



Philosophy of Law Phil 2821F 550, 2022

CONTACT INFORMATION

Instructor: Lucien Lamoureux, LL.B./J.D., Ph.D.
 Office: I meet students in the Huron Dining Hall
 Office Hours: Mon: 12:30 pm – 2:30 pm (alternative
 telephone or Zoom meetings can be arranged)
 Phone or Text: 519-702-6517 (cell)
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CLASS INFORMATION

Mon: 3:30 pm – 5:30 pm
 Wed: 2:30 pm – 3:30 pm
 Classroom: HC-V210
 Website: <https://owl.uwo.ca/portal>

COURSE DESCRIPTION

This course is an introduction to the philosophy of law. We will attempt to understand law and legal practice by exploring the relationship between law and morality and the relationship between adjudication and reasoning. We will also consider criticisms of this approach by feminist jurisprudence, critical race theory and legal pluralism.

COURSE LEARNING OUTCOMES

Upon successful completion of this course, students will be able to:

1. Describe philosophical basic theories in philosophy of law.
2. Discuss competing points of view on issues in philosophy of law.
3. Evaluate conflicting philosophical arguments related to these issues.
4. Formulate well-reasoned solutions to practical dilemmas.
5. Persuade others of a well-reasoned stance or action.
6. Demonstrate effective writing and skillful critical and reflective thinking.

Students may vary in their competency levels on these outcomes. They can expect to achieve these outcomes if they honour course policies, attend classes regularly, complete all assigned work in good faith and on time, and meet all other course expectations of them as students.

ANTIREQUISITE(S)

None. Students wishing to audit the course should consult with the instructor prior to or during the first week of classes.

PREREQUISITE(S)

None.

COURSE STRUCTURE AND CONTENT

3 lecture hours/week; 0.5 course.

Lectures will be integrated with reading materials, legal cases, visual presentations, and group discussions.

COURSE MATERIALS

Required texts:

Readings in Philosophy of Law, 3rd ed., Culver, Keith, C. and Giudice, Michael, Broadview Press (2017). (paperback)

Writing Philosophy: A Guide for Canadian Students, 2nd ed., Vaughn, Lewis and Scott-McIntosh, Jillian, Oxford University Press (2013). (paperback)

COURSE REQUIREMENTS

Class Attendance	10%
First Paper (due: Oct 26)	20%
Second Paper (due: Dec 7)	30%
Final Exam (TBA)	40%

COPYRIGHT AND INTELLECTUAL PROPERTY

Webinars, PowerPoint lecture slides and notes, lists of readings, in-class activities, assignment guidelines, and other components of the course materials are typically the intellectual property of the instructor. Unauthorized reproduction through audio-recording, video-recording, photographing, sharing on social media, or posting on course-sharing websites is an infringement of copyright and is prohibited. Such action may be considered a Code of Conduct violation and lead to sanctions.

EVALUATION

Class Attendance

A 10% grade will be awarded on the basis of classroom attendance. In addition, students will be expected to discuss assigned readings and cases.

Papers

Format: 5 double-spaced pages, i.e. approximately 1250 words. Hardcopy to be submitted in class on the due date.

Plagiarism Check: Essays must also be submitted electronically to OWL on the due date to be evaluated through turnitin. Essays not submitted to OWL will not receive a grade.

Marking Criteria: Each paper will be graded out of 50 according to the following criteria:

Understanding: How well does the author understand and make judicious use of the relevant course material? How well does s/he understand the complexity of the issues involved? [15 marks]

Argument: Does the author use cogent arguments to support his or her position? Do the claims made in different parts of the paper follow from one another and are they consistent? [15 marks]

Clarity: Is the author's position clear, with an explicitly articulated thesis, and is the paper clearly written overall? Does the paper answer the questions asked? Could another student at the same level who is not enrolled in the course understand the paper? [10 marks]

Organization: Does the author reveal a plan for the paper at the outset and does s/he follow that plan? Does the paper have an explicit overall direction? [5 marks]

Style: Does the author's paper use correct grammar and syntax? Have the guidelines for proper format been followed? Has the author cited sources where necessary, following a recognized style? [5 marks]

Final Exam

The format will be short answer and essay. Further details will be provided to the class later in the term.

ACADEMIC ACCOMMODATION

For course components worth 10% or more of the total course grade, please see the Academic Policies and Regulations section at the end of this course outline or consult the Academic Calendar.

For course components worth less than 10% of the total course grade, an academic accommodation will still be required. Supporting documentation should be submitted to your Academic Advisor.

