

4.00 credits



30.0 h

Q1

Teacher(s)	Bernard Diane ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Prerequisites	<i>The prerequisite(s) for this Teaching Unit (Unité d'enseignement – UE) for the programmes/courses that offer this Teaching Unit are specified at the end of this sheet.</i>
Main themes	<p>This course explores the major currents of legal theory and examines both classical and contemporary issues that this discipline helps illuminate. Topics may include questions such as#: Why do we obey the law? What makes certain subjective rights «#fundamental#» beyond their constitutional recognition? To what extent could artificial intelligence replace judges? Should law be considered effective in combating racism and sexism, even though their legal prohibition has not (yet) led to their eradication?</p> <p>The course directly complements the study of positive law – by critically examining its foundations and practices – and draws on various non-legal disciplines to enrich legal thinking. It also serves as a preparatory foundation for the legal theory seminar, equipping students with both theoretical tools and intellectual reflexes essential for developing robust conceptual analysis.</p> <p>Assessment is continuous throughout the semester; therefore, there is no final exam during the first session.</p> <p>In all these respects, the course is fully aligned with the Faculty of Law's Manifesto and the academic tradition specific to Saint-Louis.</p>
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>This course contributes to the development and acquisition of the following competencies (as defined in the program's learning outcomes framework, cited in quotation marks).</p> <p>1 Acquiring «#general knowledge#» : by the end of the course, students will be familiar with the main currents of legal theory, its distinctiveness compared to other disciplines, and its relevance for addressing various contemporary issues, which will also be explored throughout the course.</p> <p>2#Acquiring «#specific legal knowledge#», particularly the ability to «#understand law as a system#» and to «#critically#» «#analyse#» the law «#through a grounding in the philosophy and theory of law#» : by the end of the course, students will be able to conceptualize the legal system from multiple theoretical perspectives and critically reflect on the axioms and practices of contemporary law.</p> <p>3 Developing «#the skills required for analysis, reflection and argumentation based on concrete situations#» : students will be able to formulate conceptual questions about positive law, justify their methodological choices and hypotheses using legal thought as well as insights from other disciplines, and provide structured responses to fundamental questions relevant to any legal practitioner.</p> <p>4 Acquiring «#high-level written communication skills in French#», as students will be required, in several reflective assignments, to «#communicate#» a line of reasoning and «#defend it convincingly#», drawing on concepts presented in class and other sources.</p> <p>5Additionally, this course aims to foster certain «#transferable skills#», particularly time management (as assessment is continuous), the ability to organize group work within a short timeframe and in a respectful manner (for the submission of three written assignments), and the appropriate use of diverse sources.</p>

