

Philosophie du droit

Lecturer

Julie ALLARD

Course mnemonic

DROI-C5103

ECTS credits

5 credits

Language(s) of instruction

French

Course period

Second term

Campus

Solbosch

Course content

This course addresses some of the major issues in contemporary legal thinking, with the aim of developing the *meta*-approach to the legal phenomenon expected of law students, mainly, as well as of students from other disciplines (philosophy, ethics). Without any claim to the exhaustiveness of a "history of ideas" type approach, it is mainly a time for debate and reflection.

Objectives (and/or specific learning outcomes)

The aim of the philosophy of law course is twofold:

- › to acquire or develop a knowledge of the main schools of contemporary philosophy of law, as well as some crucial issues in this area;
- › to develop critical thinking, through debate and writing a paper.

Teaching method and learning activities

The course, which is part of the Master's programme in law, philosophy and ethics, is built on an alternation between ex cathedra lectures and interactive sessions: four "big questions" will be successively exposed by the professor and then explored in greater depth, the following week, through a debate based on a piece of writing that the students will have read in advance.

The last three classes will be devoted to the presentation of the papers.

The oral presentation is of free format. It lasts about 10 minutes.

The papers, written in groups of four students and about 3000 words long, will consist of either a legal tale or a short essay in philosophy of law, to be chosen by each group.

The term "legal tale" means a literary and pictorial text, in a style distinct from works on positive law or philosophy, which puts the chosen question into context.

The term 'essay' refers to a classic, referenced piece of research that sheds light on the chosen question.

Whatever their form, these papers should address one of the following questions:

Is it (always) right to obey law?

Does equality require treating everyone the same way?

Is law neutral?

Does law serve social progress?

Is law just a procedure (for resolving conflicts, for making decisions)?

Is law a science, an art or a practice?

What is the ground of law?

Is certainty possible in law?

Are rights necessarily individual?

Is punishment unavoidable?

The choice of another relevant issue in philosophy of law is allowed, if validated by the professor.

References, bibliography and recommended reading

The materials discussed in class as well as other resources and references are available on the UV.

Course notes

Université virtuelle

Other information

Place(s) of teaching

Solbosch

Contact(s)

Secrétariat facultaire : 02.650.39.36, 39.37, 39.40, 39.41
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Evaluation method(s)

Group work

Evaluation method(s) (additional information)

The four members of each group will receive the same mark.

In the "legal tales", will be assessed stylistic quality and subtlety with which the conceptual questioning was narrated.

In the "essays" will be assessed : relevance of the argument and rigour in the understanding of the sources.

Determination of the mark (including the weighting of partial marks)

The evaluation will be based on the oral presentation of the work, for 5 points, and the written work, for 15 points.

Main language(s) of evaluation

French

Programmes

Programmes proposing this course at the faculty of Law and Criminology

MA-DROI | **Master in Law** | finalité Public and International law/unit 1, finalité Economic and Labour law/unit 1 and finalité Civil and Penal law/unit 1

Programmes proposing this course at the faculty of Philosophy and Social Sciences

MA-PETHI | **Master in Ethics** | finalité Professional/unit 1 and MA-PPHIL | **Master in Philosophy** | finalité Research/unit 1 and finalité Teaching/unit 1

