

8.00 credits


90.0 h

Q1 and Q2

Teacher(s)	Hachez Isabelle ;Van Drooghenbroeck Sébastien ;Vander Putten Norman (compensates Hachez Isabelle) ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>At the end of the course, and in accordance with its content, the student must be able to define a number of basic legal concepts, to describe and identify the different legal orders, to explain the links between them, to list the various formal legal sources forming those legal orders and to outline the main principles meant to ensure consistency between them.</p> <p>In line with the course's introduction, the student must also be able to take a broader perspective on the course, and be capable of identifying, theoretically or based on textual excerpts, the different ways of addressing the law (the judge's or the legal literature's point of view as well as the legal science's (interdisciplinary) perspective. The student must also be able to determine whether a norm belongs to a specific legal order, based on the analytical framework developed by legal theorist H.L.A. Hart (distinction between primary and secondary rules, and in particular, among the latter, rules of recognition). In addition to the above, and finally, the student will have to assess, in a critical manner, the relevance of such inventory of the formal legal sources, as proposed by the teachers, with regards to the usual meaning conventionally attributed to that concept.</p> <p>More generally, the emphasis is placed on both legal language and legal reasoning. The student must conform to the requirements of accuracy and preciseness, inherent in the study of the law, and understand the nuances and various interpretations that can be given to the law (the answer is seldom black and white, but is rather to be found in a shade of grey). Furthermore, the student must be able to both understand and set out the legal reasoning, based on normative instruments, excerpts of legal literature, case-law and examples. In that perspective, the handling of legal texts compilations is crucial: the student must be able to find the relevant legal provision in support of his/her argument, and to distinguish between what is stated in the text and the critical commentary made by the teacher. The reading of the case-law is also of prime importance: the student must be able to identify the key conclusions to be drawn from such decisions and understand the reasoning supporting the judge's findings, without confusing it with the parties' arguments. On top of assessing the correct understanding of the lectures' content, the teachers will evaluate the student's command of legal methodology. Finally, the student must be able to solve simple problems in relation to the theory taught during the lectures, in order to demonstrate his/her genuine understanding of the course's content.</p>
Evaluation methods	<p>At the end of the first term, the exam is written. It includes application and definition exercises.</p> <p>At the end of the second term, and in the second session, the examination comprises a written part (application and definition exercises), and an oral part. Each part counts for half of the exam.</p> <p>At the examination (January, June, August), students are provided with their own codes and annexes, which may only be "annotated" within the strict limits indicated in the first syllabus.</p>

