

## Faculty of Law



### DROI2305 Philosophy of law

[30h] 4.5 credits

This course is taught in the 1st semester

**Teacher(s):** Jacques Lenoble  
**Language:** French  
**Level:** Second cycle

#### Aims

The aims of this course are :

- to evaluate the principal contemporary debates in legal philosophy (definition of the concept of law) and in political philosophy (debate concerning theories of liberalism and fundamental rights)
- to put these debates into perspective with contemporary debates in social science

#### 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.

#### Content and teaching methods

The main approaches in legal philosophy that are analysed are related to the debate between Hart, Dworkin and Coleman. The main theories in political philosophy that are developed are Taylor's, Kymlicka's and Renaut's political philosophy. Teaching is based on articles distributed to the students at the beginning of the academic year. Thus, the method consists in working on the basis of texts and in encouraging students to reflect on the issues raised.

#### Other information (prerequisite, evaluation (assessment methods), course materials recommended readings, ...)

The course material comprises a set of articles that are representative of the different theoretical approaches analysed during the course. These articles are either in English or in French.

Two forms of assessment are offered :

- either assessment is based on students' personal work (written paper or oral presentation in front of the class) on a topic determined by the student in consultation with his/her professor.
- or assessment is by written examination (2 hours), which aims to test the students' understanding of the most important conceptual tools used in the course to reconstruct the issues in major contemporary debates in legal and political philosophy.