

The aim of the project "The concept of dilemma in legal ethics and legal ethics education", which will be developed by six-member team representing different academic centers and research approaches, is to reconstruct the concept of dilemma used in legal ethics and legal ethics education. It is difficult not to notice that in legal ethics there is no clear understanding of the concept of dilemma among legal professionals. Moreover, most lawyers, while deciding about ethical issues that appear in their practice, do not directly refer to the concept, but base on all kinds of intuitions. It is often combined with emotional and subjective approach towards problems identified during practicing their profession.

However, in ethics the concept of dilemma has a specific meaning. It encompasses situations of conflict of duties or obligations, in which the choice of one conduct necessarily involves the impossibility of different conduct and thus leads to inflicting a specific evil, and the choice of one conduct is necessary. Therefore, the situation of dilemma always involves the problem of the evil caused out of necessity and moral responsibility for it, so the problem of "dirty hands". Those are therefore types of "dead end situations" that at first sight do not have a good solution.

The appointed research team will analyze selected branches of law - civil and commercial law, criminal law, family and custody law, labor and social security law, constitutional law - in search of cases of dilemmas of lawyers. The objective of this research is to reconstruct the concept and the types of ethical dilemmas within the particular dogmas. Without a doubt, the dilemmas at the level of criminal law will look differently from those at the level of civil law. The same reasoning is true in relation with the profession practiced within the particular branch. In this case the team will identify and organize particular types of dilemmas in the context of a given branch, but for different legal professions. It is obvious that even within the same branch of law, the dilemmas of a judge will differ from the dilemmas of an advocate.

Consequently, most likely it will appear that the concept of dilemma, which is used by lawyers to express their moral experience related to the practicing the profession, is much broader than this used in ethics. Therefore, it covers not only ethical dilemmas in the strict sense of this word, but also many other situations, which seem morally difficult or doubtful for lawyers.

The project has an interdisciplinary character. Analyses of some branches of law must result in the adoption and use of number of research methods characteristic for several scientific disciplines. It is worth noting that among the examined branches of law are branches belonging to the public law and private law. In terms of the reconstruction of the concept of dilemma and its case in various branches of law, the research team will base on the analytical methods used in the theory and philosophy of law. However, in the second part of the analysis the team will use methods characteristic of meta-ethics.

The primary reason why the team recognized the necessity to undertake this analysis is a need to provide legal professionals with universal concept of ethical dilemma as mentioned above. However, in connection with the adoption of an objective in the form of presenting a continental approach to ethical dilemma by legal professionals in the culture of civil law, the research team will not only systematize ethical dilemmas appearing in various branches of law, but also reveal their differences in the two major legal systems types (civil law and common law). Ethical dilemmas of a continental lawyer practicing the legal profession can constitute an important source of knowledge and inspiration for a lawyer from another legal system.

It should be also noted that in case of realization of the project, its effects will be important not only for legal ethics understood as an area of jurisprudence, but also for teaching of legal ethics in Poland. The adoption of a certain universal model of dilemma or the mere statement of inadequacy of the current approach to problematic situations while practicing the legal profession will help to build a particular education model.

It is particularly relevant to provide basis for the implementation of so called pervasive method in legal ethics education, and take into account the issues of legal ethics in the didactics of the particular branches of law. This method is based on the assumption that dilemmas of lawyers are associated with particular branches of law and they should be presented on their grounds.