



**UNIVERSITY OF CALGARY**  
FACULTY OF ARTS  
Department of Philosophy

**PHIL 325 Lec 01**

**Law and Morality**

Fall 2022

Tuesdays and Thursdays 1230 – 1345 PM

**COURSE OUTLINE**

**Instructor:** Yosh Kobasigawa

**Email:** ykobasig@ucalgary.ca

**Office:** SS 1214

**Office Hours:** Office hours will be held after Thursday lectures and by appointment

**Office Phone:** 403-220-4430

**Teaching Assistant:** Nicholas Kerklaan

**Email:** nicholas.kerklaan@ucalgary.ca

**Office:** SS 1235

**Office Phone:** 403-220-6464

**COURSE INFORMATION**

The central issue of this course concerns the relation between laws and morality. We will examine two competing perspectives on this issue: Natural Law and Legal Positivism. Those in the Natural Law tradition affirm that there are moral ends independent of laws, and that in order for something to be a law it must be in accordance with these ends. In contrast, according to Legal Positivism “the existence of law is one thing; its merit or demerit is another.” We will see how Aquinas’s conception of human nature leads him to endorse Natural Law, and how Hobbes’s view of human nature appears to commit him to a variant of Legal Positivism. We will also look at the works of John Austin, H.L.A. Hart and Lon Fuller to examine issues concerning judicial discretion and political authority.

**PREREQUISITE(S)**

There are no prerequisites for this course, Credit for Philosophy 325 and 319 will not be allowed.

**COURSE OBJECTIVES/LEARNING OUTCOMES**

This course aims to develop the capacity to carefully digest and evaluate works in legal philosophy. As part of this process students will be given the opportunity to develop their ability to produce clear written summaries of positions and arguments proposed by these scholars and to produce thoughtful assessments of their proposals.

**REQUIRED/RECOMMENDED TEXTBOOKS, READINGS AND MATERIALS**

Readings will be indicated via the D2L site for this class.

## COURSE ASSESSMENT AND EVALUATION

The final grade will be determined by three take-home tests. The take-home tests will be posted on D2L and they will be submitted on D2L using Dropbox. Each test should be a single Word file or PDF. Please make sure to take a screenshot of the D2L page when submitting your test. The tests involve writing essays on assigned topics. Late take-home tests will be assigned a grade of zero unless a university approved justification is provided prior to the test being posted. There is no registrar-scheduled final exam for this course.

Test 1	Due: October 2	30 %
Test 2	Due: October 30	35 %
Test 3	Due: December 6	35 %

### Letter Grade Conversion Table

96-100 = A+	80-85.9 = B+	67-69.9 = C+	55-59.9 = D+
91-95.9 = A	75-79.9 = B	64-66.9 = C	50-54.9 = D
86-90.9 = A-	70-74.9 = B-	60-63.9 = C-	< 50 = F

## IMPORTANT DEPARTMENTAL, FACULTY AND UNIVERSITY INFORMATION

### Academic Accommodations

It is the student's responsibility to request academic accommodations according to the University policies and procedures. The student accommodation policy can be found at [ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Student-Accommodation-Policy.pdf](https://ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Student-Accommodation-Policy.pdf).

Students needing an Accommodation because of a disability or medical condition should communicate this need to Student Accessibility Services in accordance with the Procedure for Accommodations for Students with Disabilities: [ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Accommodation-for-Students-with-Disabilities-Procedure.pdf](https://ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Accommodation-for-Students-with-Disabilities-Procedure.pdf). Students needing an Accommodation in relation to their coursework or to fulfil requirements for a graduate degree, based on a protected ground other than disability, should communicate this need, preferably in writing, to their instructor.

### Absence or Missed Course Assessments

Students who are absent from class assessments (tests, participation activities, or other assignments) should inform their instructors as soon as possible. If the reason provided for the absence is acceptable, instructors may decide that any arrangements made can take forms other than make-up tests or assignments. For example, the weight of a missed grade may be added to another assignment or test.

