

Theories and Methods of Law

Single subject and programme course

12 credits

Rättsteori och rättsteknik

747G27

Valid from: 2020 Autumn semester

Determined by
Course and Programme Syllabus Board
at the Faculty of Arts and Sciences

Date determined
2007-06-04

Revision date
2016-05-19; 2020-06-26

Main field of study

Commercial Law

Course level

First cycle

Advancement level

G1N

Course offered for

- Bachelor's Programme in Commercial and Business Law
- Bachelor's Programme in Commercial and Business Law with focus on Europe, French
- Bachelor's Programme in Commercial and Business Law with focus on Europe, German

Entry requirements

General entry requirements for undergraduate studies
and

Mathematics and Social Studies corresponding to the level in Swedish upper secondary education (Matematik 3b/3c, Samhällskunskap 1b/(1a1 and 1a2)
and

English corresponding to the level of English in Swedish upper secondary education (Engelska 6)

Intended learning outcomes

On completion of the course, the student should, at a basic level, be able to

- account for the special character of the legal argumentation,
- account for the relationship between value theory and legal argumentation,
- demonstrate knowledge of the structure of the legislative process and products at different points,
- demonstrate knowledge of where judicial material can be found with the help of information technology,
- use both legal working material, for example legal rules and preparations, and legal practice,
- correctly refer to relevant judicial material,
- demonstrate legal argumentation ability,
- identify and analyse underlying basic assumptions in legal argumentation,
- reflect on conclusions of results from both interpretation of the law and case analysis as adjudication.
- account for the fundamental features of the European legal tradition and in Swedish constitutional history.

Course content

The legal method part of the course contains lectures about division of areas of law, the structure and the legal sources of the legislative process, as well as exercises to utilise a library and there occurring aids, such as classification system, register, bibliographies and searching in databases.

The legal theory part of the course covers questions about interpretation of legal sources and questions about the role of ethics in legal argumentation. Also studied is environment law and positivistic theories of the law as well as the state and sovereignty concept, the justice concept in classical and modern discussion. This part provides insights in legal history concerning the above mentioned questions.

Teaching and working methods

The teaching partly takes the form of lectures, partly the form of seminars. The lectures supplement the reading list. The student should write a minor essay on a subject given by the teacher before every second seminar, and have prepared a review of a minor essay before every second seminar. The writing and preparation of the public discussion takes place with other students in small groups. At least one minor essay is written individually, however, and a minor essay is prepared for an individual public discussion. The student is also expected to study independently, individually or in groups.

Examination

The course is examined through active participation in the seminars and through writing and review of a minor essay for these, and through a written examination.

If the LiU coordinator for students with disabilities has granted a student the right to an adapted examination for a written examination in an examination hall, the student has the right to it. If the coordinator has instead recommended for the student an adapted examination or alternative form of examination, the examiner may grant this if the examiner assesses that it is possible, based on consideration of the course objectives.

Students failing an exam covering either the entire course or part of the course twice are entitled to have a new examiner appointed for the reexamination.

Students who have passed an examination may not retake it in order to improve their grades.

Grades

Three-grade scale, U, G, VG

Other information

Planning and implementation of a course must take its starting point in the wording of the syllabus. The course evaluation included in each course must therefore take up the question how well the course agrees with the syllabus.

The course is carried out in such a way that both men's and women's experience and knowledge is made visible and developed.

Department

Institutionen för ekonomisk och industriell utveckling