

2019.HS

Module Name: Legal Philosophy			
Module Code	w.BA.XX.2RPhil.XX		
Module Description	Students are provided with an insight into the philosophical dimension of the law. They get to know the fundamental legal-philosophical positions and controversies and reflect on them both from a historical perspective and in the context of current and practical issues. The aim is for them to be able to deal with legal-philosophical texts independently and critically and discuss the issues involved.		
Program and Specialization	<ul style="list-style-type: none"> § Business Administration - Accounting, Controlling, Auditing § Business Administration - Banking and Finance § Business Administration - Banking and Finance (FLEX) § Business Administration - Banking and Finance (PIE) § Business Administration - Economics and Politics § Business Administration - General Management § Business Administration - Risk and Insurance § Business Law 		
Legal Framework	Academic Regulations BSc dated 29.01.2009, Appendix to the Academic Regulations for the degree programs in Business Administration, Business Information Technology, and Business Law, first adopted on 12.05.2009		
Module Category	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Module Type: Compulsory Elective</td> <td style="width: 40%;">Program Phase: Main Study Period</td> </tr> </table>	Module Type: Compulsory Elective	Program Phase: Main Study Period
Module Type: Compulsory Elective	Program Phase: Main Study Period		
ECTS	3		
Organizational Unit	W Abteilung Business Law Leitung		
Module Coordinator	Roger Müller (mlrr)		
Deputy Module Coordinator	-		
Prerequisite Knowledge	None		
Contribution to Program Learning Goals (Affected by Module)	<ul style="list-style-type: none"> § Professional Competence § Methodological Competence § Social Competence § Self-Competence 		
Contribution to Program Learning Objectives	<ul style="list-style-type: none"> Professional Competence <ul style="list-style-type: none"> § Knowing and Understanding Content of Theoretical and Practical Relevance § Apply, Analyze, and Synthesize Content of Theoretical and Practical Relevance § Evaluate Content of Theoretical and Practical Relevance Methodological Competence <ul style="list-style-type: none"> § Problem-Solving & Critical Thinking § Scientific Methodology § Work Methods, Techniques, and Procedures § Information Literacy § Creativity & Innovation Social Competence <ul style="list-style-type: none"> § Written Communication § Oral Communication § Teamwork & Conflict Management § Intercultural Insight & Ability to Change Perspective Self-Competence <ul style="list-style-type: none"> § Self-Management & Self-Reflection § Ethical & Social Responsibility § Learning & Change 		
Module Learning Objectives	<p>Students...</p> <ul style="list-style-type: none"> § are able to name the most important legal-philosophical theories and their representatives. § are able to describe the key terms of legal philosophy. § are able to analyze and critically challenge legal-philosophical texts. § are able to understand these texts in the context of the fundamental legal-philosophical discussions. § can discuss different legal-philosophical topics in the context of current issues. § can contemplate selected legal-philosophical problems independently. § can formulate legal-philosophical arguments convincingly in oral and written discussions and can communicate them clearly. 		

Module Content	§ The relationship between law and fairness: A historical overview of key fairness theories; the issue of the fairness of prices and wages. § The issue of the supremacy of law: The field of tension of natural law and positivism; law and legislation in an unjust state. § The interrelationship of law and state: The justification of the state; the concept of the constitutional state; civil disobedience and the right of resistance; current discussions in the field of tension between law and politics. § The concept of human rights and human dignity: The philosophical justification of human rights; constitutionalization, internationalization and universalization of human rights; social rights; human dignity and biotechnology; human rights in a multicultural society. § The legitimization of punishment and the problem of criminal responsibility: An overview of criminal theories; current debates on punitive effect; the issue of freedom of will and criminal responsibility. § The issue of the scientificity of jurisprudence: Legal knowledge concepts; system theory and discourse theory.		
Links to other modules	The content of this module is linked to the following modules: w.BA.XX.1StrR1-BL.XX w.BA.XX.2AGPR-BL.XX w.BA.XX.2RG.XX w.BA.XX.2RGPR-BL.XX w.BA.XX.2SVR-BL.XX		
Methods of Instruction	§ Lecture § Interactive Instruction § Application Tasks § Problem-Oriented Teaching § Literature Review	Social Settings Used: Group Work	
Digital Resources	§ Reader § Practice and Application Exercises (with Key)		
Type of Instruction	Classroom Instruction	Guided Self-Study	Autonomous Self-Study
Large Class	14 h	-	
Small Class	-	-	
Group Instruction	-	-	
Practical Work	-	-	
Seminar	8 h	40 h	
Total	22 h	40 h	
Performance Assessment			
End-of-module exam	Form	Length (min.)	Weighting
Written exam	Closed book	60	50,00 %
Permitted Resources	No calculator		
Others			
	Assessment	Length (min.)	Weighting
Talk/oral presentation	Grade	20	50,00 %
Classroom Attendance Requirement	-		
Language of Instruction/Examination	German		
Compulsory Reading	-		
Recommended Reading	Reader with various articles on the selected issues (to be distributed)		
Comments	In the second half of the semester, students attend a one-day seminar with presentations and discussions.		