Reading Syllabus (subject to revision)

Date	Topic	Readings (Culver and Giudice)	Due Wednesday
Sept 12, 14	Introduction	Introduction	
Sept 19, 21	Natural Law Theory	Chapter 1	
Sept 16, 28			
Oct 3, 5	Legal Positivism	Chapter 2	
Oct 12 (Oct 10 is a holiday)			
Oct 17, 19			
Oct 24, 26	Integrity	Chapter 3	Paper #1
Oct 31, Nov 2		Reading Week	
Nov 7, 9			
Nov 14, 16	Legal Realism	Chapter 4	
Nov 21, 23			
Nov 29, 30	Recent Developments a. Feminist Jurisprudence b. Critical Race Theory	Chapter 5	
Dec 5, 7	c. Legal Pluralism		Paper #2



Appendix to Course Outlines: Academic Policies & Regulations Fall/Winter 2022

Pandemic Contingency

Huron will continue to follow the guidance of public health and government officials. It is anticipated that there will be no further disruptions to in-person instruction. This is subject to change.

Student Code of Conduct

Membership in the community of Huron University College and Western University implies acceptance by every student of the principle of respect for the rights, responsibilities, dignity and well-being of others and a readiness to support an environment conducive to the intellectual and personal growth of all who study, work and live within it. Upon registration, students assume the responsibilities that such registration entails. While in the physical or online classroom, students are expected to behave in a manner that supports the learning environment of others. Please review the Student Code of Conduct at:

<https://huronatwestern.ca/sites/default/files/Res%20Life/Student%20Code%20of%20Conduct%20-%20Revised%20September%202019.pdf>.

Prerequisite and Antirequisite Information

Students are responsible for ensuring that they have successfully completed all course prerequisites and that they have not completed any course antirequisites. Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

Attendance Regulations for Examinations

A student is entitled to be examined in courses in which registration is maintained, subject to the following limitations:

- 1) A student may be debarred from writing the final examination for failure to maintain satisfactory academic standing throughout the year.
- 2) Any student who, in the opinion of the instructor, is absent too frequently from class or laboratory periods in any course will be reported to the Dean of the Faculty offering the course (after due warning has been given). On the recommendation of the Department concerned, and with the permission of the Dean of that Faculty, the student will be debarred from taking the regular examination in the course. The Dean of the Faculty offering the course will communicate that decision to the Dean of the Faculty of registration.

Review the policy on Attendance Regulations for Examinations here: [Academic Calendar - Western University \(uwo.ca\)](https://www.uwo.ca/academic_calendar/)

Statement on Academic Offences

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following website: [Academic Calendar - Western University \(uwo.ca\)](https://www.uwo.ca/academic_calendar/). The appeals process is also outlined in this policy as well as more generally at the following website: https://www.uwo.ca/univsec/pdf/academic_policies/appeals/appealsundergrad.pdf.

Turnitin.com

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>).

Statement on Use of Electronic Devices

It is not appropriate to use electronic devices (such as, but not limited to, laptops, tablets, cell phones) in the classroom for non-classroom activities. Such activity is disruptive and distracting to other students and to the instructor, and can inhibit learning. Students are expected to respect the classroom environment and to refrain from inappropriate use of technology and other electronic devices in class.

Statement on Use of Personal Response Systems (“Clickers”)

Personal Response Systems (“clickers”) may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning. Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else’s clicker in class constitutes a scholastic offence
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence.

Academic Consideration for Missed Work

All students pursuing academic consideration, regardless of type, must contact their instructors no less than 24 hours following the end of the period of absence to clarify how they will be expected to fulfill the academic responsibilities missed during their absence. **Students are reminded that they should consider carefully the implications of postponing tests or midterm exams or delaying submission of work, and are encouraged to make appropriate decisions based on their specific circumstances.**

Students who have conditions for which academic accommodation is appropriate, such as disabilities or ongoing or chronic health conditions, should work with Accessible Education Services to determine appropriate forms of accommodation. Further details concerning policies and procedures may be found at: <http://academicsupport.uwo.ca/>.

