

LAWS50031 Legal Theory

Credit Points:	12.50
Level:	5 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus. Seminars.
Time Commitment:	Contact Hours: 36 hours, 1x 3-hour seminar per week. Total Time Commitment: 144 hours.
Prerequisites:	LAWS50023 Legal Method and Reasoning; LAWS50024 Principles of Public Law; LAWS50025 Torts; LAWS50026 Obligations; LAWS50027 Dispute Resolution.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: http://www.services.unimelb.edu.au/disability/ .
Coordinator:	Dr Wendy Larcombe
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	<p><i>Legal Theory</i> explores questions about the nature of law, its place in human societies, and its relationship to morality and justice. These questions, central to the history of legal theory, are explored in relation to contemporary conditions of legal, political and social organisation.</p> <p>The aim of the subject is for students to further their understanding of the workings of law and its role in ordering and regulating human society and conduct. The questions we investigate have productive historical and conceptual traditions but no settled answers, and students will be encouraged to critically evaluate their own and others' theories and arguments. To this end, the subject will examine a range of analytical methods and approaches, and assist students to further develop skills in critical analysis, reasoning and argument.</p> <p>In any one year, the specific topics to be studied in <i>Legal Theory</i> will examine key questions in jurisprudence; law, society and culture; authority, rule and law; or law and ethics. These topics will be explored in the context of the plural traditions of legal theory, and by way of examples from current debates about the character of law in contemporary society, both nationally and</p>

	internationally. In addition, legal examples will be taken from subjects studies concurrently (especially <i>Property</i> and <i>Constitutional Law</i>) and in the previous semester (<i>Principles of Public Law</i> and <i>Dispute Resolution</i> in particular).
Objectives:	<p>The aim of the subject is for students to further develop their conceptual and social understanding of law and of law's key role in ordering human society. This understanding will be developed through individual close reading and class discussion of legal theory writing, and through collaborative analysis of contemporary political, social and ethical issues within law. On completion of this subject students should be able to:</p> <ul style="list-style-type: none"> # Demonstrate knowledge and understanding of the key analytical and theoretical questions, topics and issues explored in the course; # Demonstrate an understanding of historical and contemporary thinking about law, its ordering of legal institutions and its associated ethical responsibilities; # Develop and apply a range of tools and techniques to critically analyse the legal dimensions of contemporary social, political, economic or cultural issues; # Formulate and express informed opinions and reasoned arguments about questions and issues in legal theory; # Reflect on factors and influences information understandings of law.
Assessment:	2,000-word essay due in accordance with coordinated assessment schedule (45%);2-hour exam during the exam period (45%);Class participation (10%).
Prescribed Texts:	Prescribed text tba and/or printed materials available from the 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"> # Attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage; # The capacity for close reading and analysis of a range of sources, including legal theory texts, other legal sources and interdisciplinary work; # The capacity to engage in critical thinking, independent thought and reflection; # The capacity to articulate knowledge and understanding of complex ideas in oral and written forms; # The ability to write effectively in descriptive, analytical, critical and reflective modes; # The ability to consider appropriate ethical responses to unfamiliar or challenging issues; # The ability to participate constructively as a member of a team; # Intercultural sensitivity and understanding.
Related Course(s):	Juris Doctor