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2.00 credits

30.0 h

Q1

Teacher(s)	Frison Christine ;Romainville Céline ;Sibony Anne-Lise ;
Language :	French
Place of the course	Louvain-la-Neuve
Prerequisites	French. Passive knowledge of English and Dutch is necessary for reading texts in English and Dutch.
Main themes	<p>The aim of this course is to introduce students to the methodologies of legal research in order to prepare them for the dissertation seminar and their final dissertation. After a general introduction explaining why it is important to learn about legal research methods, we will cover the following points:</p> <p>What are the main theoretical trends in law (legal positivism; natural law; realism and sociology of law; critical theory of law; etc.)?</p> <p>What are the different legal research methodologies? Positivist methodology; empirical methodology (quantitative or qualitative: surveys, interviews, focus groups, participant observation, etc.); methodological pluralism; comparative approach; interdisciplinary approach, etc.</p> <p>How do you formulate an original and relevant research question?</p> <p>How do you choose a research methodology suited to your research question and apply it scientifically and rigorously?</p> <p>How to carry out exhaustive documentary research, including sources of international and foreign law, using the relevant databases?</p> <p>How do you write a solid argument, following a well-structured plan, in order to answer your research question as convincingly as possible?</p> <p>Is there such a thing as scientific neutrality? If not, what are the criteria for scientific recognition?</p> <p>What ethical criteria must research meet? How can these ethical criteria be respected?</p> <p>How should references be written to meet the requirements of legal methodology, including international and foreign sources and sources from disciplines other than law?</p> <p>How should a complex bibliography be structured, involving a large number of references and a diversity of types of sources?</p> <p>As these elements cut across all legal disciplines, mastering them is an essential part of training lawyers.</p>
Learning outcomes	
Evaluation methods	Assessment will take the form of MCQs. Sample questions will be provided during the semester.
Teaching methods	<p>This course is based on an active teaching method with a strong interactive and practical dimension. Students participate actively in three ways:</p> <ul style="list-style-type: none"> • by taking part in class discussions based on compulsory readings (class sessions) • by carrying out practical activities alone, in pairs or in small groups, in class (practical sessions) or between classes. These exercises will enable you to put into practice the different methodologies seen in class. • by correcting exercises carried out by another student using a correction grid that will be provided.
Content	<p>The course consists of 4 modules.</p> <p>The first module, taught by Céline Romainville, aims to map out different ways of 'doing law': producing rules, interpreting them, applying them, and analysing them. Naming these activities helps to distinguish the different postures that lawyers can adopt. It also calls into question the idea of 'neutrality'. These distinctions further aim to identify the different ways of 'doing legal research'. Different research positions are introduced through examples of doctrinal analysis, legal theory, legal philosophy and interdisciplinary approaches.</p> <p>The second module, taught by Christine Frison, aims to enable students to become aware of the work involved in developing a research question by explaining its various aspects. Seven elements will be covered in turn, each using examples and exercises:</p> <ol style="list-style-type: none"> 1. Identifying a research theme 2. Formulating a good research question 3. Choosing a theoretical framework 4. Devising your working hypothesis

	<p>5. Choosing a methodology 6. Assembling your research material 7. Defining the scope of the research</p> <p>In this module, students are not asked to produce a research note containing these various elements. They will have to identify one in the thesis seminar during the second term. The aim is to grasp what these stages mean in concrete terms. This will be achieved by actively observing authors' writings and using a guide that we will provide.</p> <p>The third module, taught by Anne-Lise Sibony, will be devoted to introducing interdisciplinarity. The starting point will be the question 'What can lawyers use contributions from other disciplines for?' Drawing on the knowledge acquired in the first two modules and the guidance provided in the third part of the course, students will read interdisciplinary scholarship and be guided to identify postures, research questions, methods and tools that can be used by legal scholars. Examples will be drawn from the economic analysis of law, the behavioural analysis of law and empirical legal studies. Other interdisciplinary areas may be covered, depending on academic guests of the Louvain Global College of Law and the Doctoral School.</p> <p>Finally, the fourth module is dedicated to writing. This is a unique opportunity to discover how to use AI to improve your writing skills. This will be invaluable in particular for the research note (work on the dissertation support seminar in Q2) and, of course, when writing the dissertation itself. This module is organised in partnership with the team responsible for the 'Planning, writing and revising academic writing' research project. Some writing tips will be offered during the course. Students will have to complete learning activities online. These must be completed in order to register for the exam.</p>
<p>Inline resources</p>	<p>Students will have online access to various readings for this course: books to which the library provides electronic access and articles posted on Moodle.</p> <p>Module 4 (Writing) will take place entirely online.</p>
<p>Bibliography</p>	<ul style="list-style-type: none"> • Ch. Jamin et Ph. Jestaz, La doctrine, Dalloz, Coll. Méthodes du droit, Paris 2004 • H. Dumont, A. Bailleux, "Esquisse d'une théorie des ouvertures interdisciplinaires accessibles aux juristes", Droit et Société, 75/2010, pp. 275 et seq. • V. Champeil-Desplats, Théorie générale des droits et libertés, Paris, Dalloz, 2019 • V. Champeil-Desplats, Méthodologies du droit et des sciences du droit, Paris, Dalloz, 2022 • O. Corten, Méthodologie du droit international public, Brussels, Editions de l'ULB, 2009. • L. Kestemont, Handbook on legal methodology: from objective to method, Intersentia, 2018 (accessible via StradaLex) • M. Van Hoecke, "Preface" and "Legal Doctrine: Which Method(s) for What Kind of Discipline?", in M. Van Hoecke (ed.), Methodologies of Legal Research: what kind of method for what kind of discipline?, Hart Publishing, 2013, pp. 1-18. • Uwe Kischel, Comparative Law, OUP 2019
<p>Other infos</p>	<p>The main aim of this course is to better equip students for the dissertation support seminar and the dissertation itself. In this sense, the assessment of learning from this course will be fully realised during the assessment of the research note (at the end of the dissertation support seminar) and the dissertation itself. The MCQ is designed to assess the acquisition of a basic foundation that will be put to good use later on.</p> <ul style="list-style-type: none"> • Plan for reading time (knowing that you may need more time for readings in English or Dutch) • Read the assigned materials very carefully • Come to class (both lectures and practical sessions) • Be prepared to participate in class discussions and practical exercises. • Read critically and think comparatively: write down the questions you would like to raise in class and think critically about the sources and arguments analysed. Are the arguments convincing or not? Why or why not? • Engage in discussions with colleagues outside the classroom, help each other.
<p>Faculty or entity in charge</p>	<p>DRT</p>

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Law	DROI2M	2		