Policy on Academic Consideration for a Medical/ Non-Medical Absence

- (a) Consideration on **Medical Grounds** for assignments worth *less than 10%* of final grade:
Consult Instructor Directly and Contact Academic Advising

When seeking consideration on **medical grounds** for assignments worth *less than 10%* of the final course grade, the student should contact the instructor directly. The student need only share broad outlines of the medical situation. The instructor **may** require the student to submit documentation to the academic advisors, in which case she or he will advise the student and inform the academic advisors to expect documentation. If documentation is requested, the student will need to complete and submit the [Student Medical Certificate](#). The instructor may **not** collect medical documentation. The advisors will contact the instructor when the medical documentation is received, and will outline the severity and duration of the medical challenge as expressed on the Student Medical Certificate and in any other supporting documentation. The student will be informed that the instructor has been notified of the presence of medical documentation, and will be instructed to work as quickly as possible with the instructor on an agreement for accommodation.

b) Medical Grounds for assignments worth 10% or more of final grade: Go Directly to Academic Advising

University Senate policy, which can be found at [Academic Calendar - Western University \(uwo.ca\)](#) requires that all student requests for accommodation on medical grounds for assignments worth 10% or more of the final grade be made directly to the academic advising office of the home faculty (for Huron students, the “home faculty” is Huron), with supporting documentation in the form (minimally) of the Senate-approved Student Medical Certificate found at:

https://www.uwo.ca/univsec/pdf/academic_policies/appeals/medicalform.pdf.

The documentation is submitted in confidence and will not be shown to instructors. The advisors will contact the instructor when the medical documentation is received, and will outline the severity and duration of the medical challenge as expressed on the Student Medical Certificate and in any other supporting documentation. The student will be informed that the instructor has been notified of the presence of medical documentation, and will be instructed to work as quickly as possible with the instructor on an agreement for accommodation. The instructor will not normally deny accommodation where appropriate medical documentation is in place and where the duration it describes aligns with the due date(s) of assignment(s). Before denying a request for accommodation on medical grounds, the instructor will consult with the Dean. The instructor’s decision is appealable to the Dean.

c) Consideration on Non-Medical Grounds: Consult Huron Support Services/Academic Advising, or email huronsss@uwo.ca.

Students seeking academic consideration for a **non-medical** absence (e.g. varsity sports, religious, compassionate, or bereavement) will be required to provide appropriate documentation. All consideration requests must include a completed [Consideration Request Form](#). Late penalties may apply at the discretion of the instructor.

Please review the full policy on Academic Consideration for medical and non-medical absence at: [accommodation_medical.pdf \(uwo.ca\)](#). Consult [Huron Academic Advising](#) at huronsss@uwo.ca for any further questions or information.

Support Services

For advice on course selections, degree requirements, and for assistance with requests for medical accommodation, students should email an Academic Advisor in Huron’s Student Support Services at

huronsss@uwo.ca. An outline of the range of services offered is found on the Huron website at: <https://huronatwestern.ca/student-life/student-services/>.

Department Chairs, Program Directors and Coordinators are also able to answer questions about individual programs. Contact information can be found on the Huron website at: <https://huronatwestern.ca/contact/faculty-staff-directory/>.

If you think that you are too far behind to catch up or that your workload is not manageable, you should consult your Academic Advisor. If you are considering reducing your workload by dropping one or more courses, this must be done by the appropriate deadlines. Please refer to the Advising website, <https://huronatwestern.ca/student-life/student-services/academic-advising/> or review the list of official Sessional Dates on the Academic Calendar, available here: <http://www.westerncalendar.uwo.ca/SessionalDates.cfm>.

You should consult with the course instructor and the Academic Advisor who can help you consider alternatives to dropping one or more courses. Note that dropping a course may affect OSAP and/or Scholarship/Bursary eligibility.

Huron Student Support Services: <https://huronatwestern.ca/student-life/student-services/> Office of the Registrar: <https://registrar.uwo.ca/>
Student Quick Reference Guide: <https://huronatwestern.ca/student-life/student-services/#1> Academic Support & Engagement: <http://academicsupport.uwo.ca/>
Huron University College Student Council: <https://huronatwestern.ca/student-life/beyond-classroom/hucsc/>
Western USC: <http://westernusc.ca/your-services/#studentservices>

Wellness and Health Supports at Huron and Western

University students may encounter setbacks from time to time that can impact academic performance. Huron offers a variety of services that are here to support your success and wellbeing. All Huron staff and faculty have received training on responding to disclosures of Gender-Based Sexual Violence (GBSV); students should know that the Community Safety Office is a resource for survivors, providing support and, if desired, guidance while referring them to the further supports that they may require. Please visit <https://huronatwestern.ca/student-life-campus/student-services/wellness-safety> for more information or contact staff directly:

Wellness Services: huronwellness@huron.uwo.ca Community Safety Office: safety@huron.uwo.ca
Additional supports for Health and Wellness may be found and accessed at Western through, <https://www.uwo.ca/health/>.

Western Calendar - Policy Pages -

[Academic Calendar - Western University \(uwo.ca\)](#)