



LL.M. Legal Theory 2020-21

Provisional Master Programme Design and Study Plan

(www. legaltheory. eu; vs Aug 15, 2020)

A. PROFILE

The LL.M. Master Programme in Legal Theory of the Goethe University Frankfurt/Main (GU) is part of the Frankfurt landscape of academic research in normative issues. These issues arise in almost any field of society and they are tied to empirical and analytical matters. Whereas empirical matters usually concern legal sociology or anthropology, analytic matters are essential for legal theory (and doctrine). To come to terms with normative issues however seems to need more than a purely empirical or analytical approach. As in some legal traditions this approach is questioned either by theoretical points of departures (as in classic utilitarianism or modern law and economy accounts) or by a certain concept of balancing powers that leaves normative decisions either to the courts (as in the French concept of jurisprudence) or to a legislator not bound to reflections of legal doctrine or theory). Thus, the programme explicitly sheds light on what normativity is.

In this understanding, legal theory illuminates all legal essentials, i.e. principles, rules, procedures, argumentation, logics etc. To be familiar with them is of vital importance for finding productive answers to the many legal challenges of a globalizing world in and after Corona times. This competence is central even in legal systems that pay no explicit attention to doctrine or theory.

The comprehensive education of the Master programme is set in a truly European perspective. Europe's legal systems and academic pluralism provide a huge variety of legal and academic cultures. This is most visible to spectators from overseas. Thus, this endeavor is a specific challenge to come to terms with a most complex association or union. It was the purpose of GU's Law Faculty and the partner universities under the roof of the European Academy of Legal Theory (EALT) to set up a programme governed by the principle of unity in plurality (or according to the EU's motto "in varietate concordia") thereby safeguarding the accommodation of diversity in a globalized world.

This programme follows the Humboldtian ideal of education. It wants both professional training and broad education, "Bildung" and "Ausbildung" (possibly underestimated by Humboldt). Sound education has always been of personal nature. It is not only concerned of subjects but also of a cultural sensitivity and productive atmosphere. The programme goes along with a broad and international teaching body. Students will become familiar with leading scholars of jurisprudence and relevant doctrine in Germany, Europe, and Overseas.

The Humboldtian ideal is challenged by the overall process of digitalization. Likely, Humboldt would have appreciated this structural chance providing a larger community. His ideal is not only to be an academic in solitude and freedom but also in community. Humboldt was surely aware of the political implications of his concept considering his treatise on the "The Limits of State Action" that inspired Mill's "On Liberty". Humboldt's refusal of a state centered duty of education is widely considered to be anachronistic and elitist and not in concordance with the democratic welfare state enabling any young citizen to study. At any rate, his lasting heritage is the notion of "Bildung" as mode of autonomy. It still has to be determined to what extent this notion can be preserved in the digital age. It seems that the ongoing algorithmic drive even in education eventually will not preserve the Humboldtian notion. For sure, Humboldt would have appreciated the variety of online education in a globalized world without canceling presential community. In some way, online teaching fits Humboldt's idea of a student being autonomous of strategic interests and being an active partner in the educational enterprise. Online teaching requires that a student is an active partner in the enterprise of education preparing more than what is customarily prepared in a presential class. It turns out from empirical studies that the

educational impact of an intelligent model of blended teaching is remarkably great. Thus, education is different from what one expects from a class. All of it fitting the ideal of Humboldt's enterprise.

a) General Legal Theory and Applied Legal Theory

The curriculum combines pure and applied legal theory. Students may pursue two types of career:

- (1) For a professional career, they return home or they look for new frontiers in Europe or even in Frankfurt, with opportunities mainly in banking and finance or in international law firms. Driven by globalization these firms pay increasingly attention to candidates with an LLM degree testifying a thorough expertise in speaking English and in handling intercultural matters.
- (2) Pursuing the academic career they may stay in Frankfurt for a Ph.D. (based on an individual agreement with a member of the teaching body). Or they participate in the partner Ph.D. programme of Glasgow, Louvain and Tilburg that takes account of the 60 ECTS of the Frankfurt LLM degree. In any case, a fine Master thesis is the point of departure for a doctoral supervision. In other words: is serves as . In the end, participating in the programme means to be in the midst of an international legal theory research school providing a worldwide network of scholars and academic institutions. The LLM especially gives the opportunity of attending the many lectures and conferences on related topics on the Westend Campus.

Both types are not exclusive. In most academic environments, a professor is also a practitioner. This is somewhat different for the German speaking countries where there are full professorship in the strict sense of a chair ("Lehrstuhl") endowed with a designated amount of personal and financial resources.

Whereas some countries provide exclusive professorships in legal theory this is different for Germany. Legal theory professors are also and often in the main expert in a doctrinal field of law being thus concerned with practical matters.

This reflects that law students in Germany do not study in a law school or a faculty of law but in the faculty of the science of law. "Rechtswissenschaft" reads at the entrance of the Frankfurt law building. This rather scholarly training is particularly associated with the doctrinal explication of positive law, which in Germany is referred to as dogmatics ("Dogmatik"). This goes back mainly to the "learned" jurisprudence during Enlightenment and to the Natural Law scholars who provided the systematization of the "learned law". Finally, most influential for the German "legal science" was Friedrich Carl von Savigny and his alignment with the educational model of Wilhelm von Humboldt.

The programme targets not only at students with a legal education. The programme is also addressed to students of the humanities insofar as they are concerned by issues of normativity. This is often the case in philosophy and sociology. However it also may be the case in disciplines like (legal) anthropology or cultural studies. Applicants from these disciplines or faculties will explain their concern and their letters of recommendation are supposed to hint at this concern.

B. DESIGN

The programme provides a complete education in legal theory. The curriculum rests on an inner rationale resulting from more than 25 years of experience of the EALT Academy in offering a Legal Theory Master's course mainly in Brussels (1990-2009) and Frankfurt/Main, the LLM's home base since 2014. The basic structure is threefold:

- (1) The obligatory modules A, B, and C take place in the main part of winter term at GU. Module A is the most essential and demanding module of the programme.
- (2) There are elective modules in the second part of the winter term (E1-3) and in the main in the spring term (E4-7). Obligatory are 3 out of seven, be it at GU or abroad. This may happen either at GU or at partner universities abroad. From April on, it well may be that this modules will be taught in the manner of blended teaching combining online and face-to-face-teaching.
- (3) Module D (called "summer term" in the curriculum's terminology, mid-June until mid-Sept.) consists of three months writing the Master thesis supervised by a member of the LLM's teaching body at places of the 3rd Term Network in Germany, Europe and Overseas. The students will get a list of the potential supervisors from the start on (see especially the list of the members of the 3rd Term Network in this plan under module D). There is no legal claim to get one of the listed professors as supervisor. At any rate, if the supervision happens abroad from Frankfurt there will be a second supervisor being a member of the Frankfurt Law Faculty.

