

## DESCRIPTION OF COURSE UNIT

1.

Course unit title	Code
Modern Legal Theory	100266

2.

Name of lecturer(s) (provid information as to how, when and where they can be in contact)	Department(s)
Coordinator: Prof. Dr. D. Beinoravičius a. o.: Assoc. Prof. Dr. E. Spruogis, Dr. J. Valčiukas	MRU LS Institute of Public Law <a href="mailto:vti@mruni.eu">vti@mruni.eu</a>
Coordinator: Assoc. Prof. Dr. T. Berkmanas a. o.: Assoc. Prof. Dr. K. Vitkauskas	VMU Faculty of Law <a href="mailto:deimante.chomiciute@vdu.lt">deimante.chomiciute@vdu.lt</a>

3.

Cycle of course unit	Level of course unit	Type of course unit
Third cycle	Not applicable	Elective

4.

Mode of delivery	Year of study and semester when the course unit is delivered	Language of instruction
Remote	I-III study year	Lithuanian, English

5.

Study requirements	
<b>Prerequisites:</b> Master's or equivalent degree	<b>Co-requisites:</b> Not applicable

6.

Recommended optional programme components
Not applied

7.

Number of ECTS credits allocated	Student's workload	Contact work hours	Independent work hours
6	162	2	160

8.

<b>Purpose of the course unit: programme competences to be developed</b>			
This subject is intended to develop legal scientific thinking and the abilities of doctoral (PhD) students to independently assimilate and deepen the knowledge of legal theory, to analyse scientific literature and be able to critically assess it, to be able to link the acquired knowledge with the knowledge of other legal sciences in order to develop systematic thinking and to raise the level of legal culture. To accumulate knowledge and skills necessary for the successful preparation and defence of the doctoral thesis.			
Learning outcomes of the programme	Learning outcomes of the course unit	Teaching and learning methods	Assessment methods
	Able to creatively apply the acquired knowledge and integrate it into one's independent study.	Independent work with recommended literature	Examination
	Has a deep understanding of modern law and its main issues.	Independent work with recommended literature	Examination
	Able to propose solutions to various issues of legal theory in a creative and reasoned manner	Independent work with	Examination

		recommended literature	
	Able to analyse and assess various texts of the legal science and practice, to use legal concepts accurately and correctly	Independent work with recommended literature	Examination
	Able to apply the principles and norms to particular factual situations, to substantiate one's position, and to provide arguments and defend one's opinion during discussions.	Independent work with recommended literature	Examination
	Able to analyse various situations in modern legal practice, to predict and describe potential legal problems, to provide grounded arguments, to create and convey new ideas or create innovative solutions to problems and situations.	Independent work with recommended literature	Examination
	Able to carry out a scientific analysis of scientific problems in legal theory and the rule of law	Independent work with recommended literature	Examination

9.

Course contents										
Topics	Contact work hours and planned learning activities							Independent work hours and tasks		
	Lectures	Consultations	Seminars	Training exercises	Laboratory work	Internship	Assessment	All contact work hours	Independent work hours	Tasks
1. Legal traditions									15	Literature analysis
2. Variety of legal concepts									40	Literature analysis
3. Law as a text and law as interpretation. Law and technologies.									20	Literature analysis
4. Sources and forms of law									10	Literature analysis
5. Legal norms in the system of social norms									5	Literature analysis
6. Legal act and its types									15	Literature analysis
7. Legal interpretation and legal reasoning									15	Literature analysis
8. Legal relationships									10	Literature analysis

9. Legal responsibility										15	Literature analysis
10. Rule of law and open (civil) society										15	Literature analysis
<b>Overall</b>		<b>2</b>					<b>2</b>	<b>4</b>		<b>158</b>	

**10.**

Assessment strategy	Weighting percentage	Period or date of assessment	Assessment criteria
Examination	100	As agreed with the doctoral student.	Detailed, correct and consistent answers provided to the examination questions, Answers are assessed on a ten-point scale. 10 points: excellent, comprehensive knowledge. Excellent understanding and use of concepts, ability to analyse them in a broader context of the subject. Original, creative and independent thinking. Excellent analytical and evaluation skills, insight. 9 points: solid, comprehensive knowledge. Excellent understanding of the materials studied, appropriate use of concepts. Original and independent thinking. Very good analytical, evaluation and synthesis skills. 8 points: better than average knowledge. Familiarisation with the mandatory materials, understanding of concepts and principles, appropriate application of concepts and principles. Good reasoning and substantiation of arguments with facts. 7 points: average knowledge, non-essential mistakes. Familiarisation of the main materials. Understanding and use of concepts and principles. Sufficiently good reasoning. 6 points: lower than average knowledge, making of mistakes. Familiarisation with the main materials. Satisfactory understanding of concepts, ability to describe the received information in own words. Focus on several aspects when analysing but inability to link them. 5 points: knowledge meets the minimum requirements. Ordinary listing of assimilated concepts, retelling of relevant text. Answer focussed on one aspect. 1-4 points: knowledge and skills do not meet the minimum requirements.

11.

#### Sources of Information for Study

1. Vaišvila A. *Teisės teorija* [Legal Theory]. Justitia, fourth edition. Vilnius, 2014.
  2. Teisės teorijos įvadas [Introduction to Legal Theory]. Vilnius: Mes, second edition, 2010.
  3. Vansevičius S. *Valstybės ir teisės teorija*. [Theory of Law and State] V., Justitia, 2000.
  4. Berkmanas T. Analogija tarp mokslo ir teisės: istoriniai ir probleminiai aspektai [The Analogy between Science and Law: Historical and Problemical Aspects]. *International Journal of Baltic Law*. Vol. 3 No. 3, 2007;
  5. Kelsen H. *Grynoji teisės teorija* [The Pure Theory of Law]. Vilnius, 2002.
  6. Hart H.L.A. *Teisės samprata* [The Concept of Law]. Vilnius, 1997.
  7. Posner R. *Jurisprudencijos problemos* [The Problems of Jurisprudence]. Vilnius: Eugrimas, 2004.
  8. Leonas P. *Teisės enciklopedija* [Encyclopedia of Law]. Vilnius, 1995.
  9. Dworkin R. *Rimtas požiūris į teises* [Taking Rights Seriously]. Vilnius: The Publishing House of the Lithuanian Writers Union, 2004;
  10. Vaičaitis V.A. *Hermeneutinė teisės samprata ir Konstitucija* [Hermeneutical Concept of Law and the Constitution]. Vilnius: Justitia, 2009;
  11. Vaišvila A. *Teisinės valstybės koncepcija Lietuvoje* [Concept of the Rule of Law in Lithuania]. Vilnius, 2000.
  12. Kūris E. Teisinė valstybė, teisiųjų sistemų įvairovė ir Vakarų teisės tradicija [Rule of Law, Variety of Legal Systems and the Western Legal Tradition]. Kn. Glyndon M.A. *Vakarų teisės tradicijos* [The Western Legal Traditions]. Translated from English by E. Kūris et al. Vilnius, 1993, P.XI-XVII.
  13. Finnis J.M. *Natural law and natural rights*. New York: Clarendon Press, 1993;
  14. Murphy, Mark C. *Philosophy of law: [the fundamentals]*. Malden (Mass.) : Blackwell Publishing, 2007;
  15. McCoubrey H., White N.D. *Textbook on Jurisprudence*. Oxford, 1999
- The list of literature is exemplary only and must be supplemented by doctoral students at their own discretion according to the topics of the subject description.

Approved by Mykolas Romeris University and Vytautas Magnus University Doctoral Committee in Law on 18 April 2024, Decision No. 10-174 (4.4 E-32002).