

## 674-302 Philosophy of Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	3 (Undergraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2009.
<b>Time Commitment:</b>	Contact Hours: Thirty two contact hours per semester: two 1-hour lectures per week for the first 11 weeks and a 1-hour tutorial per week beginning the third week of semester Total Time Commitment: 3 contact hours/week, 5.5 additional hours/week. Total of 8.5 hours per week.
<b>Prerequisites:</b>	At least one first-year single-semester philosophy subject or permission from the Head of School or subject coordinator.
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	<p>&lt;p&gt;For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.&lt;/p&gt;         &lt;p&gt;It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: &lt;a href="http://services.unimelb.edu.au/disability"&gt;http://services.unimelb.edu.au/disability&lt;/a&gt;&lt;/p&gt;</p>
<b>Contact:</b>	Andrew Alexandra a.alexandra@unimelb.edu.au
<b>Subject Overview:</b>	This subject critically examines the nature and functioning of law. Topics considered may include: theories of law (natural law theory, legal positivism, legal realism), the relationship between law and morality, the supposed obligation to obey the law, civil disobedience, theories of legal punishment (retributivism, deterrence, hybrid theories), law enforcement, trials and imprisonment.
<b>Objectives:</b>	<ul style="list-style-type: none"> <li># have developed an understanding of the major theories of law</li> <li># have developed an understanding of the major theories of legal punishment</li> <li># have developed a critical understanding of the relationship between law and morality</li> </ul>
<b>Assessment:</b>	A written assignment of 2000 words 50% (due mid-semester), a 2-hour closed-book written examination 47% (held at the end of semester) and tutorial participation 3%.
<b>Prescribed Texts:</b>	A subject reader will be available from the Bookroom at the beginning of semester
<b>Recommended Texts:</b>	R. A. Duff, Punishment, Communication and Community Oxford: Oxford University Press 2000. H.L.A. Hart, The Concept of Law Oxford: Oxford University Press, 1961. H.L.A. Hart, Punishment and Responsibility Oxford: Oxford University Press, 1973. Igor Primoratz , Justifying Legal Punishment New Jersey: Humanities Press, 1997. Joseph Raz, The Authority of Law Oxford: Oxford University Press, 1983.
<b>Breadth Options:</b>	<p>This subject potentially can be taken as a breadth subject component for the following courses:</p> <ul style="list-style-type: none"> <li># <b>Bachelor of Biomedicine</b> (<a href="https://handbook.unimelb.edu.au/view/2009/J07">https://handbook.unimelb.edu.au/view/2009/J07</a>)</li> <li># <b>Bachelor of Commerce</b> (<a href="https://handbook.unimelb.edu.au/view/2009/F04">https://handbook.unimelb.edu.au/view/2009/F04</a>)</li> <li># <b>Bachelor of Environments</b> (<a href="https://handbook.unimelb.edu.au/view/2009/A04">https://handbook.unimelb.edu.au/view/2009/A04</a>)</li> <li># <b>Bachelor of Music</b> (<a href="https://handbook.unimelb.edu.au/view/2009/M05">https://handbook.unimelb.edu.au/view/2009/M05</a>)</li> <li># <b>Bachelor of Science</b> (<a href="https://handbook.unimelb.edu.au/view/2009/R01">https://handbook.unimelb.edu.au/view/2009/R01</a>)</li> </ul>

	<p># <b>Bachelor of Engineering</b> (<a href="https://handbook.unimelb.edu.au/view/2009/355-AA">https://handbook.unimelb.edu.au/view/2009/355-AA</a>)</p> <p>You should visit <b>learn more about breadth subjects</b> (<a href="http://breadth.unimelb.edu.au/breadth/info/index.html">http://breadth.unimelb.edu.au/breadth/info/index.html</a>) and read the breadth requirements for your degree, and should discuss your choice with your student adviser, before deciding on your subjects.</p>
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	<ul style="list-style-type: none"> <li># have refined the skills needed for critical thinking</li> <li># have improved their ability to integrate abstract moral and conceptual considerations with relevant empirical data</li> <li># have refined the skills required for written communication of research</li> <li># have strengthened their ability to comprehend and evaluate complex argumentative texts</li> </ul>
<b>Related Majors/Minors/ Specialisations:</b>	Philosophy Philosophy Major