There are various modes of examination (exams in class, oral exam, essay).

As the curriculum is destined to make the students familiar with the richness of Europe's traditions in legal theory, students are recommended to take part in more classes beyond the ECTS requirement.

In the study plan, the obligatory classes including the basic E modules are colored in grey. For the records, however, there is no disadvantage for students studying on a "minimalistic" track. Successfully participating in three E-modules is sufficient for obtaining the degree. Correspondingly, the tuition is paid for the possibility of receiving the required ECTS for getting the degree.

There are neat side options within the research landscape of normative matters. These options may take place at Frankfurt or abroad throughout Europe either in online classes or in face-to-face schools. The participation in such schools will be notified in the diploma (supplement), in case of an examination with an appropriate amount of ECTS.

a. Strictly recommended introductory schools

In the winter term, the introductory have a special importance with respect to the practiced model of blended learning. Moreover, the preparative week ("warm up") in October targets at safeguarding the homogeneity of the class. Students lacking advanced skills in legal theory are obliged to participate in this week that makes familiar with the essentials of the module A. After this week, students have sufficient time to digest and prepare for module A. - The mid-October week at the University of Brno gives an introduction into legal writing in the Continental Civil and the Anglo-American law tradition. These two formative traditions of modern law will be relied on subsequently. This week is specifically important for those students that do not have a law school education and lack advanced skills in legal style and writing. In case of online teaching in the winter term (concerning the modules A-C), the introductory schools will be more or less obligatory to safeguard the Humboldtian approach of the programme.

b. Winter and summer schools abroad

Winter and summer schools provide a neat occasion to deepen the standard programme and safeguard the endeavor of the programme for encompassing all vital issues in the realm of legal theory. Students get also the opportunity to get to know centers of excellence throughout Europe. They also will make friends with students beyond the regular class of the LLM Legal Theory (as these schools are designed for a broader audience). These schools also foster the communicative and intercultural skills targeted at by the programme that are also key qualifications for practicing law in international legal bodies (such as administrations or law firms). Students finally get into contact to additional legal theory scholars thereby completing the personal knowledge of leading European legal scholars.

c. Short conferences and workshops abroad

The chronological structure of the programme enables students to participate in these extraobligatory events. In case of a tuition for such occasions LLM students will be privileged. Such workshops and conferences regularly take place in Belgrade, Lucerne, and Glasgow. The study plan mentions them in its chronological order.

d. Occasions on the Frankfurt Westend Campus

There are not only various occasions in the law faculty of GU to broaden the legal education. There is also a renowned philosophy department with a focus on practical philosophy or some separate institutions concerned with normative issues as the Network of Advanced Studies on the "The Formation of Normative Orders" or the Max Planck Institute for European Legal History (and Philosophy). There is also a close cooperation with other Max Planck Institutes (as in Heidelberg, Freiburg or Halle). Although in the academic year of 2020-21, Corona restrictions will mostly prohibit these nourishing occasions on a very personal level the perspective of the LLM is to provide a productive kind of blended teaching for preserving and enhancing the Humboldtian spirit.

C. PERSONS

The teaching body consists of teachers from Frankfurt and from European partner universities / institutes of the LLM. In order to facilitate a comprehensive education in legal theory, the programme also offers teachers from overseas, mainly from the Americas.

I. FRANKFURT

The Frankfurt teaching body consists of members of the Law Faculty & of legal practitioners:

Study Director Prof. Dr. Lorenz Schulz, M.A.

Board Prof. Dr. Thomas Duve Prof. Dr. Matthias Goldmann

Prof. Dr. Klaus Günther

Prof. Dr. Katja Langenbucher

Prof. Dr. Dr. h.c. Ulfrid Neumann

Prof. Dr. Cornelius Prittwitz

Prof. Dr. Dr. h.c. Thomas Vesting

Management Dr. André de Paula Secretary Cornelia Hupka

The additional part of the Frankfurt teaching and supervision body consists of

Prof. Dr. Armin von Bogdandy
Prof. Dr. Michael Bothe
Prof. Dr. Roland Broemel
Prof. Dr. Christoph Burchard
Prof. Dr. Dr. h.c. Gerhard Dilcher
Prof. Dr. Günter Frankenberg
Prof. Dr. Matthias Goldmann

Prof. Dr. Joachim Rückert Dr. Ralf Seinecke

Prof. Dr. Jürgen Taschke
Prof. Dr. Gunther Teubner
Prof. Dr. Tobias Tröger
Prof. Dr. Uwe Volkmann

Tutors

Ricardo Campos Carlos Gálvez

Dr. André de Paula Felipe Tenorio Obando

For the additional teaching body from Germany, Europe, and Overseas see the persons listed below.

a) Germany

Prof. Dr. Kai Ambos Prof. Dr. Marie-Claire Foblets

Prof. Dr. Marietta Auer

b) Europe

Prof. Dr. Antoine Bailleux (Brussels)
Prof. Dr. Bartosz Brozek (Cracow)

Prof. Dr. Giovanni Sartor (EUI Florence)
Prof. Dr. Bojan Spaic (Belgrade)
Overseas

Prof. Dr. Petra Bárd (CEU Budapest/Vienna)

Prof. Dr. Petra Bárd (CEU Budapest/Vienna)

Prof. Dr. Miodrag Jovanovic (Belgrade)
Prof. Dr. Maris Köpcke (Oxford)

Prof. Dr. Mark van Hoecke (Ghent/London)
Prof. Dr. George Pavlakos (Glasgow)

Prof. Dr. Antonino Rotolo (Bologna)

Prof. Dr. Samuel Brasil (Vitória, Brazil)

Prof. Dr. Scott Brewer (Harvard Law School)
Prof. Dr. Ronaldo P. Macedo (Sao Paulo)

Prof. Dr. Juliano Maranhão (Sao Paulo) Prof.

