



PHILOSOPHY 2080 (570)
Philosophy of Law
Fall/Winter 2026 - 2027

Instructor: Dr. Stephen Lofts
Email: slofts@uwo.ca

Course Information

Class Times:

Calendar Description: A study of some main problems in legal philosophy. Emphasis is given to actual law, e.g. criminal law and contracts, as a background to questions of law's nature. Specimen topics: police powers in Canada, contractual obligation, insanity defence, judicial reasoning and discretion, civil liberties, legal responsibility, natural law and legal positivism.

Prerequisite(s):

Antirequisite(s):

Extra Information: 2 hours

Course Weight: 1.00

Breadth: Category B

Subject Code: PHILOSOP

Notice: Unless you have either the requisites for this course (fulfilment of pre-requisites, no anti-requisite conflicts), or special permission from your Dean to enrol 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.

King's University College
University of Western Ontario
Department of Philosophy
Lectures Wednesday 8.30-10:00
PHILOSOP2080 — Philosophy of Law

Instructor: Dr. Stephen Lofts

Meeting Times: see website version

Email: slofts@uwo.ca

Office: see website version for office location

Office Hours: by appointment

Mode of Instruction: In-person

Prerequisites: None

Course Description: This course closely follows the typical jurisprudence course that law students are required to take in law school. The course is divided into two basic parts. The first section is theoretical. We will examine the classic philosophical perspectives on the nature, origin, function, and limitations of law in human society. The second section is practical. We will examine several contemporary issues from the perspective of various legal theories, including those related to environmental and Internet law.

Learning outcomes:

By the end of this course, students will have:

- Gained an overview of central authors and the core problematics of contemporary jurisprudence;
- Developed an understanding of the nature of philosophical questioning;
- Developed an understanding of the relation between abstract philosophical questions and the historical reality of the world;
- Students will work toward taking a stand on what they believe the law is or ought to be, and its role in shaping our socio-political world.

Required Texts:

- All readings will be posted on the course website two weeks before the class.
- All readings are provided free of charge via the course website.

Course Requirements and Due Dates:

- Exam I — Wednesday, November 11, 2026: 35% in class. "Academic consideration for this exam requires submission of formal supporting documentation."
- Exam II — Wednesday, February 24, 2027: 40% in class. "Academic consideration for this exam requires submission of formal supporting documentation."
- Final Exam 25% — time and place to be determined. See the Final Exam schedule.

Classroom Policies:

- Be respectful of others and their views. You can disagree with a position, but you must be respectful of the individual who holds that position.
- No phone use is permitted. PHONES MUST BE OUT OF SIGHT. If a phone is visible or someone is using one, the lecture will stop.
- The use of laptops for taking notes is permitted. However, watching movies, doing emails, etc., is not. If it is clear this is happening, you will be asked to stop using your laptop.

Missed classes:

- If you miss a class, you are responsible for getting notes from a fellow student. Please do not write to ask what you missed.

Communications:

- I generally respond to emails within 48 hours. I do not respond to emails

on the weekend or right before a test.

- Emails that are not formal and respectful will be deleted.

Makeup exams:

- If you miss an exam, you must request academic consideration from the Dean's office to write the make-up. There is no need to contact me, as I will just say that you should speak with the Dean's office and provide supporting documentation.
- FYI: "The Exam Office operates a centralized make-up service to support faculty with the administration of approved make-up assessments. As of September 1, 2026, students will incur a fee of \$45.00 per make-up assessment booked with the Exam Office."
- FYI: "The Exam Office centrally runs formal Special Exam Days to support instructors with administering approved special exams. As of September 1, 2026, for any Special Exams booked outside of the designated special exam days, students will incur a fee of \$75.00. The designated Special Exam Days for 2026-27 are January 8 and 9, 2027, and May 7 and May 12, 2027."

TENTATIVE SYLLABUS

- Wednesday, September 9, 2026 — Introduction to the Course
- Wednesday, September 16, 2026 — Introduction to the Philosophy and to Jurisprudence (the Philosophy of Law)
- Wednesday, September 23, 2026 — Aquinas: Natural Law Theory
- Wednesday, September 30, 2026 — NO CLASS: National Day for Truth and Reconciliation
- Wednesday, October 7, 2026 — Aquinas: Natural Law Theory (Continued with Aquinas Reading)
- Wednesday, October 14, 2026 — Fall Reading Week
- Wednesday, October 21, 2026 — State of Nature and Social Contract

