



FACULTY OF ARTS
DEPARTMENT OF PHILOSOPHY

PHIL 425 Lec 01 – “Philosophy of Law”

Winter Term 2013
Lectures: T/R 12:30-1:45 pm
Course Outline

Instructor: Dr. Ann Levey
Office: SS 1230
Office Hours: TWF 2-3 or by apt.
Phone: 220-5536
Email: levey@ucalgary.ca

Course Description:

The primary question we will take up in this course is the issue of what makes something a valid law and in particular the source of normativity in law. We will examine this largely through looking at two disputes (or debates). One debate is within positivism regarding the adequacy of a command theory of law (Austin and Hart). The second debate, the Hart-Dworkin debate regards the role of morality in the law. In the course of investigating the overarching issue of the source of normativity we will look at issues such as the individuation of legal systems, the discretion of judges,

Texts:

- John Austin, *The Province of Jurisprudence Determined*, 1882 (Available through Google books)
http://books.google.ca/books/about/The_Province_of_Jurisprudence_Determined.html?id=k4YDAAAAQAAJ&redir_esc=y
- H.L.A Hart, *The Concept of Law, Second Edition*, Oxford University Press, 1997
- The majority of the course reading will be journal articles which can be accessed through the library or through links on Blackboard.

Course Requirements:

In class midterm <i>Thursday February 14</i>	20%
Four Critical Reading Summaries (500 words each. Summaries longer than 500 words will not be accepted) <i>Due dates will be tied to readings and will be announced in class. Students are expected to be prepared to present their summaries to the class on the due date</i>	20%
Term paper 8-10 pages (2500-3000 words) <i>Due in class April 16</i>	40%
Group Presentation <i>Presentations will be given in class April 2-11</i>	20%

No assignment is such that a passing grade on it is required to pass the course. Writing and the grading thereof is a factor in the evaluation of your work for this course. For further explanation, see the University Calendar at <http://www.ucalgary.ca/pubs/calendar/current/e-2.html>

Students are expected to be prepared for class and to participate in class discussion including being prepared to present their critical summaries to the class.

There will be no Registrar Scheduled Final Exam.

Late Policy:

Students are expected to hand in all course work on the appropriate dates. Late assignments will be accepted on a case by case basis based on discussion with the student. Where no arrangements for later assignments are made the standard penalty will be one letter grade per day late.

Assignments are normally due in class. Unless other arrangements have been made, assignments that are not handed in during class will be considered late.

Grading:

All assignments will be given letter grades in accord with the University of Calgary Grading system as specified in the calendar. Final grades will be computed by converting letter grades to their grade point values as specified in the calendar and average.

Undergraduate Grading System

Grade	Grade Point Value	Description
A+	4.00	Outstanding
A	4.00	Excellent-superior performance, showing comprehensive understanding of subject matter.
A-	3.70	
B+	3.30	
B	3.00	Good - clearly above average performance with knowledge of subject matter generally complete.
B-	2.70	
C+	2.30	
C	2.00	Satisfactory - basic understanding of the subject matter.
C-	1.70	Receipt of a grade point average of 1.70 may not be sufficient for promotion or graduation. (See individual undergraduate faculty regulations.)
*D+	1.30	
*D	1.00	Minimal pass - marginal performance; generally insufficient preparation for subsequent courses in the same subject.
F	0	Fail - unsatisfactory performance or failure to meet course requirements.

INTELLECTUAL HONESTY

Intellectual honesty is the cornerstone of the development and acquisition of knowledge and requires that the contribution of others be acknowledged. As a result, cheating or plagiarism on any assignment or examination is regarded as **an extremely serious academic offence**, the penalty for which may be an F on the assignment and possibly also an F in the course, academic probation, or requirement to withdraw. The University Calendar states that plagiarism exists when:

- *the work submitted or presented was done, in whole or in part, by an individual other than the one submitting or presenting the work (this includes having another impersonate the student or otherwise substituting the work of another for one's own in an examination or test;*
- *parts of the work are taken from another source without reference to the original author;*
- *the whole work (e.g., an essay) is copied from another source; and/or*
- *a student submits or presents work in one course which has also been submitted in another course (although it may be completely original with that student) without the knowledge of or prior agreement of the instructor involved.*

While it is recognized that scholarly work often involves reference to the ideas, data and conclusions of other scholars, intellectual honesty requires that such references be explicitly and clearly noted. Plagiarism occurs not only when direct quotations are taken from a source without specific acknowledgement, but also when original ideas or data from the source are not acknowledged. A bibliography is insufficient to establish which portions of the student's work are taken from external sources; footnotes or other recognized forms of citation must be used for this purpose.

ACADEMIC ACCOMMODATION

It is the student's responsibility to request academic accommodation. If you are a student with a documented disability who may require academic accommodation and have not registered with the Disability Resource Centre, contact their office at 220-8237. Students who have not registered with the Disability Resource Centre are not eligible for formal academic accommodation. You are also required to discuss your needs with your instructor no later than fourteen (14) days after the start of this course.

STUDENTS' UNION REPRESENTATIVES

The Faculty of Arts Representatives are: Sarah Damberger arts1@su.ucalgary.ca; Hana Kadri arts2@su.ucalgary.ca; Kelsy Norman arts3@su.ucalgary.ca; Jack Mills arts4@su.ucalgary.ca

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY (FOIP) ACT

The University of Calgary is under the jurisdiction of the provincial FOIP Act in all aspects of its operations as a publicly funded institution. The Department of Philosophy ensures the student's right to privacy by requiring all graded assignments be returned to the student directly from the instructor.

SAFEWALK

Call 403-220-5333 (24 hours a day/7 days a week/365 days a year) for a Safewalk volunteer to accompany you safely to your destination on campus including parking lots, housing, and LRT station. Or use a Campus Help phone.

PHILOSOPHY DEPARTMENT

The Department of Philosophy is located on the 12th floor of the Social Sciences Building and on the web at www.phil.ucalgary.ca

PHILOSOPHY UNDERGRADUATE PROGRAM ADVISORS FOR WINTER 2013:

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For assistance with registration issues in Philosophy courses, contact Merlette Schnell (schnell@ucalgary.ca)