<p>Evaluation methods</p>	<p>In this course, assessment takes place throughout the semester. There is therefore no final exam in January ; the modalities differ in the second session (and are detailed below).</p> <p>In the first session, students are assessed on three occasions.</p> <p>Each of these three assessments consists of two stages, focusing on the portion of the material just covered in lecture: the first four classes (for Evaluation I), the next three (for Evaluation II), and the final three (for Evaluation III).</p> <p>First, an individual multiple-choice test is designed to evaluate Learning Outcomes 1 and 2 (acquiring general knowledge and specifically legal knowledge), as well as, to some extent, Outcome 5 (planning one's work). Completed in the lecture hall with only a pen, this test lasts 30 minutes and is graded out of 20 points.</p> <p>Next, students are given an analytical or conceptual question and have approximately one hour (until the end of the class) to respond with a one-page written answer, in groups. Groups consist of 5 to 10 students and are freely formed by the students, who must register their composition on <i>moodle</i> by 4pm the day before the test. However, the professor may modify or complete the group composition up until the start of the assessment. Groups may differ across the three assessment dates.</p> <p>This second, collective and forward-looking stage of the assessment is intended to evaluate all learning outcomes, particularly Outcome 3 (developing analytical, reflective, and argumentative skills based on concrete situations), Outcome 4 (mastering written communication), and Outcome 5 (organizing collaborative work). Accordingly, the submitted assignments will be assessed both for content and form: students must present a coherent and well-structured legal theory argument, which may consist, depending on the question(s), of several precise answers or a single development addressing a broader issue.</p> <p>Preparation for these responses may take place in the lecture hall or elsewhere; it is conducted on an open-book basis. No additional research beyond the course is required, though other sources may be used if properly cited. The final document, submitted via <i>moodle</i>, is graded out of 10 points. All group members receive the same grade, but at least one argument in the response must be explicitly attributed to each individual.</p> <p>In keeping with the spirit of continuous assessment, attendance at these evaluation sessions is mandatory, for both the individual test and the group assignment, so for all activities scheduled on the three announced dates. A justified absence, in accordance with faculty regulations (e.g., a medical certificate submitted in line with the RGEE), is permitted: in such cases, the final grade will be based on the other two assessments. However, an unjustified absence or more than one justified absence results in a failing grade for the first session (OA) and automatic referral to the second session.</p> <p>In the second session, continuous assessment is no longer possible, but the same competencies must be acquired. Regardless of whether students participated in any first-session assessments (no grades are carried over), they are evaluated on two bases.</p> <p>First, an exam is held during the August session; in the form of a multiple-choice test, it covers all material presented in lectures and primarily targets Learning Outcomes 1 and 2. It is graded out of 20 points.</p> <p>Second, a reflective assignment is prepared remotely, on an open-book basis, by groups freely formed but consisting of at least two students. The assignment addresses a question provided by the professor in the second term and targets Learning Outcomes 3, 4, and 5. It consists of a legal theory-based reflection, approximately 5,000 words in length (about 10 pages), and must be original (i.e., clearly the work of the students who wrote it) and meet academic standards (including proper referencing). This assignment is graded out of 10 points; all group members receive the same grade, but at least one argument must be explicitly attributed to each individual in the text.</p> <p>For the 2025-26 academic year, the submission deadline for this assignment is Friday, 14 August at 23:59pm. This deadline is fixed : a penalty of 2 points per 24 hours of delay will be deducted from the grade. If the assignment is submitted more than five days late, not submitted at all, or does not constitute a genuine academic work, the final grade for the course will be OA.</p> <p>For all reflective assignments, whether in the first or second session, students must comply with all academic standards and applicable regulations, including the Code d'éthique et de déontologie applicable aux utilisateurs et utilisatrices des services de l'information de l'UCLouvain and the faculty note titled « Utilisation responsable de l'intelligence artificielle générative ». Students must therefore sign the required « Engagement d'intégrité » for all written work.</p>
<p>Teaching methods</p>	<p>Given the objectives of this course, several teaching methods are employed.</p> <p>Lectures aim both at conveying foundational knowledge in general legal theory and at demonstrating – through examples – how a conceptual, critical, and interdisciplinary approach can help illuminate the legal phenomenon. Attendance at these lectures is strongly recommended.</p> <p>The course materials made available on <i>moodle</i> are not mandatory: students' personal notes may suffice. In fact, such notes will usefully complement the slides and the syllabus, which present the course outline in a concise but non-exhaustive manner.</p> <p>Continuous assessment is also a key component of the course, requiring students to engage actively at three points during the semester. On each of these dates, students will complete an individual written test assessing their theoretical knowledge, followed by a collaborative reflective assignment on the same material, designed to evaluate their ability to formulate and analyze legal problems. Participation in all three assessment sessions is mandatory. Both the course and the assessments are held on university premises.</p>
<p>Content</p>	<p>This course approaches legal theory from an interdisciplinary perspective, rooted both in legal tradition and contemporary issues. It draws on various non-legal disciplines as well as classical conceptions of law to examine key questions faced by 21st-century legal practitioners.</p> <p>Given the nature of the course, particular emphasis will be placed—both in the content and in the expectations regarding student work—on “meta-level” reflection, characteristic of legal theory. This distinguishes it from courses in positive law and those strictly belonging to non-legal disciplines.</p> <p>For the academic year 2025–2026, the course will be structured as follows:</p>

	<ul style="list-style-type: none"> • 17 September: Legal theory – a distinctive approach to the legal phenomenon • 24 September: The ritualization of legal procedures and spaces • 1 October : Obedience (and disobedience) to legal rules • 8 October: Goals, functions, and effects of criminal law in response to the most serious crimes • 15 October: Evaluation I • 22 October: The fundamental nature of fundamental rights • 5 November: (New) legal subjects • 12 November: Judicial power (I. Rule of law) • 19 November: Evaluation II • 26 November: Major conceptions of law (I – Natural law and legalism) • 3 December: Major conceptions of law (II – Realism and critical approaches) • 10 December: Judicial power (II. Legal interpretation) • 17 December: Evaluation III
Inline resources	<p>The course materials (a concise syllabus and lecture slides) are available on <i>moodle</i>.</p> <p>Group compositions and assignments to be submitted must also be uploaded on <i>moodle</i>.</p>
Bibliography	<p>Les éléments bibliographiques pertinents sont indiqués dans les supports de cours.</p>
Other infos	<p>A strong command of French is required to follow this course.</p> <p>In order for the results obtained throughout the semester to be officially recorded and communicated to students, the course will be formally listed in the January examination session, although no exam will be held at that time.</p>
Faculty or entity in charge	<p>DRTB</p>

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law (shift schedule)	DRDB1BA	4		
Bachelor in Law	DROB1BA	4	BFILO1116 AND BDROI1212	
Bachelor in Law French-Dutch (and French-Dutch-English)	DRNB1BA	4	BFILO1116 AND EMHUB1280	