

COURSE OUTLINE			
TERM: Fall 2018		COURSE NO: LAW 470	
INSTRUCTOR:		COURSE TITLE: Philosophy of Law	
OFFICE:	LOCAL:	SECTION NO(S):	CREDITS: 3.0
E-MAIL:	@capilanou.ca		
OFFICE HOURS:			
COURSE WEBSITE:			

Capilano University acknowledges with respect the Lil'wat, Musqueam, Squamish, Sechelt, and Tsleil-Waututh people on whose territories our campuses are located.

COURSE PREREQUISITES

LAW 101, LAW 110 and LAW 210, OR 45 credits of 100-level or higher coursework.

COURSE FORMAT

Three hours of class time, plus an additional hour delivered through on-line or other activities for a 15-week semester, which includes two weeks for final exams.

CALENDAR DESCRIPTION

This is a survey course of basic doctrines and current issues in jurisprudence and legal theory. Topics covered include natural-law theory, legal positivism, legal realism, feminist legal theory, critical race theory, individual liberty, and international law.

COURSE NOTE

LAW 470 is an approved Self and Society course for Cap Core requirements.

REQUIRED TEXTS AND/OR RESOURCES

Keith C Culver, ed, *Readings in the Philosophy of Law*, 2nd ed (Peterborough: Broadview Press, 2008)
 Supplementary materials posted on Moodle (e.g., cases and legislation)

COURSE STUDENT LEARNING OUTCOMES

On successful completion of this course, students will be able to do the following:

1. Explain the major topics in the philosophy of law and able to connect these to substantive legal issues;
2. Compare and contrast major ideas in the different schools of thought in legal philosophy;
3. Understand the impact of different schools of thought in legal philosophy on legal doctrines, statutes, and court cases in Canada and in other countries;

4. Apply ideas from the different schools of legal philosophy in analysing specific legislative regimes, legal issues, and court decisions, hypothetical and real;
5. Participate in classroom discussion groups to discuss and learn about the principles of legal philosophy;
6. Connect legal-philosophical issues to concepts of social responsibility, corporate and individual; and
7. Work collaborative in groups to prepare a project or presentation interpreting and analysing a problem in modern legal philosophy.

Students who complete this Self & Society course will be able to do the following:

1. Identify potential root causes of local/global problems and how they affect local/global cultures, economies, politics, and policies;
2. Assess and evaluate individual and collective responsibilities within a diverse and interconnected global society;
3. Analyse the impact of colonialism and racism on Indigenous peoples;
4. Synthesize a range of differing community perspectives on ethics and justice and explain how these perspectives can inform structural change;
5. Generate strategies for reconciling Indigenous and Canadian relations; and
6. Explain how contexts (e.g. cultural, historical, colonial, economic, technological) shape identity formation and social structures.

COURSE CONTENT

WEEKLY COURSE CONTENT	
WEEK	CONTENT
1	INTRODUCTION TO PHILOSOPHY
2	OVERVIEW OF LEGAL CONCEPTS AND FRAMEWORK
3	NATURAL LAW THEORY
4	LEGAL POSITIVISM
5	LEGAL REALISM
6	INTEGRITY THEORY
7	MIDTERM EXAM
8	CRITICAL PERSPECTIVES: FEMINIST LEGAL THEORY
9	CRITICAL PERSPECTIVES: CRITICAL RACE THEORY
10	INDIVIDUAL LIBERTY
11	RESPONSIBILITY THEORY
12	INTERNATIONAL LAW AND LEGAL THEORY
13	CRITICAL PERSPECTIVES REVISITED: LAW AND VIOLENCE
14-15	FINAL EXAM PERIOD: Term paper due

EVALUATION PROFILE

Individual discussion paper	15%
Midterm Exam	25%
Group project	15 – 20%
Term paper	35 – 40%
Participation in class discussions	<u>0 – 10%</u>
TOTAL:	100%

GRADING PROFILE

A+ = 90-100	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

Incomplete Grades

Grades of Incomplete “I” are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

Late Assignments

Assignments are due at the beginning of the class on the due date listed. If you anticipate handing in an assignment late, please consult with your instructor beforehand.

Missed Exams/Quizzes/Labs etc.

Make-up exams, quizzes and/or tests are given at the discretion of the instructor. They are generally given only in medical emergencies or severe personal crises. Some missed activities may not be able to be accommodated. Please consult with your instructor.

Attendance / Participation

Students are expected to attend all classes and associated activities. Class and online activities will involve participation in presenting cases to the class that illustrate philosophical principles, isolating the main facts and highlighting how the case illustrates the principle. Typically, there will be two presentations each term, with a 5% mark for each presentation.

English Usage

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

Electronic Devices

Students may use electronic devices during class for note-taking only.

On-line Communication

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or Moodle; please check both regularly. Official communication

between Capilano University and students is delivered to students' Capilano University email addresses only.

UNIVERSITY OPERATIONAL DETAILS

Tools for Success

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <http://www.capilanou.ca/services/>

Capilano University Security: download the [CapU Mobile Safety App](#)

Policy Statement (S2009-06)

Capilano University has policies on Academic Appeals (including appeal of final grade), Student Conduct, Cheating and Plagiarism, Academic Probation and other educational issues. These and other policies are available on the University website.

Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy S2017-05 for more information: <http://www.capilanou.ca/about/governance/policies/Policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

Academic dishonesty is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

Cheating: Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

Fraud: Creation or use of falsified documents.

Misuse or misrepresentation of sources: Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

Plagiarism: Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

Self-Plagiarism: Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

Prohibited Conduct: The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;
- Impersonating or allowing the impersonation of an individual;
- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

Sexual Violence and Misconduct

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including [B.401 Sexual Violence and Misconduct Policy](#) and [B.401.1 Sexual Violence and Misconduct Procedure](#).

Emergencies: Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.