Dr. Stanley Paulson (St. Louis/Kiel)

Prof. Dr. Frederick Schauer (Univ. of Virginia)

II. EUROPEAN ACADEMY OF LEGAL THEORY (EALT)

Partner universities / institutions within the EALT network offer elective modules. They also send teachers to give classes at GU Frankfurt.

The **EALT Steering Committee** consists of the following representatives of partners:

Prof. Dr. Mark Van Hoecke (Ghent/London)	Prof. Dr. George Pavlakos	(Glasgow)
Prof. Dr. Wojciech Cyrul	(Cracow)	Prof. Dr. Giovanni Sartor (Bol	ogna/Florence)
Prof. Dr. Gregory Lewkowicz	(Brussels)	Prof. Dr. Lorenz Schulz	(Frankfurt)
Prof. Dr. Klaus Mathis	(Lucerne)	Prof. Dr. Mauro Zamboni	(Stockholm)

Two boards examine and support the activities of the LL.M. Programme.

(1) EALT Board

president Prof. Dr. Mark Van Hoecke	(Ghent/London)	Dr. Nicoletta Bersier Ladavac	(Geneva)
II. vice-presidents		Prof. Dr. Wojciech Cyrul	(Cracow)
Prof. Dr. Benoit Frydman	(Brussels)	Dr. Pietro Denaro	(Palermo)
Prof. Dr. Lorenz Schulz	(Frankfurt)	Prof. Dr. Gregory Lewkowicz	(Brussels)
III. members	(i raimart)	Prof. Dr. Mauro Zamboni	(Stockholm)

Prof. Dr. Isabel Trujillo

(Palermo)

Jürgen Busch, secretary general (Vienna)

Juliane Ottmann secretary general (Berlin)

(2) EALT Academic Advisory Board

chairman

Prof. Dr. John Gardner (†)	(Oxford)	Prof. Dr. Stephan Kirste	(Salzburg)
		Prof. Dr. Michele Luminati	(Lucerne)
IV. other members		Prof. Dr. Tatiana Machalova	(Brno)
Prof. Dr. Marietta Auer	(Giessen)	Prof. Dr. Enrico Pattaro	(Bologna)
Prof. Dr. Loic Azoulai	(Paris)	Dr. Chiara Valentini	(Barcelona)
Prof. Dr. John Bell	(Cambridge)	Prof. Dr. Pauline Westerman	(Groningen)
Prof. Dr. Jean-Yves Chérot	(Aix-Marseille)	Prof. Dr. Marek Zirk-Sadowski	(Lodz)

time of year	module ECTS	events / schools - regular classes topic / teacher / city (if not Frankfurt)		
Oct 19 - 23	CP- relevant			Frankfurt
		A1: History o 1. 2. 3. 4.	f Jurisprudence Antiquity Medieval Times Early Modernity / Enlightenment Kant	Lorenz Schulz Christoph Haar (Cambridge/Halle) Christoph Haar Stefano Bertea (Univ. of Leiceister, tbc)
		A2: Theories 1. 2. A3: Moral & F	Jurisprudence / The Anglo-American tradition – principles and methods (Hart, Dworkin) Legal Theory / The Continental Tradition a. Kelsen & Vienna / Brno School b. Systems Theory c. Normativity, Description and Cognition of Law Political Philosophy of Law	Stefano Bertea Carlos Gálvez (Bogotá / Fra) n.n. (Fra) (Vienna) Ricardo Campos (Rio de Janeiro / Fra) André de Paula (Belo Horizonte / Fra)
		Le	egal Theory and Constitutional Theory: transdisciplinary oproaches	Martin Belov (Sofia)

Oct 12-15

CPrelevant

Global Legal Skills - Brno Autumn School Legal Writing and Legal Argumentation

The second preparatory school in "Global Legal Skills: Legal Writing" provides students with basic skills of scientific work. Beyond this provision, students get familiar with essentials of the Continental and the Anglo-American approach to law preparing for the spectrum of methods that is subject of module C. Of course, this school is dependent on Corona.

Course Objectives

Students will get information and training on:

- Basic research skills (how to find the necessary information in books, journals, case law);
- Citation skills (correct citations, avoiding plagiarism)
- The ability to brief a case, find important information, use it as an argument;
- The rules and structure of legal documents and seminars and final papers.

Syllabus

9 lectures taught by experts from Austria, the USA and Sweden with the focus on the following topics:

- 1. Brief Overview of the U.S. Legal System
- 2. Reading Cases Globally: Strategies for Case Reading and Interpretation
- 3. Analysis of Louis Vuitton v. Hyundai case
- 4. Organizing Legal Analysis and Legal Sources
- 5. Negotiation Skills and Strategies
- 6. Appellate Writing
- 7. Moot Court Presentation Skills
- 8. Introduction to Academic Legal Writing: Structured Writing of Academic Papers and Theses
- 9. How to Write an Article or a PhD in Law

Registration starts in early September. The deadline for submission of applications is early October.

http://legalwriting.law.muni.cz/content/en/general-information/

The tuition fee of approx.. 150 EUR is waived for LLM Legal Theory students. For accommodation visit the website. The class is open to students being interested in the LLM Legal Theory as well.

Registration starts on August 10, 2020. The deadline for submission of applications is September 28, 2020.

The students will be graded for their overall performance and activity during the seminars. Attendance at lectures is compulsory.

