

# LAWS50121 Law and Literature

<b>Credit Points:</b>	12.5																																	
<b>Level:</b>	5 (Graduate/Postgraduate)																																	
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.																																	
<b>Time Commitment:</b>	Contact Hours: 36 hours. Total Time Commitment: 144 hours.																																	
<b>Prerequisites:</b>	<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>LAWS50025 Torts</td> <td>November, Semester 2</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> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50030 Property</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50032 Administrative Law</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	LAWS50025 Torts	November, Semester 2	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50028 Constitutional Law	Semester 2	12.50	LAWS50029 Contracts	Semester 2	12.50	LAWS50030 Property	Semester 1	12.50	LAWS50031 Legal Theory	Semester 2	12.50	LAWS50032 Administrative Law	Semester 1	12.50
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<b>Corequisites:</b>	None																																	
<b>Recommended Background Knowledge:</b>	None																																	
<b>Non Allowed Subjects:</b>	None																																	
<b>Core Participation Requirements:</b>	<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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>.</p>																																	
<b>Coordinator:</b>	Mr Gary Cazalet																																	

<b>Contact:</b>	Melbourne Law School Student Centre Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
<b>Subject Overview:</b>	<p>The focus of the subject is the development of the student's understanding of their personal and professional perspectives on their relationship to law and the practice of law. Students will use the lens of literature of and about law to investigate and critically reflect on the complex problems and professional challenges of law and the practice of law. Through the selection of a wide range of texts including non-fiction, fiction, film, art, plays and music students will examine such issues as the relationship between personal beliefs and professional responsibilities, cause lawyering and the role of creativity, passion and initiative in the development of law.</p> <p>This subject is intended to be a capstone experience requiring the completion or near completion of all compulsory law subjects. The analysis of the texts will require students to reflect on and evaluate the interactions and fault lines between areas of law that the students have studied as discrete law subjects. For example we may examine the interplay and clashes between equity, criminal law, torts, contract and professional ethics in <i>The Merchant of Venice</i>.</p> <p>We will also consider how literature enhances our understanding of the role of law in society by examining law's contributions and failings. We will examine the ways in which the legal system has excluded the consideration of stories and views that literature considers critical to a full understanding of events and actions.</p> <p>Students will study the main theoretical approaches to and recent developments in the use of literature as a tool to analyse and critique the legal system and the roles of lawyers.</p> <p>Students will be required to articulate and explain their views in class participation, peer to peer learning and online media.</p>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced and integrated understanding of professional and personal challenges in the practice of law;</li> <li># Have an advanced knowledge of the main theoretical approaches to and recent developments in the use of literature as a tool to analyse and critique the legal system and the role of lawyers;</li> <li># Be able to use cognitive, technical and creative skills to investigate, analyse and propose linkages between complex legal and ethical problems relevant to the practice of law;</li> <li># Be able to evaluate and articulate their personal approach to practical and theoretical legal issues that involve complex legal and ethical problems.</li> </ul>
<b>Assessment:</b>	<p>Draft essay (hurdle requirement); Peer review of 2 draft essays, maximum 1,500 words total, Code 2 (30%). Students will not be marking other students' work. We will discuss the process and attributes of peer reviewing in our first classes; Self-reflection on learning, maximum 500 words, Code 2, to be submitted at the same time as the submission of the peer review essay outlines (10%); Essay on a theme chosen by the student and approved by the lecturer, maximum 2,500 words, Code 2 (50%); In class oral presentation of between 5-10 minutes including outline of main points, maximum 500 words, Code 2 (10%).</p>
<b>Prescribed Texts:</b>	<p>Sophocles, <i>Antigone</i>, (circa 441 BC) William Shakespeare, <i>The Merchant of Venice</i> (circa 1590) Franz Kafka, <i>The Trial</i> (first published 1925) Chloe Hooper, <i>The Tall Man</i> (2008) Truman Capote, <i>In Cold Blood</i> (1966) Moises Kaufman, <i>Gross Indecency, The Three Trials of Oscar Wilde</i> (1988) Helen Garner, <i>Joe Cinque's Consolation</i> (2004) Andrew Irvine, <i>Socrates On Trial: A Play Based On Aristophane's Clouds And Plato's Apology, Crito, And Phaedo Adapted For Modern Performance</i> (2008), University of Toronto Press</p>
<b>Breadth Options:</b>	<p>This subject is not available as a breadth subject.</p>
<b>Fees Information:</b>	<p>Subject EFTSL, Level, Discipline &amp; Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a></p>
<b>Generic Skills:</b>	<p>This subject will build on the research and writing skills developed within the JD program. In addition a student who has successfully completed the subject will be able to:</p> <ul style="list-style-type: none"> <li># Analyse, critically reflect on and communicate their professional and personal perspectives and approaches to problems and professional challenges of law and the practice of law;</li> </ul>

	<ul style="list-style-type: none"><li># Evaluate and compare the perspectives of literature and the perspectives of law to issues such as morality, individual responsibility, crime and justice;</li><li># Recognise and propose connections between areas of law previously studied and themes present in works studied;</li><li># Apply theoretical approaches to the study and interpretation of legal themes in literature of and about law;</li><li># Articulate, discuss, reflect and explain in a range of written and oral forms their own perspectives and understanding of ways in which law does and does not adequately deal with social, political, economic and cultural issues;</li><li># Be able to provide constructive, specific, balanced, thorough and respectful peer reviews of other students' work.</li></ul>
<b>Notes:</b>	This subject has a quota of 60 students. Details on <b>quota subject selection</b> ( <a href="http://www.law.unimelb.edu.au/jd/current-students/enrolments/quota-subject-selection/">http://www.law.unimelb.edu.au/jd/current-students/enrolments/quota-subject-selection/</a> ) are available on the JD website.