The Philosphy of Law

Academic Year: (2019 / 2020) **Review date: 12-01-2020**

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: CUENCA GOMEZ, PATRICIA

Type: Compulsory ECTS Credits : 3.0

Year : 4 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Theory and Sociology of Law

OBJECTIVES

1.- Knowledge of the differences and points of contact between the Philosophy of Law, the Science of Law and Law Sciences.
2.- Awareness of the necessary interdisciplinary view of the legal problems.
3.- Proper understanding of the different conceptions of the legal phenomenon and the importance of adopting each of them with respect to philosophical and legal issues discussed in the course.
4.- Ability to use the principles and values as working tools in the interpretation of law, as well as a critical awareness of them.
5.- Critical awareness of legal analysis and development of legal dialectic.
6.- Knowledge and analysis techniques that allow rational debate of controversial issues of law that are of major importance from the ethical point of view.

DESCRIPTION OF CONTENTS: PROGRAMME

1.- The meaning of Philosophy of Law
2.- Legal Positivism and postpositivism
3.- Constitutional Democray and adjudication
4.- Problems of legal ethics

LEARNING ACTIVITIES AND METHODOLOGY

The teaching methodology will include:
1.- Lectures (large group) (see the course schedule): it will be explained each of the agenda items of the subject, delving into those issues that, considered most important or difficult, deserving of wider attention. To facilitate the student's work the professor will locate in Aula Global materials considered appropiate.
2.- Practical classes (small group) (see the course schedule): in them, proceed to delve into different aspects of the program through the resolution of practical cases, texts comments, etc..To facilitate the student's work the professor will locate in Aula Global materials considered appropiate.
3.- Each professor will indicate the corresponding tutorial schedules.

ASSESSMENT SYSTEM

The final note in the ordinary call will be reached of the following way: 60 % continuous assessment; 40 % final examination. Every teacher will indicate the criteria and modalities both of continuous assessment and of final examination.
Regardless of the percentages allocated to continuous assessment and the final exam, the student, in order to pass the course, you must obtain a minimum score of 3 out of a maximum of 10 on the final exam.
The extraordinary call will consist in a written exam in which students will be able to obtain the 100% of the mark if the did not do the continuous assessment (or if taking into account the continuous assessment does not improve the mark of the exam).

% end-of-term-examination:	40
% of continuous assessment (assigments, laboratory, practicals…):	60

BASIC BIBLIOGRAPHY

- DIAZ, E. Curso de Filosofía del Derecho, Marcial Pons, 1998
- DIAZ, E. Sociología y Filosofía del Derecho, Tecnos, 1984
- FERNÁNDEZ, E. Teoría de la justicia y derechos humanos, Debate, 1984
- FERNÁNDEZ, E. Estudios de Etica Jurídica., Debate, 1990
- GONZÁLEZ VICEN, F. Estudios de Filosofía del Derecho., Universidad de La Laguna, 1979
- PECES-BARBA, G. Introducción a la Filosofía del Derecho. , Debate, 1983
- PECES-BARBA, G.: Diez lecciones sobre Ética, Poder y Derecho, , Dykinson, 2010