Theory: Hobbes and Locke

- Wednesday, October 28, 2026 — Austin: Legal Positivism – The Command Theory of Law
- Wednesday, November 4, 2026 — Austin: Legal Positivism – The Command Theory of Law (Continued with Austin Reading)
- Wednesday, November 11, 2026 — EXAM I — 35% IN CLASS
- Wednesday, November 18, 2026 — Legal Formalism vs Legal Realism (No reading)
- Wednesday, November 25, 2026 — Oliver Holmes, Law as Systematic Prediction
- Wednesday, December 2, 2026 — Hart, The Separation Thesis and Hart's Critique of Austin
- Wednesday, December 9, 2026 — Hart, Law as the Union of Primary and Secondary Rules
- Wednesday, January 6, 2027 — Hart, The Open Texture of the Law
- Wednesday, January 13, 2027 — Ronald Dworkin, Hard Cases
- Wednesday, January 20, 2027 — Ronald Dworkin, The Model of Rules
- Wednesday, January 27, 2027 — Ronald Dworkin, Law as Interpretation
- Wednesday, February 3, 2027 — Ronald Dworkin, Law's Ambition for Itself
- Wednesday, February 10, 2027 — Ronald Dworkin, Law's Ambition for Itself
- Wednesday, February 17, 2027 — READING WEEK NO CLASS
- Wednesday, February 24, 2027 — EXAM II — 40% in class
- Wednesday, March 3, 2027 — Erin O'Donnell, Rivers as living beings: rights in law, but no rights
- Wednesday, March 10, 2027 — Kenneth Kang, On the problem of the

justification of river rights

- Wednesday, March 17, 2027 — to be posted
- Wednesday, March 24, 2027 — to be posted
- Wednesday, March 31, 2027 — to be posted
- Wednesday, April 7, 2027 — to be posted
- FINAL EXAM: 25%

**KING'S UNIVERSITY COLLEGE
GENERAL COURSE POLICIES
2026-27**

1. Academic Accommodations (Accessibility)

Accessibility Services works to ensure that academic programs are accessible to all students, and supports students who may have a condition related to, but not limited to, vision, hearing, mobility, different ways of learning, mental health, chronic illnesses, chronic pain, autism spectrum disorder, ADD/ADHD, and temporary conditions (beyond short-term academic consideration). Accessibility Services provides recommendations for accommodation based on medical documentation or psychological and cognitive assessment. The accommodation policy can be found here [Academic Accommodation for Students with Disabilities](#). Information on Accessibility Services at King's can be found [here](#).

2. Academic Consideration for Student Absences

Students must be approved to write a makeup exam or for an extension of the assignment deadline. If you need to miss an exam or the deadline for the assignment, please follow these instructions.

There are two ways to seek academic consideration:

(i) Academic consideration based on medical or compassionate grounds

If a student is unable to meet a course requirement due to substantial but temporary extenuating circumstances (medical or compassionate grounds), they should contact the Academic Advising Office. As a rule, documentation is required for academic consideration.

For academic consideration requests on medical grounds, the Student Medical Certificate (SMC) is the appropriate documentation. The SMC is available at <https://registrar.uwo.ca/academics/pdfs/student-medical-certificate.pdf>

- King's students: The Academic Advising Office website is located in DLH 104. The Academic Advising website is <https://mykings.ca/intranet/app/#/academics/academic-advising>.
- If your home faculty is Huron or at Western, please submit your documentation to your faculty's academic counselling office.
- Requests must be made as soon as possible and no later than 48 hours after the missed assessment.

You may submit requests for academic consideration through the **Student Absence Portal**, linked on this website: <https://mykings.ca/intranet/app/#/academics/academic-advising/academic-consideration-requests-and-student-absence-portal>

(ii) Academic consideration through an undocumented absence

Students are permitted one academic consideration request without supporting documentation per term per half-course (0.5) weight.

- Note that instructors may designate one assessment per half-course weight as requiring formal supporting documentation. Please refer to the course outline to confirm this assessment.
- If instructors have built flexibility into their assessments, this flexibility will already address consideration needs. (For example, if students need to submit X of Y assignments, this flexibility already provides consideration.)
- Undocumented absences can not be used as the basis for academic consideration for December or April exams.

For further information on the academic consideration policy, please see https://uwo.ca/univsec/pdf/academic_policies/appeals/academic_consideration_Sep24.pdf

c) Absences from Final Exams

If you miss the Final Exam, **contact your Academic Advising Office** as soon as you are able to do so. They will assess your eligibility to write the “Special Examination” (the name given by the University to a makeup Final Exam).

You may also be eligible to write the Special Exam if you are in a multiple exam situation (i.e., you are scheduled to write more than 2 exams in 23-hour period, or more than 3 exams in a 47-hour period).

