

Course: Theory of Law and Methodology of Legal Research		
Professor: Marko Božić, Assistant Professor Aleksa Radonjić		
Course type: mandatory		
ECTS: 12		
Prerequisite: None.		
Course Description Theory of Law makes students aware of the relativity of the legal concepts and of different scholarly approaches to main problems of legal science. The idea of the subject is to develop the ability of critical thinking and to get PhD students familiar with the use of basic methods of legal research and scholarly writing.		
Learning outcomes Expected outcome of this subject is two folded. Its first aim is to improve PhD students' capability to discern scholarly controversies and to advance their ability to interpedently resolve the legal problems by using all those methodological skills and technics that they have been thoughted during the lecturers. Secondly, the goal of the subject is to prepare PhD students for writing scholarly works as well as for public speaking and defending their PhD thesis.		
Topics: <ol style="list-style-type: none"> 1. General Theory of Law – Law as a science. Legal and Scientifical reasoning. 2. Natural Law Theories – Idealism in Law. A historical perspective (From Sophocles' Antigone to Human rights) and contemporary critics. 3. Social Law Theory – Law as a social phenomenon. Historical perspective (from Sociology of Law to Marxism) and contemporary critics. 4. Legal Normativism – Law as an autonomous system of norms. Historical perspective (Hans Kelsen's Pure Theory of Law) and contemporary critics. 5. Legal Realism – Law as a court ruling. Historical perspective (from Alf Ross to Michel Troper) and contemporary critics. 6. Analytical theory of Law – Law as a legal discourse. Historical perspective (Herbert A.L. Hart and Norberto Bobbio) and contemporary critics. 7. Topic – Law as an argumentation. Historical perspective (Viehweg and Perelman) and contemporary critics. 8. Theory of world system and General Theory of Law – The Rule of Law and Dynamics of Capitalism. 9. Legal writing – Use of sources and literature. 10. Legal writing – Methodological framework of scholarly article. 11. Legal writing – Structure of a scholarly article. 12. Legal writing – Scholarly style. 13. Writing of a research project. 14. Addressing to conference. 15. A workshop. 		
Recommended reading Students taking the course in English will be provided with a list of recommended reading.		
Number of classes 6 (a week)	Teaching: 4	Students'individual research: 2
Teaching Methods Interactive lecturers as a main model of teaching work (student presentations and discussion forums included), followed by two hours of practical workshop aiming at developing the ability to recognize, explain and use legal arguments in scholar texts and		

debates. The idea of the subject is to advance students discursive and cognitive skills throughout individual research tasks and projects.

Grading

The final grade consists of the points (max. 100) achieved by completing a research project (30) and the final written exam (70).