

730-212 Legal Theory

Credit Points:	12.50
Level:	2 (Undergraduate)
Dates & Locations:	2009, This subject commences in the following study period/s: Semester 1, - Taught on campus.
Time Commitment:	Contact Hours: Three hours: delivery in one three hour seminar. Total Time Commitment: 144 hours
Prerequisites:	Legal Method and Reasoning; Principles of Public Law or in each case their equivalents.
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	<p><p>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.</p> <p>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: http://services.unimelb.edu.au/disability</p></p>
Coordinator:	Assoc Prof Shaun Mcveigh
Subject Overview:	<p>Legal Theory offers an introduction to the practice of theorising the place and role of law within Australia and contemporary society and culture. The subject is formulated around central questions in jurisprudence with specific concepts and their analysis being developed by reference to the traditions of legal theory and by reference to contemporary issues. The teaching of the subject is structured around a set of questions or topics that are integral to the study of law. The questions or topics include:</p> <ul style="list-style-type: none"> # Jurisdiction and the rule of law # interpretation and the rule of law; # Theories of justice; # Theories of sovereignty and modern rule; # The nature and importance of the text to law; # the formation of the subject of law. <p>In any offering of the subject, examples will be drawn from the amongst the following issues:</p> <ul style="list-style-type: none"> # The regulation of refugees and asylum seekers; # 'The Eichmann trial'; # Anti-terrorism anxieties and legislation; # Graffiti; # the prominence of the statute;

	<ul style="list-style-type: none"> # the form and the writ system; # television; # citizenship and human rights; # legal education; # indigenous experiences of sovereignty and law.
Objectives:	<p>On completion of this subject students should:</p> <ul style="list-style-type: none"> • have an understanding and knowledge of the key questions and themes of jurisprudence and theoretical perspectives upon law. • have an understanding of the history of thinking about law and the range of influences impacting upon the development of legal thought. • be able to analyse critically the legal and philosophical dimensions of contemporary social, political, economic and cultural issues. • have developed an appreciation of the significance of critical analyses and legal theory for any comprehensive understanding of substantive legal principles. • have developed further their intellectual curiosity and creativity about the law.
Assessment:	<p>Final open book examination 2 hours (50%). Research Essay based on selected research topic (50%). Assignment due in week 10 of semester. Word length for the assignment is 2000 words. The assignment question options are to be available no later than Week 2 of semester. Written topic outline of research assignment. 300 word limit. Assessed on a pass/resubmit basis with a pass standard of submission necessary as a hurdle requirement for obtaining a pass grade or above in the subject overall. Due in Week 5 of semester.</p>
Prescribed Texts:	Printed materials will be issued by Melbourne Law School.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	<p>On completion of this subject students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # the capacity for close reading and analysis of a range of sources, including seminal legal theory texts and other legal sources # the capacity to engage in critical thinking and to bring to bear a range of conceptual analyses upon a given subject matter # the capacity for independent thought and reflection # the capacity to articulate knowledge and understanding of complex ideas in oral, written and visual form # the further enhancement of legal research techniques # the ability to engage in interdisciplinary work # the further enhancement of academic writing that engages with various modes of expression including descriptive, analytical, critical and imaginative forms. # the ability to confront unfamiliar or challenging issues and to consider appropriate ethical responses
Related Course(s):	Bachelor of Music and Bachelor of Laws