

**THE UNIVERSITY OF MANCHESTER**  
**Unit Specification**

**1. GENERAL INFORMATION**

Title	Philosophy of Law
Unit code	PS041
Credit rating	15
Level	MA in Political Science and International Relations
Contact hours	21
Other Scheduled teaching and learning activities*	None
Pre-requisite units	None
Co-requisite units	None
School responsible	Moscow School of Social & Economic Sciences
Member of staff responsible	Dr. Alexander Marey
ECTS**	
Notional hours of Learning***	150

**2. AIMS**

**This unit aims to:** Establish the links between the concepts of Roman Legal Tradition operative in modern political thought, and the system of Classic Roman Law; explain the general role of Law in political philosophy and contextualize the concepts like Natural Law and Justice in classic and contemporary political thought. Students are expected to develop a critical and informed attitude towards the place that Philosophy of Law occupies in modern societies.

**3. BRIEF DESCRIPTION OF THE UNIT**

The course is divided into two principal parts. The first part deals with the juridical background of the political philosophy of Early Modern Age (Jean Bodin, Hugo Grotius, Thomas Hobbes, John Locke, Samuel Pufendorf, Jean-Jacques Rousseau, etc.). The second part is dedicated to the rise of contemporary philosophy of law from Kantian-Hegelian tradition up to the philosophical conceptions of contemporary authors (H. Kelsen, R. Dworkin. O.W. Holmes, A. Sen etc.). The primary goal is to expose the significance of philosophy of law for the treatment of fundamental problems of political philosophy, to articulate the close connection between politics and law in both theory and applied research fields.

\* To inform the “Key Information Set”. Defined as ‘any activity that a student has to attend or undertake at a fixed point and that has no flexibility for when it is undertaken, and where the student also has access to an available staff member’ (“*Provision of Information about Higher Education: Outcomes of consultation and next steps*” June 2011/18)

\*\* ECTS (European Credit Transfer and Accumulation System): There are 2 UK credits for every 1 ECT credit, in accordance with the Credit Framework (QAA). Therefore if a unit is worth 30 UK credits, this will equate to 15 ECT.

\*\*\* Notional hours of learning: The number of hours which it is expected that a learner (at a particular level) will spend, on average, to achieve the specified learning outcomes at that level. It is expected that there will be 10 hours of notional study associated with every 1 credit achieved. Therefore if a unit is worth 30 credits, this will equate to 300 notional study hours, in accordance with the Credit Framework (QAA).

#### 4. INTENDED LEARNING OUTCOMES

Category of outcome	Students should/will be able to:
Knowledge and understanding	<ul style="list-style-type: none"> <li>- understand conditions of appearance and modification of the Philosophy of Law;</li> <li>- conceive of multiple notions of Roman Law in modern political theories; understand their social-historical origins;</li> <li>- know main theoretical underpinnings of Philosophy of Law research, such as the concept of Justice, the difference between the <i>Lex</i> and <i>Ius</i>, <i>Iustitia</i> and <i>Aequitas</i>, concepts of Natural Law, Person, Public Person and others.</li> </ul>
Intellectual skills	<ul style="list-style-type: none"> <li>- interpret juridical conceptions from the philosophical point of view;</li> <li>- analyse various modes of use of juridical constructions in political-philosophical texts;</li> <li>- interpret the function of legal thought in the political field</li> </ul>
Practical skills	<ul style="list-style-type: none"> <li>- write well-structured and problem-focused academic papers on the historical significance of philosophy of law and respective issues;</li> <li>- participate in academic and public discussions, assess critically the use of philosophical expertise by public intellectuals</li> </ul>
Transferable skills and personal qualities	<ul style="list-style-type: none"> <li>- navigate through texts and documents in philosophy of law and related academic resources;</li> <li>- think critically and reflect on the function of legal philosophy in changing political environment</li> </ul>

#### 5. LEARNING AND TEACHING PROCESSES (INCLUDING THE USE OF E-LEARNING)

Contact hours: Lectures (50%) and tutorials (50%)  
 Collective reading and commenting in the classroom  
 One essay (homework)  
 Students are encouraged to enter in e-mail communication with tutor concerning the search for appropriate literature and developing original argument during preparation of essay

#### 6. ASSESSMENT (INCLUDING THE USE OF E-LEARNING)

Assessment task	Length	Weighting within unit (if relevant)
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essay	5000 words	80%
exam	1000 words	20%

## 7. INDICATIVE READING LIST

1. Dworkin, R. *Law's Empire* (Cambridge, MA: Harvard University Press, 1986).
2. Dworkin, R. *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1977).
3. Fuller, L.L. *The Morality of Law* (New Haven, CT: Yale University Press, 1965).
4. Hart, H.L.A. *The Concept of Law* (Oxford: Oxford University Press, 1961).
5. Hegel, G.W.F. *Philosophy of Right* (Oxford University Press 1967)
6. Holmes, Jr., O.W. *The Common Law* (Dover, 1991, reprint).
7. Kant, I. *Metaphysics of Morals (Doctrine of Right)* (Cambridge University Press 2000, reprint).
8. Kelsen, H. *Pure Theory of Law* (Lawbook Exchange Ltd., 2005, reprint).
9. Marmor, A. *Philosophy of Law*, Princeton: Princeton University Press, 2011
10. Shiner, R. (1992) *Norm and Nature: the Movements of Legal Thought*, Oxford: Clarendon Press.
11. Stavropoulos, N. "Obligations and the Legal Point of View," in *The Routledge Companion to Philosophy of Law* A. Marmor ed., London: Routledge, 2012

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