

LAWS50031 Legal Theory

Credit Points:	12.50																	
Level:	5 (Graduate/Postgraduate)																	
Dates & Locations:	2012, Parkville This subject commences in the following study period/s: November, Parkville - Taught on campus. 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:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> </tbody> </table>			Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50
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Corequisites:	None.																	
Recommended Background Knowledge:	None.																	
Non Allowed Subjects:	None.																	
Core Participation Requirements:	<p>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/.</p>																	
Coordinator:	Assoc Prof Shaun Mcveigh, Prof Sundhya Pahuja																	
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> examines 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 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. The course enables students to develop and evaluate their thinking about a number of theoretical questions, drawing on a range of conceptual and interdisciplinary approaches to the study of law.</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 and role of law in contemporary society, both nationally and internationally. In addition, legal examples will be taken from other subjects studied in the first year of the degree.</p>
Objectives:	<p>The aim of the subject is for students to 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. Students who successfully complete the subject will be able to:</p> <ul style="list-style-type: none"> # Demonstrate foundational knowledge and understanding of the key theories and theoretical questions, topics and issues explored in the course; # Demonstrate understanding of historical and contemporary thinking about law, and of recent developments in the field of legal theory; # Demonstrate the ability to investigate, analyse and integrate a range of theories, arguments and perspectives, and engage with complex conceptual problems at an abstract level; # Develop and communicate reflective and reasoned arguments about questions and issues in legal theory and the legal dimensions of contemporary social, political, economic and cultural issues; # Critically reflect on factors and influences that inform understandings of law and the role of legal institutions and processes in ordering and regulating human society and conduct.
Assessment:	2,000-word essay or equivalent assignment due in accordance with coordinated assessment as set by the lecturer (45%); 2-hour exam during the exam period (45%); Class participation (10%).
Prescribed Texts:	Prescribed text TBA; Specialist printed materials will also be made available from 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>Through completion of this subject students will have practised the following skills:</p> <ul style="list-style-type: none"> # Close reading and analysis of a range of sources, including legal theory texts, other legal sources and interdisciplinary materials; # A capacity to engage in critical thinking, independent thought and reflection at an abstract level; # A capacity to communicate knowledge and understanding of complex ideas in oral and written forms, to defined audiences; # The ability to write effectively in descriptive, analytical, critical and reflective modes; # The ability to develop appropriate ethical responses to unfamiliar or challenging issues; # The ability to participate constructively as a member of a learning community, with a high level of personal accountability; # Intercultural awareness and understanding, demonstrated through respect for the considered views and values of others.
Related Course(s):	Juris Doctor