Week
First week:	Introduction to the philosophy of law	Elaboration of topics on the philosophy of law, the state and law, the legal order.
Second week:	Theory of Natural Law	Discussions about the first philosophical-legal thoughts, definitions of the theory of natural law.
Third week:	Legal Positivism	Analysis and illustration of the philosophical theory of legal positivism and its representatives
Fourth week:	John Austin's Positivism	Interpretation of the philosophy of language according to Austin, interpretation of the theory of speech acts
Fifth week:	Modern Legal Positivism: Hart	Elaboration of the theory of modern legal positivism represented by Hart who showed his position regarding the right-sanction relationship analyzed by Austin and the rightmoral relationship analyzed by natural law representatives. Some evaluations and criticisms on this theory.
Sixth week:	The Renaissance of Natural Law Concepts: Lon Fuller	The treatment of the procedural principles formulated by Fuller which also brought procedural morality as a new concept that appeared in jurisprudence.



Seventh week:	First Intermediate Evaluation	Discussions about the conception of relations between the law, its actors and social changes
Week nine:	Pure Theory of Law: Hans Kelsen	Interpretation of the methodology followed by Kelzen and the pyramid of sources of law, clarifying the hierarchy between these sources.
Tenth week:	Ronald Dworkin's Theory of Law and Morality	Analysis of Dworkin's position on existing theories such as natural law and legal positivism
Eleventh week:	Case studies: Trials in postNazi Germany and the opposition between positivism and natural law Illustration of the "Grudge Informers!" case 1944 Sophocles, the tragedy of "Antigone"	Illustration of the "Grudge Informers!" case 1944
Week twelve:	Historical Jurisprudence Sociological Jurisprudence	Introducing the approach of historical and sociological jurisprudence.
Week twelve:	Legal Realism Utilitarianism	Elaboration of the characteristics of utilitarianism, giving concrete examples of the application of this theory. In addition, some differences found in the positions of the two representatives of this theory, Bentham and Mill, are clarified. In conclusion, some evaluations and criticisms are given on this theory.
Thirteenth week:	Kantism Modern Critical Theories: The Current of Critical Legal Studies and Feminist Jurisprudence	Discussions about the flow of critical legal studies and feminist jurisprudence as one of the theories that brought innovation to the study of law. In addition, the impact that feminist jurisprudence has had on the reform of law is discussed.
Week Fourteen:	Marxism Theory of Justice	The treatment of Rollsi's definition of justice as well as the methods he follows to realize justice in society
Fifteenth week:	Second Intermediate Evaluation	Summary of topics covered/recapitulation.
Academic policies and code of conduct		



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- Students must have regular attendance at lectures and exercises, where attendance will be evidenced through the list of students' attendances at lectures and exercises. - Regular participation in lectures and exercises, presentation of seminar papers and other activities will be counted in the final grade. - In lectures and exercises, only the topics mentioned in this syllabus should be covered.
 - Communication with students will be done mainly through email and the posting of notices in university facilities and in person during consultations.