Brno

with scholars from

USA

Lurene Contento Kim Chanponbin Mary Nagel

Austria

Jürgen Busch Florian Heindler

Slovenia

Ana Vlahek Klemen Podobnik

Sweden

Mauro Zamboni

Oct 30 (tbc)		Welcome Day LLM Legal Theory 2020-21	
		Presentation of partner contributions modules / schools abroad; 3 rd term network Stockholm module E3 Glasgow Ph.D. Workshop Palermo Winter / Summer School	n.n. / tba
		Other Schools	
		Opening ceremony	
		Welcome	
		Dean of the Law Faculty	Klaus Günther
		LLM Legal Theory Academic Head	Lorenz Schulz
		EALT President	Mark van Hoecke
		Themis Award for the best Master thesis of the LLM Legal Theory 2019-20 presented by	Nicoletta Ladavac (Geneva)
Nov 2 – Nov 20	A 9 CP	Jurisprudence The special feature in module A is an introduction to jurisprudence combining the history of legal philosophy with the systematic approach to basic traditions in legal theory. At first, this entails a historic-systematical introduction into legal philosophy (A 1-2). Module A is first concerned with the exposition of the early media of law and philosophy in ancient Greece, i.e. Greek language & scripture, as preconditions of the formation of philosophy and the philosophical reflection on law.	
Nov 2-6	A 1	History of Jurisprudence	
(tbc)		Cultural frame: the early media of law: language and scripture	Thomas Vesting
		see also A 2 and E 1 Ancient world	Klaus Günther
		Middle ages	Klaus Günther
		Early modernity and the rise of modern law	Uwe Volkmann
		Kant	Lorenz Schulz
		19 th / 20 th cent.: the struggle for legal autonomy	Joachim Rückert

Nov 9-13	A 2	Theories of Law	
(tbc)		The spectrum of modern legal theories - a systematic introduction into:	
		 legal positivism Kelsen, Hart, Raz critical accounts of positivism - Dworkin 	
		- Dworkin - discourse theory Habermas, Günther - theories of argumentation Alexy, Neumann	
		 systems theory legal critique Luhmann, Teubner, Vesting CLS etc.	
		Note: Legal Realism and Sociological Jurisprudence will also be treated in E2. In E2, there is also a focus on the Frankfurt School's conception of law.	
		Positivism: Bentham and Austin	Frederick Schauer (Univ. of VIrginia) (tbc)
		Positivism: Kelsen, Hart	Ronaldo Porto Macedo (USP/FGV São Paulo)
		Kelsen Tutorial	Jürgen Busch/ Marina Brandtner
		Dworkin	(Vienna) R. P. Macedo
		Discourse Theory	Klaus Günther
		Systems theory, cultural studies in law, media theory of law	Thomas Vesting
		see E1 Legal Critique: Critical Legal Studies et alii	n.n.
Nov 16-19	A 3	Moral & Political Philosophy of Law	
(100)		Module A3 reflects the idea that legal philosophy rests on moral and political implications and serves for resuming A1 and A2	
		Moral & political elements of obligation/responsibility	Lorenz Schulz
		Followed by moral & political issues in the philosophy of law, with hard cases in international law and issues of obligation and responsibility.	
		Special issues	
		In this perspective, module A3 treats elementary issues from different substantive perspectives (human rights perspective, systems theoretical approaches and others) and different perspectives of actors including practical cases and experience.	
		There will be lectures on specific issues throughout the academic year.	

Nov 23 – Dec 4

B 6 CP

Theory of Comparative and Global Law

Module B presents the modern framework of legal philosophy, i.e. the theoretical foundations of legal comparison in a globalized world and the EU legal integration as the theoretically most advanced conception of plurality in unity ("in varietate concordia").

B1

(Theory of) Comparative Law

comparison is anchored in legal theory.

The theory of comparative law is an essential part of legal theory and is increasingly important in a globalizing world. Thus, it plays a central role in the education in legal theory. The analysis of these relations is the challenge of legal comparison. Structural legal

The class on legal comparison is part of module B. It serves as a neat introduction into the modules to come. Students will get a sense for the plurality of legal systems (see module B and E4).

They also will get familiar with the intricate interplay of material and procedural rules as well as the law in the books and the law in action (deepened in E2a).

Basic course structure

What is Comparative Law? What makes a 'Legal System'? Legal Doctrine

Methodology of Comparative Law

B2

Theory of Global Law

n.n.

B3

Theory of European Legal Integration

The EU integration is the practical laboratory in many respects. Module B3 is not only the most prominent area to test legal comparison and global law practically. It also serves as most intriguing example for legal pluralism being deepened in module E4.

Legal Foundations of European Integration

This class serves as an introduction into the foundations of European Legal Integration.

EU Human Rights and Criminal Justice

Values the EU; Member States share & enforcement

The point of departure for this introduction is Article 2 of the Treaty of the European Union incorporating values, such as the rule of law, democracy and fundamental rights, which the EU and the Member States are supposed to share: We will discuss the militant democracy tools the EU possesses to fight rule of law backsliding, or mass human rights violations in its member countries: - In relation to fundamental rights, the EU's bill of rights, the so-called Charter of Fundamental Rights will be addressed: Most recently, the EU turns to subjective, more or less human rights as point of departure for EU legislation and jurisdiction: - Seen from overseas it is rather challenging to come to terms with the distinction of the EU and the Council of Europe embracing also countries like Russia and Turkey, being mirrored by the jurisprudence of the EU court in Luxemburg and the human rights court in Strasbourg.

The interrelation of these two courts, as well as the national constitutional courts (like the German Constitutional and Supreme Courts in Karlsruhe) is a further topic of this class.

The above considerations will be illustrated by the EU cooperation

Mark van Hoecke

11.11.

Petra Bard (CEU Budapest/Vienna)

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Dec 7-11	C 8 CP	Legal Methods - a Comprehensive Spectrum	
		Module C presents the methodological counterparts of A and B (especially A2 and B1) thereby providing a full picture of what is meant by legal theory. C1 gives a comprehensive approach into legal methods, mainly encompassing the traditions of the Anglo-American and continental law and traditions combining them. C2 narrows this spectrum by focusing on logics in law, e.g. treating monotonic and non-monotonic logics (C2 a will be deepened in E7). C gives also an introduction into the methodological grounds E1-7. C3 serves as an early handling with and consideration of the Master thesis (module D). Students have to present a first paper on the tentative topic of the Master thesis to be discussed m in methodological respect.	
Dec 7-8	C1	Legal Methods	
		The Spectrum of Methods – Introduction	Maris Köpcke (Oxford) (tbc)
		Continental and European Legal Methods	Miodrag Jovanovic (Belgrade) (tbc)
		Methods in Anglo-American Legal Thought	Frederick Schauer (Univ. of VIrginia) (tbc)
Dec 9-11	C2	Logic and Legal Argumentation	
		"Inferencing in Law and AI"	
		Introduction: logic in law	Samuel Brasil (Vitória, Brazil)
		non-monotonic / default reasoning in law	Giovanni Sartor
		Algorithms and law	(Bologna/Florence) (tbc) Roland Broehmel
	C 3	Methodology in Legal Research	(Frankfurt) (tbc)
		Introduction / Preliminary remarks on writing the Master thesis (to be written in the Summer term)	Ricardo Campos
		(Students will write a first small exposé until Jan 15).	André de Paula
		C3 serves as first laboratory elaborating of the	Lorenz Schulz
		Feedback concerning module A-C classesStudent counseling and course guidance	
		concerning modules E and extra curriculum study/ research options	
		 Reviewing the students' papers presenting the tentative topic and design of the Master thesis 	
		Other issues	
		According to the curriculum, the introductory week at Brno (see above) serves as an introduction into C (= 4 ECTS).	
		C will be deepened by the winter school at Palermo, the Stockholm module E3 and E7 at EUI Florence.	

