

# LAWS40096 Legal History

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| <b>Credit Points:</b>                    | 12.50   |
| <b>Level:</b>                            | 4 (Undergraduate)   |
| <b>Dates &amp; Locations:</b>            | This subject is not offered in 2012. Seminars.  |
| <b>Time Commitment:</b>                  | Contact Hours: 24 hours. Total Time Commitment: 144 hours.  |
| <b>Prerequisites:</b>                    | Legal Method and Reasoning; Principles of Public Law; Constitutional Law; Obligations; Contracts; Torts; Property; or their equivalents.  |
| <b>Corequisites:</b>                     | None.   |
| <b>Recommended Background Knowledge:</b> | Study of a BA history subject is desirable but not essential.   |
| <b>Non Allowed Subjects:</b>             | None.   |
| <b>Core Participation Requirements:</b>  | For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: <a href="http://www.services.unimelb.edu.au/disability/">http://www.services.unimelb.edu.au/disability/</a> .        |
| <b>Contact:</b>                          | Melbourne Law School Student Centre<br>Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> ( <a href="mailto:law-studentcentre@unimelb.edu.au">mailto:law-studentcentre@unimelb.edu.au</a> )<br>Tel: +61 3 8344 4475  |
| <b>Subject Overview:</b>                 | An analysis of the development of English common law from its medieval origins. The subject will examine the development of the common law both in England and in countries which have "received" the common law, including Australia and the United States. Topics covered will include the sources of the common law, early English legal literature and the development of the court system. Case studies, drawn from both private and public law, will examine the development of common law doctrines.   |
| <b>Objectives:</b>                       | On completion of this subject, students should: <ul style="list-style-type: none"> <li># Be able to read and evaluate the principal sources of legal history;</li> <li># Have an understanding of the development of the common law, including the development of the common law courts, and the relationship of those courts to other tribunals (for example, local courts and courts administering canon law);</li> <li># Have an appreciation of the social and economic considerations influencing the development of common law doctrines;</li> <li># Have an understanding of the early colonial reception of the common law in America and Australia.</li> </ul> |
| <b>Assessment:</b>                       | A research essay on an approved topic, max 3,000 words, to be submitted by the end of week 10 (60%) ANDA two hour exam (40%)  |
| <b>Prescribed Texts:</b>                 | Printed materials will be available from the Melbourne Law School.  |
| <b>Recommended Texts:</b>                | <ul style="list-style-type: none"> <li># JH Baker, <i>An Introduction to English Legal History</i> (Butterworths, 4th ed, 2002);</li> <li># David Ibbetson, <i>A Historical Introduction to the Law of Obligations</i> (OUP, 1999).</li> </ul>  |
| <b>Breadth Options:</b>                  | This subject is not available as a breadth subject.   |
| <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>                   | On completion of the subject, students should have developed the following generic skills: <ul style="list-style-type: none"> <li># Capacity for close reading and analysis of a range of historical sources;</li> <li># Capacity for independent thought and reflection;</li> </ul>  |

- # Capacity to communicate, both orally and in writing;
- # An understanding of different institutional and national cultures.