





5.00 credits

30.0 h

Q2

Teacher(s)	Coppens Philippe ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	The philosophy of law course analyses the main contemporary trends in legal philosophy (analytical, hermeneutic and pragmatist approaches) and in political philosophy (debates regarding liberalism - communitarianism - republicanism). First, these different approaches are analysed both with regard to their internal coherence (and, if necessary, in relation to the context of social and legal changes that are related to them) and, mainly, on the basis of their theoretical hypothesis. Second, these approaches are analysed with regard to their philosophical presuppositions and confronted with the hypothesis of "contextual proceduralisation" developed in UCL's Centre for Philosophy of Law.
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>The course is based on participatory teaching methods (learning through projects or problems, review of the relevant case-law and doctrine, debates with guest speakers, field studies ...) which allow the students to develop independently a critical, forward-looking and inventive look on public international law. Students are encouraged to participate and to get involved in learning, which has both an individual and a collective dimension.</p> <p>1</p>
Evaluation methods	Written exam
Teaching methods	The method of teaching is not uniform. But its main goal is to facilitate interactions between students and teachers. The students will have to read some materials in advance in order to participate in effective class discussions.
Content	<p>Two main problems run through the history of philosophy of law. The first one is about the nature of the norm and its relation to human action. The second problem is about the application of a norm in a particular context.</p> <p>Some questions have an epistemological dimension. For instance, what are the identities and differences between physical and practical norms, between facts and values, between free will and determinism? How can we hold that our beliefs on these topics are justified? Others are more specific to legal norms: is the validity of a legal norm always necessarily a question of legitimacy? Or is a formal concept of validity sufficient?</p> <p>The course will be trying to show how difficult it can be to separate analytically the two main problems of legal philosophy. For instance, we often don't even know the very meaning of a legal text before applying it in a particular context (a legal case).</p> <p>Students are expected to read some papers and book chapters written by some leading legal scholars and philosophers of the twentieth century: Kelsen, Hart, Dworkin, Putnam. And a special attention will be devoted to the work of Wittgenstein.</p>
Inline resources	<p>Are available online :</p> <ul style="list-style-type: none"> - A syllabus (course notes) -Articles and book chapters from legal scholars and philosophers.
Faculty or entity in charge	BUDR

Programmes containing this learning unit (UE)

Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Law (shift schedule)	DRHD2M	5		
Master [120] in Philosophy	FILO2M	5		
Master [120] in Ethics	ETHI2M	5		
Master [60] in Philosophy	FILO2M1	5		
Master [120] in Law	DROI2M	5		