elective modules E 1-7

According to the idea of a comprehensive legal theory curriculum comprising norms and facts the modules E1, E2 and E3 are an elementary part of the winter term. As before, there may be additional classes discussing vital issues or practical matters. Non-obligatory events may deepen these modules. The E modules are a central link between Goethe University and the partners of the European LLM consortium.

E1 Law, History, and Culture

Frankfurt is Germany's center of research in legal history due to a strong legal history institute in the faculty of law and the Max Planck Institute for European Legal History.

The first module on cultural studies consists of the perspective of legal history embracing legal anthropology. In specific respect, it approaches the role of religion for law.

The legal history class is taught by *Thomas Duve*, the (co-) director of this institute. The Max Planck Institute is the European center to ally the European scholarship in legal history.

Legal anthropology is introduced by *Marie Claire Foblets*, the director of the Max Planck Institute for Social Anthropology located in the city of Halle.

The class law and religion will focus on the thesis by Harold Berman on law, revolution, and religion taught by one Germany's foremost experts in Berman. *Gerhard Dilcher* is one of the renowned Frankfurt scholars in legal history

E2 Law, Society & Culture

This module provides an introduction to legal sociology, stressing the empirical elements of law.

The basic introduction into legal sociology is given *Hubert Rottleuthner* (Berlin/Frankfurt). Rottleuthner has given classes in legal sociology at the FU Berlin for many decades.

Different from Rottleuthner's standard empirical approach in legal sociology systems theory has provided an alternative approach, represented in Frankfurt mainly by *Gunther Teubner* and *Thomas Vesting*, students will get to know this approach.

Furthermore, the approach by the Critical Theory more or less connected with Horkheimer and Adorno will be presented.

There is also a class on law and gender, regularly taught by *Juliane Ottmann* (FU Berlin) being an alumna of the Brussels LLM Legal Theory. She has taught this class for many years. There will be non-obligatory events in law and gender by the Cornelia Goethe Initiative of GU, Frankfurt's interdisciplinary center for studies in law and gender.

Central research in law and literature (law as literature / law in literature) is done at the university of Brno where Europe's most prominent annual conference takes place.

(http://www.legalscholarshipblog.com/2016/11/16/law-literature-brno-czech-republic/).

Since 2019 there is also a conference at the University of Groningen on "Law, Literature, and Human Rights".

In 2021, students have a chance to attend a very attractive conference at the university of Lucerne, without the regular tuition, see below sub summer schools.

The sub module provides an overview on law and literature. Students considering a Master thesis on this subject may deepen the matter by attending further schools (as the mentioned at Brno, Groningen or Lucerne).

E3 Law, Science, and Technology

This module (deepening module C) pays tribute to the new medium of the law, i.e. the digital form of communication (see A1) by applying it to the medium of (digitalized) law and the expansion of artificial intelligence. The media of law are most central for legal cultures (and legal systems). If the form of the medium embeds itself in any message it would transmit or convey as Marshall McLuhan claimed (coining the phrase "The medium is the message") is debatable.

Regularly, this module takes place at Stockholm University as one of the core partners of the LLM Legal Theory. It focuses on legal information management, legal research management, ICT and eLearning with the objectives of acquainting participants with legal writing skills, legal information management and innovate ICT based pedagogical methods. A core target group is legal academics who, in their role as teachers of law, will invoke these skills in research and teaching. With respect to applied legal theory, the other target group is legal practitioners being deemed to act on these skills.

E4 Formation of Normative Orders

E4 concentrates on legal pluralism as fact and normative challenge. The main course E4a treats legal pluralism in historical, descriptive and normative respect.

The focus of this module is also the interrelation of human rights and democracy and international law as subject matter for this relation (E4 b,c).

All of the teachers in E4 are well known by publications.

E5 Law and Economy (Governance, Compliance)

This module is connected with the teaching body of Frankfurt's House of Finance (as a cluster of scholarship in law and economics at GU). Closely connected is Klaus Mathis from the University of Lucerne who convenes a well established annual conference on Law and Economics in early April.

Additionally on demand, there will be classes in legal history concerning the paradigm of good governance historically. The MPI Frankfurt is a major center for research on the Salamanca School. Thus, students profit from this research.

In a more empirical respect and in cooperation with the economic department *Tobias Tröger* established a research

hosts always some international visiting scholars in this field based in the House of Finance. The law faculty's Institute for Law and Finance (also located in the House of Finance) offers a two LLM programmes.

By co-operating with law firms students encounter the practitioner's approach. The class with DLA teaches governance and compliance.

E6 Global Law

E6 is explicitly conceived to deepen module B3.

E7 Law, Language and Reasoning

E7 deepens C2 by mainly focusing on law and logic (including linguistic and semantic aspects of legal argumentation).

It is convened by EUI Florence in cooperation with the University of Bologna, the Jagiellonian University of Kraków and Harvard University (http://lawandlogic.org/).

The Law and Logic module has been successfully offered by an internationally renowned teaching body for many years. It is a highlight for any student focusing on law and logics.

