

730-312 Advanced Legal Concepts

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| Credit Points: | 12.50 |
| Level: | 4 (Undergraduate) |
| Dates & Locations: | This subject is not offered in 2009. |
| Time Commitment: | Contact Hours: Two 2-hour seminars per week Total Time Commitment: Estimated total time commitment of 120 hours. |
| Prerequisites: | Legal Method and Reasoning; Legal Theory 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> |
| Subject Overview: | <p>The subject draws on developments in the theory of separate doctrinal areas over the past two or three decades, such as the theory of tort, contract, crime, property and administrative law. Recent cross-doctrinal theoretical work has been dominated by law and economics scholars, but there is now a much broader input from philosophers, sociologists, organisational theorists and other social scientists.</p> <p>The aim is to examine various central concepts and the connections between them. The selection will vary from year-to-year. Typical concepts are: harm wrongfulness, fault, responsibility, causation, liability, punishment, regulation, restitution, compensation, negligence, intention, fraud and moral luck.</p> <p>One major theme is the interrelation between different branched of the law, and more generally, the claimed distinction between private and public law. Another major theme is the conflict between economic, justice and other types of explanations of different branches of the law, and the problems these explanations raise. No in-depth knowledge of any doctrinal area of law is presupposed.</p> |
| Objectives: | The subject aims to develop students' understanding of the nature and versatility of legal concepts and the relations between them, to deal with conceptual proliferation (manufacturing concepts beyond necessity), and to provide them with the opportunity to undertake a substantial piece of legal research. |
| Assessment: | Research essay, topic to be selected in consultation with the lecturer, 5000 words in length (due end of semester), 100%. Attendance at at least 75% of classes is a hurdle requirement. |
| Prescribed Texts: | None |
| 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: | On completion of the subject, students should have developed the following generic skills: |

- # the capacity for critical and independent thought and reflection, and in particular, to appreciate and analyse legal-philosophical issues
- # the capacity to communicate, both orally and in writing
- # the capacity for close reading and analysis of a range of sources
- # the ability to develop a research topic, and to prepare in substance an application for research funding
- # the capacity to plan and manage time
- # the ability and self-confidence to understand and articulate complex concepts and to confront unfamiliar problems
- # attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage
- # intercultural sensitivity and understanding