<p>Teaching methods</p>	<p>The teaching will be ex-cathedra, which does not prevent some degree of interaction between the teacher and the students, resulting from the questions asked to or by the audience.</p> <p>The floor will be given twice to guest lecturers (see above), which is also likely to encourage student interaction with the outside world, as time will be provided for debate at the end of each presentation.</p> <p>Moreover, teachers stand available to students to answer their questions between classes and at the end of each lecture. In parallel, the mentoring sessions (which are taught by a team of three assistants, in dialogue with the teachers) provide students with the opportunity to ask any questions related to the course. Strictly speaking, the content of these sessions is not subject to examination (however, it is intended to facilitate the understanding of what has been taught during the lectures). In any event, what is taught during the lectures prevails.</p> <p>For some parts of the course, the normative texts and case law discussed are displayed on a screen, which allows the teacher to precisely point out the important word(s) throughout the lesson and when asking questions to the students.</p> <p>In connection with the above, the course's syllabuses usually spell out the questions related to the courts' decisions and the other legal documents included in the annexes, in order to enable students to read those annexes prior to the lecture during which they will be commented upon.</p> <p>A few lectures are also devoted to practical exercises, designed to verify the correct understanding of the course.</p> <p>In line with this, one cannot overstate the added value of the lectures compared to the syllabuses. These syllabuses purportedly do not contain the commentary of the annexes (case law and other normative acts), which is only given during the lectures but is part of the examination material. More fundamentally, the syllabuses are intended to provide support for the lectures; they are an accessory for the lectures, and not the opposite. To be clear again, the examination material is what is taught during the lectures: everything that has been said orally may be subject to an examination question, and what is said during those lectures necessarily varies (in larger or smaller proportions) from one year to another depending on the questions asked by the audience or on the difficulties to understand a particular topic, or even on the current news events. Year after year, the exam questions - whether written or oral - are reviewed by the teachers in order to stick to the course material as it has been taught during the semester or year concerned.</p> <p>During on of the last lecture of the first semester, the teachers will explain to the students (sometimes on the basis of previous examination questionnaires) the types of questions they will face at the exam. Some of those questions will already have been announced and solved with the audience during the first semester.</p> <p>Finally, as we already clarified above, the last class of the course will host all the first year teachers. In order to highlight the complementarities of the various subjects taught during this first year, they will compare and adjust their perspectives as lawyers, historians, psychologists, sociologists, etc. on the topic of disability, the figure of the foreigner and the Migratory Pact, the Covid crisis, The content of this last course forms an integral part of the examination material</p>
<p>Content</p>	<p>This course aims to give to the student a global view of the legal phenomenon and to help him/her familiarise with fundamental legal concepts required to study further different legal subjects (for example : "droit objectif", droit subjectif", legality, enforceability, direct effect, legal personality, law, norm, statute, regulation,...). This course is an introduction to other classes such as constitutional law, EU law, contract law, procedural law, etc. Just like a real estate agent who organises a visit of the building he wants to let or sell, our mission is to guide the student through the legal system, to give him/building a general overview of the "law's building process", whereas every room of this construction will be further detailed by other teachers.</p> <p>In practical terms, the course is divided into five parts: the legal rule from the "objective law" point of view (part I); persons and their "subjective rights" (part II); legal orders (part III); the interactions between legal orders (part IV); introduction to the judicial power and private procedural law (part V). The third part, which is the largest one, contains two chapters: national legal orders (chapter I) and international legal orders (chapter II). The first one is about the Belgian legal system but it also provides a short introduction to comparative law and legal families.</p> <p>Although it mainly is a legal course designed to describe and explain the legal system based on positive legal rules, this course is also open to other disciplines, in line with the interdisciplinary approach which characterises the law faculty of Saint-Louis University.</p> <p>This opening to other social sciences is mostly to be found in the course's introduction, which we consider a crucial part because it contains all the fundamental concepts developed in the subsequent sections of the course, while also underlining how these concepts are linked to each other and can be approached under different angles. Therefore, although the course focuses afterwards on formal sources (namely the different ways to elaborate the law: the legal "vehicles", such as the Constitution, statutes, decrees,...), the introduction will develop the notion of material sources (the origin of the legal rule according to its content): in this context, regard will be had to the ethical, psychological, sociological, economical, political grounds that underpin any legislative change. In the same vein, the course's introduction also emphasises the relative autonomy of the law: if the law is meant to regulate society, it cannot ignore the factual data essential to the social life and the values accepted by society. Finally, a full chapter of the introduction is dedicated to the different ways of addressing the law (the internal point of view used by the legal scholars and the case-law; the external point of view adopted by other social sciences; and the "moderately open internal point of view" which will be adopted by a professor or an author when studying the law in an interdisciplinary perspective.</p> <p>Such an interdisciplinary opening can also be found in the third part of the course dedicated to the Belgian legal order. After examining the adoption process of a statute from a strictly legal point of view based on the relevant legal texts (who is the author of a statute? When does the Legislation Section of the Council of State have to be consulted? Etc.), the word would be given to guest lecturers.</p> <p>In a less ambitious way, we could also see an interdisciplinary opening in the part of the course dedicated to the explanation of the different fields of law and to the way these fields apprehend differently the same legal concepts</p>

	<p>(we will examine a decision of the Belgian Supreme Court in this regard). There is also an interdisciplinary opening in the (small) comparative law part of the course.</p> <p>Finally, the last lecture of the year will gather different teachers to discuss and confront their views about one thematic (disability, the figure of the foreigner and the Migratory Pact, the Covid crisis, ...), in order to show the complementarities of the points of view of the jurist, the psychologist, the sociologist, etc. on one particular topic.</p>
Bibliography	Aucun
Other infos	The course materials are: the syllabuses and the notes taken during the lectures, the "syllabus d'annexes" (a compilation of texts related to each syllabus), the "Code Bac Saint-Louis" (or another collection of up-to-date normative texts).
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	DROB1BA	8		
Bachelor in Law French-English (and French-English-Dutch)	DRAB1BA	8		