Jan 11-15	E1 7 CP	Law, History & Culture	
		Legal History Theoretical grounds of legal history and the impact of legal history on legal theory	Thomas Duve
		 Legal Anthropology Accommodation of Diversity in Contemporary Societies 	Marie-Claire Foblets (Halle)
		 Law and Religion Law and Revolution or the Berman-Thesis. On the Impact of Religion and Theology on Law (and vice versa) 	Gerhard Dilcher
Jan 18 – 29	F 0		
Jan 18 – 29	E2 7 CP	Law, Society & Culture - Sociology of Law	Hubert
			Rottleuthner (FU Berlin/Frankfurt)
		Self-subversive Justice: Contingency or Transcendence Formula of Law?	Gunther Teubner (Frankfurt)
		- Legal Gender Studies	Juliane Ottmann (Berlin FU)
		- Law and Literature	Steve Howe (Lucerne)
end of Febr	E3	Law and Technology	Stockholm
		The school will deal with the following topics:	convened by
		 Global Legal Research & Legal Information Management – Legal Scholars and New Technologies Epistemology & Legal Informatics: Methods, Ideas and Models - AI in/and Law Information, Communication, 	Liane Colonna (Stockholm) regular lecturers are: Peter Wahlgren (Stockholm) Cecilia Magnusson Sjöberg (Stockholm) Ugo Pagallo
		Technology Social Media and Law	(Turino)
		- Subjects covered are:	Johan Axhamn (Stockholm)
		semantic representation of legal information in the legal semantic web artificial intelligence and law	Migle Laukyte (Carlos III, Madrid)
		- legal automation in government theoretical	Steffan Malmgren (Sweden)
		approaches to legal automation	
		 legal information (finding and management) eLearning 	
		within academia & didactics	
	1	- social media in law & intellectual property rights.	

	Palermo Winter School School 2019 for illustration Rights and Procedures 10.30 Welcome / Introduction Rights and Procedures 11.00 The Rule of Law and Legality	Palermo convened by Isabel Trujillo Timothy Endicott (tbc) (Oxford)			
Feb 18	14-16 Legal clinical education and the concept law Palermo Legal Clinic (Cledu) on Protection of Migrants **Rights Protection and International Procedures** 10.30-12.30 Rights and Trials in International Law	Aldo Schiavello Serena Romano Salvatore Zappalà (Catania) Stefania Forlati			
Feb 19	14-16 Legal Protection of Foreigners **Rights Protection and Trials** 10.30-12.30 Truth Duty in Trial **Protection does not like the improved the improved to the improved the improved to the improved to the improved the improved to the	Antonella Sciortino, Paolo Bonetti (Milano Bicocca) Marco Gradi (Messina) Girolamo Monteleone			
Feb 20	Protection des parties et libre jugement du juge au procès civil 14-16 Protection of Immates Rights Rights Protection and Public Powers 11 Automatized Procedures and Rights Protection	Giovanni Fiandaca, Emanuele Nicosia Stefano Civitarese Matteucci (Chieti) Luca Perfetti			
Feb 21	The Dark Side of Law 10.30-12.30 Abuse of Rights Abuse of Tax Law 14 The Right to Good Administration in Tax Law	Massimo Monteduro (Salento) Vito Velluzzi (Milano) Giuseppe Zizzo (Univ. Carlo Cattaneo) Fabrizio Amatucci (Naples Federico II)			
March – mid-April	Vacation				
•	spring term				

			T
		Spring Term, modules E4-7 The modules E4-7 are offered in the spring term designed to focus on elementary issues thereby deepening again the programme of the winter term (see explanation above). As the modules E4-6 are strongly interrelated, students may take them all together (although again examinations are only required in two of the modules E3-7). E7 reiterates and deepens central aspects module C.	
April 12-23	E 4	Formation of Normative Orders	Frankfurt
	7 CP	Global Legal Pluralism – descriptive and normative	
April 12		- Legal pluralism: history and current debates	Ralf Seinecke
April 13		- Legal pluralism: descriptive	Matthias Goldmann
April 14		- Legal pluralism: normative	Klaus Günther
		- International Justice The Transformation of International Law and Schmitt's Concept of the Political Iocation: Max Planck Institute for Comparative Public Law and International Law at Heidelberg (https://www.mpil.de/en/pub/news.cfm) Iate April tba - Pluralistic International (Criminal) Justice	Armin von Bogdandy (MPI Heidelberg; tbc) Kai Ambos (Göttingen)

April 26-30

E5 7 CP

Law and Economy (Governance)

Law and Finance

The goal of the Kolloquium/Module is to acquire a profound understanding of the multiple, intricate relationships between the law and the financial sector, how they mutually shape each other, and how our understanding changed over time. Each session usually requires the preparation of two texts: one theoretical text about the role of law in the financial sector, and one court decision. The theoretical texts will introduce participants to important strands of past and contemporary research on the role of law in the economy or the economic ramifications of the law. They follow more or less a chronological order. Authors include Max Weber, Karl Polanyi, Friedrich Hayek, the law & economics literature, Foucault, and recent scholarship related to the financial crisis. The court decisions address various issues, including sovereign debt litigation, investment law, as well as monetary and regulatory issues from Europe and beyond. The introductory session on 17 April 2019 will provide an overview of the subjects to be covered. The introductory reading by Desaultes-Stein is recommended as a preparatory reading for this class.

Readings:

Reading for the first class

Justin Desautels-Stein, "The market as a legal concept: classical liberalism, modern liberalism, pragmatic liberalism", in U. Mattei/J. D. Haskell, Research Hand- book on Political Economy and Law (Elgar 2015) 29-43.

Electronic copies of this text are available at the office of Dr. Goldmann. Please contact Benjamin Arens (arens@hof.uni-frankfurt.de).

A detailed reading list specifying mandatory and background readings for each class will be distributed in the first class. All readings will be made available on the course website (password protected). The password will be revealed in class. Readings include extracts from important works by Max Weber, Karl Polanyi, Friedrich Hayek, the law & economics literature, and recent scholarship related to the financial crisis like extracts from the recent books by Katharina Pistor and Samuel Moyn.

see also Law & Economics Conference (below) convened by Klaus Mathis (Lucerne)

Governance and Compliance

Foundations Governance

Compliance

Case studies (with practitioners) (legal clinic)

Internal investigations

Frankfurt

Matthias

Goldmann

Tobias Tröger

Lorenz Schulz

Jürgen Taschke (Frankfurt, DLA Piper)

July 2-7

E7 7 CP

Law, Language and Reasoning

- Philosophy of Language and Legal SemioticsFormal Logic and Legal Argumentation (Basic Course)
- Formal Logic and Legal Argumentation (Special Course)

see http://lawandlogic.org/

The Summer School on Law and Logic (deepening C2) has been held for many years. It is designed to give students rigorous training in a wide variety of logical methods that can assist all kinds of legal analysts, including students, lawyers, judges and scholars, based on a systematic method for assessing the strengths and weaknesses of arguments in legal reasoning (called the Logocratic Method by Scott Brewer). Since so much legal analysis consists in making and evaluating arguments, this method can be a powerful tool for all legal analysts. For LLM students this deepens module C.