### Student Support and Resources

Full details and information about the following resources can be found at [ucalgary.ca/current-students/student-services](https://ucalgary.ca/current-students/student-services)

- Wellness and Mental Health Resources
- Student Success Centre
- Student Ombuds Office
- Student Union (SU) Information
- Graduate Students' Association (GSA) Information
- Emergency Evacuation/Assembly Points
- Safewalk

### Academic Advising

If you are a student in the Faculty of Arts, you can speak to an academic advisor in the Arts Students' Centre about course planning, course selection, registration, program progression and more. Visit the Faculty of Arts website at <https://arts.ucalgary.ca/current-students/undergraduate/academic-advising> for contact details and information regarding common academic concerns.

For questions specific to the philosophy program, please visit [arts.ucalgary.ca/philosophy](https://arts.ucalgary.ca/philosophy). Further academic guidance is available by contacting Jeremy Fantl (Undergraduate Program Director [jfantl@ucalgary.ca](mailto:jfantl@ucalgary.ca)) or David Dick (Honours Advisor [dgdick@ucalgary.ca](mailto:dgdick@ucalgary.ca)).

### **Writing Assessment and Support**

The assessment of all written assignments—and, to a lesser extent, written exam responses—is based in part on writing skills. This includes correctness (grammar, punctuation, sentence structure, etc.), as well as general clarity and organization. Research papers must include a thorough and accurate citation of sources. Students are also encouraged to use Writing Support Services for assistance. For more information, and other services offered by the Student Success Centre, please visit [ucalgary.ca/student-services/student-success](https://ucalgary.ca/student-services/student-success).

### **Required Technology**

In order to successfully engage in their learning experiences at the University of Calgary, students taking online, remote, and blended courses are required to have reliable access to the following technology:

- A computer with a supported operating system, as well as the latest security, and malware updates;
- A current and updated web browser;
- Webcam (built-in or external);
- Microphone and speaker (built-in or external), or headset with microphone;
- Current antivirus and/or firewall software enabled;
- Broadband internet connection.

Most current laptops will have a built-in webcam, speaker and microphone.

### **Responsible Use of D2L**

Important information and communication about this course will be posted on D2L (Desire2Learn), UCalgary's online learning management system. Visit <https://ucalgary.service-now.com/it> for how-to information and technical assistance.

All users of D2L are bound by the guidelines on the responsible use of D2L posted here: <https://elearn.ucalgary.ca/commitment-to-the-responsible-use-of-d2l/>. The instructor may establish additional specific course policies for D2L, Zoom, and any other technologies used to support remote learning. Instructional materials, including audio or video recordings of lectures, may not be posted outside of the course D2L site. Students violating this policy are subject to discipline under the [University of Calgary's Non-Academic Misconduct policy](#).

### **Media Recording**

Please refer to the following statement on media recording of students: [https://elearn.ucalgary.ca/wp-content/uploads/2020/05/Media-Recording-in-Learning-Environments-OSP\\_FINAL.pdf](https://elearn.ucalgary.ca/wp-content/uploads/2020/05/Media-Recording-in-Learning-Environments-OSP_FINAL.pdf)

### **Academic Misconduct/Honesty**

Cheating or plagiarism on any assignment or examination is as an extremely serious academic offense, the penalty for which will be an F on the assignment or an F in the course, and possibly a disciplinary sanction such as probation, suspension, or expulsion. For information on academic misconduct and its consequences, please see the University of Calgary Calendar at [ucalgary.ca/pubs/calendar/current/k.html](https://ucalgary.ca/pubs/calendar/current/k.html).

Intellectual honesty requires that your work include adequate referencing to sources. Plagiarism occurs when you do not acknowledge or correctly reference your sources. If you have questions about referencing, please consult your instructor.

### **University Policies**

The Instructor Intellectual Property Policy is available at [ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Intellectual-Property-Policy.pdf](https://www.ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Intellectual-Property-Policy.pdf)

The University of Calgary is under the jurisdiction of the provincial Freedom of Information and Protection of Privacy (FOIP) Act, as outlined at <https://www.ucalgary.ca/legal-services/access-information-privacy>. The instructor (or TA) must return graded assignments *directly* to the student UNLESS written permission to do otherwise has been provided.

All students are required to read the University of Calgary policy on Acceptable Use of Material Protected by Copyright (<https://www.ucalgary.ca/legal-services/sites/default/files/teams/1/Policies-Acceptable-Use-of-Material-Protected-by-Copyright-Policy.pdf>) and requirements of the copyright act (<https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>).