If a student fails to write a scheduled Special Examination, the date of the next Special Examination (if granted) normally will be the scheduled date for the final exam the next time this course is offered. The maximum course load for that term will be reduced by the credit of the course(s) for which the final examination has been deferred. See the Academic Calendar for details (under [Special Examinations](#)).

d) Religious Accommodations

Students should consult the University’s list of recognized religious holidays, and should give notice in writing to the instructor and their Academic Advising Office if a course requirement will be affected by a religious holiday/observance. Notice must be given as early as possible, and no later than two weeks prior to an examination, and one week prior to a midterm test date. It is the responsibility of such students to inform themselves concerning the work done in classes from which they are absent and to take appropriate action.

3. Support Services

Accessibility, Counselling and Student Development at King’s University College:
<https://mykings.ca/intranet/app/#/student-supports-and-services/accessibility-services>

Students experiencing emotional or mental health distress can access services at King’s University College: <https://kings.uwo.ca/campus-life/student-supports/>

Good2talk is an online and phone resource for students, available 24/7, with services in English, Mandarin, and French: <https://good2talk.ca>, 1-866-925-5454

Western’s Mental Health Services site provides a complete list of options on how to obtain help: <https://www.uwo.ca/health/mental-health/index.html>

Academic Support Services at King's University College: <https://kings.uwo.ca/academics/academic-supports/>

4. Statement on Gender-Based Sexual Violence

King's and Western are committed to reducing incidents of gender-based sexual violence (GBSV) and providing compassionate support to anyone who is going through or has gone through these traumatic events. If you are experiencing or have experienced GBSV (either recently or in the past), you will find information about support services for survivors, including emergency contacts at the following website: [Mental Health and Wellness at King's](#).

You can reach supports at King's by emailing care@kings.uwo.ca or calling 519-930-4640 to reach a Social Worker who can offer help.

You can also reach Western's Gender-Based Violence & Survivor Support Case Manager by email (health@uwo.ca) or by calling 519-661-3568. Additional support services can be found <https://www.uwo.ca/health/gbsv/support/index.html>

5. Statement on Use of Electronic Devices

Use of Electronic Devices: Unless explicitly stated otherwise, you are not allowed to have a cell phone, or any other electronic device, with you during tests or examinations. Unauthorized possession of such a device during a test or examination constitutes an academic offence.

Use of Laptops, Tablets, and Smartphones in the Classroom: King's University College at Western University acknowledges the integration of new technologies and learning methods into the curriculum. The use of electronic devices such as laptop computers, tablets, or smartphones can contribute to student engagement and effective learning. At the same time, King's recognizes that instructors and students share jointly the responsibility to establish and maintain a respectful classroom environment conducive to learning.

The use of electronic devices by students during lectures, seminars, labs, etc., shall be for matters related to the course at hand only. Students found to be using electronic devices for purposes not directly related to the class may be subject to sanctions under the Student Code of Conduct; see https://kings.uwo.ca/sites/2025/assets/files/campus/Kings_Code_of_Student_Conduct.pdf

Inappropriate use of electronics (e.g., laptops, tablets, smartphones) during lectures, seminars, labs, etc., creates a significant disruption. As a consequence, instructors may choose to limit the use of electronic devices in these settings. In addition, in order to provide a safe classroom environment, students attending in-person class sessions are strongly advised to operate laptops with batteries rather than power cords.

6. Statement on Academic Offences

King's is committed to academic integrity. Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, is posted at https://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_offences.pdf

It is expected that students will submit work that is truly their own, completed without external assistance (human or artificial) except as explicitly permitted by the course instructor. **Check with you instructor to check which tools, including generative AI (ChatGPT, translation tools, grammar-checking tools) are permitted in each course.** Note that although some courses may permit the use of such tools, it does not mean use of such tools is permitted in other courses.

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; see <https://elearningtoolkit.uwo.ca/tools/Originality Reports - TurnItIn.html>.

Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating.

7. Copyright of Course Material

Lectures and course materials, including PowerPoint presentations, tests, outlines, and similar materials are protected by copyright. Faculty members are the exclusive owner of copyright in those materials they create. Students may take notes and make copies for their own use. Students may not allow others to reproduce or distribute lecture notes and course materials publicly (whether or not a fee is charged) without the express written consent of a faculty member. Unauthorized sharing of class content is subject to academic discipline.

Similarly, students own copyright in their own original papers and exam essays. If a faculty member wishes to post a student's answers or papers on the course website, they should ask for the student's written permission.

8. Use of Recordings

Participants in this course are not permitted to record the sessions, except where recording is an approved accommodation and/or the participant has the prior written permission of the instructor. Unauthorized recording and/or sharing of class content is subject to academic discipline.

9. Policy on Attendance

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.