1. **Title of the module**

LAWS6040 (LW604): Morality and Law

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 6

1. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

A Critical Introduction to Law (LAWS3130/3230) and Public Law 1 (LAWS5880/6140)

1. **The programmes of study to which the module contributes**

All Law programmes.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Understand the historical development of a key moral and political concept and its complex relationship to law and theories of law.
   2. Demonstrate knowledge of the ways that the notion of morality has been analysed within moral philosophy and how various moral theories have affected the development of law.
   3. Analyse and understand the historical and political development of the notion of a right.
   4. Analyse, evaluate and engage with the arguments that are used to justify, defend and attack the notion of individual rights.
   5. Critically evaluate and analyse the ways in which rights have been understood and incorporated into law.
   6. Demonstrate an understanding of the ways in which theories of rights intersect law, moral philosophy and political theory.
   7. Demonstrate conceptual analysis of the complex notion of ‘individual rights’ and appreciate its significance for law, political theory and moral philosophy.
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Analyse and evaluate complex material across several disciplines (law, theory of law, moral philosophy, history of philosophy).
   2. Demonstrate understanding, analysis and argumentation in a written piece of work, using a variety of legal and non-legal sources.
   3. Discuss complex ideas and arguments
3. **A synopsis of the curriculum**

Block 1. Critical introduction to major theories of morality: virtue theory (incl. feminist ethics of care), deontological theory (incl. natural law theory and Kantian theory) and consequentialism (utilitarianism).

Block 2. A historical/contextual examination of the development of a particular moral concept; that of individual rights

Block 3. Oral presentations by students in pairs

Block 4. An analytical examination and critique of modern theories of rights and their relationship to law

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

Chapters/excerpts from the following books:

Waldron, J. ed., Theories of Rights (New York: Oxford University Press, 1984)

Simmonds, N. E. Central Issues in Jurisprudence: Justice, Law and Rights, Fourth edition, (London: Sweet and Maxwell, 2013)

Kant, I. Groundwork of the Metaphysics of Morals, any edition

Stuart Mill, J. Utilitarianism, any edition

Aristotle, The Nicomachean Ethics, any edition

Noddings, N. The Ethics of Care, any edition

Locke, J. The Second Treatise on Government, any edition

Curran, E. Reclaiming the Rights of the Hobbesian Subject (Basingstoke: Palgrave, 2007)

Hobbes, T. Leviathan, ed C B Macpherson, (Penguin classics 1968) (or any other edition)

Skinner, Q. Hobbes and Republican Liberty (Cambridge: Cambridge University Press, 2008)

Hohfeld, W. Fundamental Legal Conceptions (New Haven: Yale University Press, 1919)

Hacker and Raz eds. Law, Morality and Society (Oxford: Clarendon Press, 1977)

Macormick, N. Legal Right and Social Democracy (Oxford: Clarendon Press, 1982)

Kramer, Simmonds and Steiner eds. A Debate over Rights (Oxford: Oxford University Press, 1998)

1. **Learning and teaching methods**

Total Study Hours: 150

Private Study Hours: 130

Total Contact Hours: 20

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by 100% coursework as follows:

Oral presentation, in pairs (40%)

Essay, 2500 words (60%)

13.2 Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%. The reassessment will test all of the learning outcomes as indicated in section 14 below.

1. ***Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)***

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Combined lecture/seminars | x | x | x | x | x | x | x | x | x | x |
| Private Study | x | x | x | x | x | x | x | x | x | x |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |
| Essay (60%) | x | x | x | x | x | x | x | x | x | x |
| Oral presentation (40%) |  | x |  | x |  |  |  |  |  | x |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar notes will be made available in electronic format to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with Kent Law School’s agreed statement on lecture recording, the School will not routinely record teaching sessions that are heavily discussion based (i.e. combined lecture/seminars) which is the case in this module.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury.

1. **Internationalisation**

This module refers to written literature with an International outlook.

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 02/02/2018 | Major | September 2018 | 8-9, 11, 13-15, 17 | No |
|  |  |  |  |  |