For illustration see programme of 2019:

Monday, 9:00 – 10:30 Perceptions of cooperation and clash of logic and law – opening thoughts about the utilities of logic for law – Basic definitions and methods of the Logocratic Method (Brewer / Sartor)

11:00 - 12:30 Logic and argumentation (Prakken / Sartor)

14:00 – 15:30 Introduction to propositional logic: Part 1 (Prakken / Sartor)

16:00 - 17:30 Part 2 (Prakken / Sartor)

Tuesday, 9:00 – 10:30 Review of basic concepts and exercises from the first day – link (Brewer / Prakken / Sartor)

11:00 – 12:30 Representing legal rules and legal arguments in propositional logic: Part 1 (Brewer / Sartor)

14:00 - 15:30 Part 2 (Brewer / Sartor)

 $16:\!00-17:\!30$ Review of basic concepts and exercises on propositional logic (Brewer / Prakken / Sartor)

Wednesday, 9:00 – 10:30 From propositional to predicate logic: grammar and basic structure (Rotolo / Sartor)

10:30 - 11:00 Coffee break, Lower Loggia, Badia 11:00 - 12:30

Session 3.1.2: From propositional to predicate logic: semantics and relations – link (Brewer / Sartor)

12:30 - 14:00 Lunch, Mensa, Badia 14:00 - 15:30

Session 3.2.1: Review of basic concepts and exercises on predicate logic – link (Brewer / Sartor)

16:00 – 17:30 Modelling the law in predicate logic (Brewer / Sartor)

Thursday, 9:00 – 10:30 Argumentation and argument schemes (Henry Prakken, Giovanni Sartor, Samuel Brasil and Lorenz Schulz)

11:00 – 12:30 Formalising argumentation / Burdens of proof and presumptions – (Brewer / Sartor)

14:00 – 15:30 Review of basic concepts and exercises on argumentation theory and tools ((Prakken / Sartor / Brasil /Schulz)

16:00 – 17:30 Analogical reasoning: Part 1 (Brewer / Sartor)

19:30 Social dinner at La Pentola Dell'Oro

Friday, 9:00 - 10:30 Analogical reasoning: Part 2 (Brewer / Sartor)

11:00 – 12:30 Deontic and modal logic: Part 1 (Rotolo / Sartor)

14:00 – 15:30 Deontic and modal logic: Part 2 (Rotolo / Sartor)

16:00 – 17:30 Deontic logic and Hohfeldian concepts (Rotolo / Sartor)

Saturday, 9:00 – 10:30 Review of basic concepts and exercises on deontic logic (Rotolo / Sartor)

11:00 – 12:30 Induction: generalisation and specification Part I (Brewer / Prakken)

14:00 - 15:30 Part II (Brewer / Prakken)

16:00 – 17:30 Bringing it all together: a master case for logocratic analysis

(Brewer / Prakken / Rotolo / Sartor)

17:30 - 18:00 Closing Session. Certificates of attendance

Florence EUI

Matthias Armgardt (Konstanz)

Scott Brewer

(Harvard)

Guido Governatori (Bologna)

Emiliano Lorini

(Toulouse)

Juliano Maranhao (Sao Paulo)

Henry Prakken (Utrecht)

Antonino Rotolo

(Bologna)

Giovanni Sartor
(EUI Florence)

summer schools / conferences abroad

Summer schools provide the occasion to deepen the standard program. As with winter schools, students get also the opportunity to get to know centers of excellence throughout Europe and to make friends with students beyond the regular class of the LLM Legal Theory (as these schools are offered to a broad audience).

There is no academic tuition for students of the LLM, however there may be a fee for catering, accommodation etc.

These schools enrich the knowledge in legal theory matters. They also foster the communicative and intercultural competences targeted at by the LLM Legal Theory. Students finally get into contact to additional legal theory scholars thereby completing the personal knowledge of leading European legal theorist.

The participation in non-obligatory modules or schools will be listed in the diploma supplement of the degree certificate.

New International Constitutional Law & Administrative Studies Spring School Methods, Concepts, Paradigms

For illustration see the programme 2020 cancelled because of Coronoa:

Opening and Introduction

Lorenz Schulz (director of the EALT Master's Course Office)
Daniel Valchev (dean of the University of Sofia 'St. Kliment Ohridski')
Martin Belov (director of the NICLAS and vice dean of the University of Sofia 'St. Kliment Ohridski')

Can we Rely on Constitutions and Constitutional Law to Regulate the Legal Fragmentation of the World?

EU: between Westphalian, post-Westphalian and neo-Westphalian Constitutionalism

WS1. Women's Rights

WS 2 Use and Abuse of fundamental rights language in contemporary Europe

WS 3 Supranational financial constitutionalism

Lecture: Constitutionalization of International Law

WS4 Constitutional values as methods of constitutional interpretation – national experiences and international perspectives

WS5 Comparative Methodological Approaches to International Constitutional Law

Lecture: Constitutional Constraints to the Establishment and Activity of International Courts and Tribunals

Lecture: International constitutional law from above. Openness in national constitutional law and post totalitarian constitutionalism

Lecture: Interactions between international and constitutional law: is there already a paradigm change?

