UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

# COURSE SYLLABUS

## Philosophy of Law - A-L

**2324-2-A5810006-AL**

### Learning objectives

The course's learning objectives are:

to learn different theoretical approaches to 'Law';

to learn to critically deal with different theoretical legal currents;

to learn the various linguistic theories of law and their implications for the legal sphere;

to learn to correctly use definition as a linguistic tool;

to learn to reason about and reflect on terms, meanings, and functions of legal language;

to learn to use linguistic, logical, and analytical tools in order to define, interpret and knowingly deploy legal notions;

to learn and analyze features and problems of the legal order;

to learn to argue and justify positions as regards legal solutions in every practical context.

to understand the relationship between law and morality as well as between, science and technology

to promote. critical thinking

### Contents

The course focuses on the analysis of conceptual tools elaborated by the philosophy of law inspired by the legal-positivist and analytical-linguistic approach. After clarification of nature and function of the philosophy of law, of its

role in the education of jurists and after an overview of linguistic theories, the course will focus on the investigation of important theoretical contributions on the part of the philosophy of law inspired by the legal-positivist and analytical-linguistic approach to the analysis of the concept of law and of other fundamental legal concepts as well as to those operations on the part of jurists in order to interpret and produce law. Particular attention will be paid to the analysis of the constitutional rule of law and to the relationship between law and morality as well as between law, science, and technology.

## Detailed program

Philosophy of law is philosophy which has law as the object of its studies. There are different approaches to philosophy of law based on the general distinction between analytic philosophy and synthetic philosophy.
The course focuses on the analysis of conceptual tools elaborated by the philosophy of law inspired by the legal-positivist and analytical-linguistic approach. After clarification of nature and function of the philosophy of law, of its role in the education of jurists and after an overview of linguistic theories, the course will focus on the investigation of important theoretical contributions on the part of the philosophy of law inspired by the legal-positivist and analytical-linguistic approach to the analysis of the concept of law and of other fundamental legal concepts as well as to those operations on the part of jurists in order to interpret and produce law. Particular attention will be paid to the analysis of the constitutional rule of law and to the relationship between law and morality as well as between law and science. In order to allow students to develop the ability of critical thinking, that is, the ability to judge and discern when making individual and collective choices, the characteristics and modality of rational discussion and argumentation will be constitutive part of the course.
The course is in Italian

## Prerequisites

Good knowledge of the Italian language, legal knowledge acquired during the first year of the Master Degree.

## Teaching methods

-E-learning platform

-Powerpoint presentations

-Explanation of the analysis of language and of legal language, of the main legal concepts, of use of definition by means of concrete examples to be discussed during the class.

## Assessment methods

**Assessment criteria will include:**
oral exam: knowledge of the contents of the course. Assessment will include evaluation of the ability to relate arguments, critical-thinking and the technical-linguistic quality

## Textbooks and Reading Materials

**Textbooks for preparing the exam:

1) C. S. NINO, Introduzione all’analisi del diritto, Giappichelli, Torino, 1996, chapters 1, 2, 4 and 5;

2) N. BOBBIO, Teoria generale del diritto, Giappichelli, Torino, 1993 chapters from 1 to 4 of the second part of the volume;

3. S. SALARDI, Discriminazioni, linguaggio e diritto. Profili teorico-giuridici. Dall'immigrazione agli sviluppi della tecno-scienza: uno sguardo al diritto e al suo ruolo nella società moderna, Giappichelli, Torino, 2015, chapters 1 and 2.

4)S. SALARDI, Intelligenza Artificiale e semantica del cambiamento: una lettura critica, Giappichelli, 2023, chapters from 1 to 3.

## Sustainable Development Goals

PEACE, JUSTICE AND STRONG INSTITUTIONS