Lecture: The Courts as Political and Legal Actors in Multilevel Constitutional Orders

Lecture: Concepts&methods of comparative administrative law

Sofia

convened by

Martin Belov

Lorenz Schulz Daniel Valchev Martin Belov

Jean-Bernard Auby (Sciences Po Paris)

Martin Belov

Juliane Ottmann (FU Berlin) Catherine Van De Heyning

(Antwerp)
Joan Solanes Mullor
(Barcelona)
Miodrag Jovanovic
(Belgrade)
Vaidotas Vaicaitis

(Vilnius)

Jürgen Busch and Marina Brandtner (Vienna) Emanuel Castelarin (Strasbourg)

Giuseppe Martinico (Scuola Superiore Sant'Anna, Pisa)

Cesare Pinelli (La Sapienza Rome)

Mauro Zamboni (Stockholm)

Konrad Lachmayer (Vienna)

April 16-17

CP-re-

9th Law and Economics Conference

Law and Economics of the 2020 Coronavirus Crisis

The 2020 Coronavirus pandemic hit unexpectedly, causing unprecedented challenges around the world. At the same time, the crisis also offers a unique opportunity for reflection, research, and insight regarding this and similar global and domestic crises. There is much to learn from analyses of the causes and effects of the crisis; the efficacy and limitations of legal and regulatory responses to it as well as their benefits and costs; the role and impact of the media; the reactions and behaviours of the public to the crisis generally and the regulatory responses to it; and more.

Emergency policy responses – such as financial aid in the form of partial unemployment compensation and short-term work allowance or state-wide lending programmes – attempt to counter the crisis and offset some of its economic and human impacts. Exemplary in this respect were the Swiss economic countermeasures, allowing small and mediumsized enterprises to apply for and receive the actual money transfer of state guaranteed loans within 30 minutes. Will the mentioned forms of state intervention pay off or cause even more harm in the long run? What are possible conclusions for future regulatory efforts, both from a positive and normative point of view? According to the United Nations Conference on Trade and Development, the globally imposed lockdowns led to a 60% drop in air traffic. Suddenly, the

According to the United Nations Conference on Trade and Development, the globally imposed lockdowns led to a 60% drop in air traffic. Suddenly, the goals set out in the Paris Agreement as well as our 2030 Agenda for Sustainable Development became attainable again. Taking the positive effects of this terrible crisis into account, what are the lessons learned for governments, regulators, businesses and the society as a whole? The regulatory responses to the 2020 Coronavirus crisis have been of an

The regulatory responses to the 2020 Coronavirus crisis have been of an unprecedented scope. The ongoing crisis provides an opportunity for a fresh scholarly examination of important facets of legal regulation, policymaking, and more. This 9th Law and Economics Conference pursues these questions from a broad range of Law and Economics perspectives. The selected contributions will be published in the academic book series "Economic Analysis of Law in European Legal Scholarship" (http://www.springer.com/series/11927).

Deadline for submission of proposals is Sept. 15, 2020.

For details see www.unilu.ch/en/events/9th-law-and-economics-conference-lucerne-law-and-economics-of-regulation-4523/

July 5-9 CP-re-levant

Lucerne Graduate Academy for Law and Economics 2021

The Lucerne Graduate Academy for Law and Economics is an annual intensive one-week programme designed to introduce legal scholars and economists to the principles and current trends in the field of law and economics. The Graduate Academy will be conducted in collaboration with the Notre Dame Law School Research Program on Law and Market Behavior (ND LAMB). The Graduate Academy course consists of three different parts: two main courses, three special lectures and research colloquia.

Programme and details: see www.unilu.ch/en/events/lucerne-graduate-academy-for-law-and-economics-2021-4784/

end of May

Globalization and Legal Theory

This programme provides an excellent introduction into further research in legal theory, serving as a qualification in its own right and a platform for PhD study. This advanced introduction lays specific emphasis on globalization and socio-legal methodology. - There is always the renowned Adam Smith Lecture in Jurisprudence.

(www.gla.ac.uk/schools/law/postgraduateresearch/legaltheoryphd)

Lucerne

convened by Klaus Mathis

(Lucerne)

Avishalom Tor
(Notre Dame L. School)

Keynote speakers

G. Marcus Cole (Notre Dame L. School) Hans-Bernd Schäfer (Bucerius Law School)

Lucerne

Glasgow

convened by E. Christodoulidis Marco Goldoni George Pavlakos

mid-June	Summer School on Human Rights	Palermo PhD Program on Human Rights convened by Annabel Brett Beatrice Pasciuta Isabel Trujillo	
early July	Al and Law (Summer School) see https://aiandlawschool.eui.eu/	EUI Florence convened by Kevin Ashley (Pittsburgh) Kate Atkinson (Liverpool) Arthur Dyevre (Leuven) Giuseppe Contissa (Bologna) Marco Lippi (Modena) Monica Palmirani (Bologna) Henry Prakken (Utrecht) Giovanni Sartor (EUI Florence) Adam Wyner (Swansea)	
	summer term		

mid-June -	D	Master tl	hesis	3 rd term research
mid-Sept	16 CP		dy and completion of Master thesis (at home, in artner universities or at EALT 3 rd term network):	network partner
		Germany		
			Frankfurt	With members of the teaching body mentioned above
			Goettingen Halle (MPI)	Dietmar v.d. Pfordten Marie-C. Foblets
			Hamburg	Jochen Bung
			Heidelberg (MPI)	Armin von Bogdandy
			Munich	Frank Saliger
		Europe		
			Aix-en-Provence	Jean-Y. Chérot
			Barcelona Pompeu Fabra	Josep J. Moreso
			Belgrade	Miodrag Jovanovic
			Bologna / EUI Florence	Antonino Rotolo
			Drno	Giovanni Sartor
			Brno Brussels	Tatjana Machalova
				Antoine Baillieux
			Geneva (Themis Foundation)	Nicoletta Ladavac
			Glasgow	George Pavlakos
			Groningen	Pauline Westerman Bartosz Brozek
			Kraków London/Ghent	Mark van Hoecke
			Lucerne	Klaus Mathis
			Lucerne	Malte Gruber
			Oxford	Maris Köpcke
			Palermo	Isabel Trujillo
			Paris EHESS	Otto Pfersmann
			Sciences Po	Mikhail Xifaras
			Sorbonne-Nanterre	Eric Millard
			Stockholm	Liane Colonna
				Mauro Zamboni
			Salzburg	Torben Spaak Stephan Kirste
			Sofia	Martin Belov
			Vienna	Elisabeth Holzleithner
		Overseas		
			Sao Paulo (USP)	Ronaldo Macedo
				Juliano Maranhao
			Harvard Law School	Scott Brewer
			University of Virgina	Frederick Schauer
			3	Trodorion Goridaei



















Partner at Goethe University



Stakeholders



The central stakeholder of the programme is the International Association for the Philosophy of Law and Social Philosophy (IVR).

The LLM Legal Theory Best Master Thesis Award is given by



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