

LA389-15 Private Rights and Wrongs

26/27

Department

School of Law

Level

Undergraduate Level 3

Module leader

Adam Slavny

Credit value

15

Module duration

10 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

Advanced study of the philosophical foundations of contracts and torts.

[Module web page](#)

Module aims

Private Rights and Wrongs is a philosophical module that interrogates the distinction between public and private wrongdoing. It explores general issues, such as the difference between criminal and civil wrongdoing, the meaning of harm, and the basis of compensatory liability. It also demonstrates how these general themes apply to particular topics in tort and contract law. This module is intended for final year students who want to deepen their knowledge and theoretical understanding of important questions in these areas. Through class discussions and a summative essay, the module will give students the opportunity to approach fundamental questions about legal wrongdoing creatively and analytically.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Part One – General Issues

1. Public and Private Wrongdoing
2. Theories of Harm
3. Strict and Fault-Based Liability
4. Instrumentalist and Non-Instrumentalist Theories of Compensation

Part Two – Specific Issues

5. Negligence
6. Defamation
7. Sexual Harassment
8. Promises
9. Duress

Learning outcomes

By the end of the module, students should be able to:

- Students should have an understanding of the debate over whether there is any principled distinction between public and private wrongdoing, and if so, how different wrongs should be categorised.
- Students should have a grasp of general theoretical issues in private law, for example: competing theories of harm, instrumental and non-instrumental accounts of private law, and strict and fault-based theories of liability.
- They should have some comprehension of specific normative issues in private law, for example: negligence, defamation, sexual harassment, promises, and duress.
- Students should be able to understand, summarise, and critically engage with theoretical argument about the distinction between public and private wrongdoing, and specific normative issues raised by private law.
- They should be able to relate their views about private law to more basic and fundamental ideas in moral philosophy.
- Students should be able to structure theoretical arguments to a high level and explore ideas in a group with reference to specific selected legal cases.
- Students should be able to formulate and evaluate philosophical arguments by appeal to normative concepts and considerations without sole reliance on legal doctrine.
- Students should also be able to relate this philosophical understanding to legal cases and doctrine in order to illuminate legal practice.

Indicative reading list

[Reading lists can be found in Talis](#)

[Specific reading list for the module](#)

Subject specific skills

No subject specific skills defined for this module.

Transferable skills

No transferable skills defined for this module.

Study

Study time

Type	Required
Tutorials	8 sessions of 2 hours (11%)
Other activity	30 minutes (0%)
Private study	133 hours 30 minutes (89%)
Total	150 hours

Private study description

No private study requirements defined for this module.

Other activity description

Individual one on one formative feedback sessions.

Costs

No further costs have been identified for this module.

Assessment

You do not need to pass all assessment components to pass the module.

Assessment group A2

Assessment component	Weighting	Study time	Eligible for self-certification
3000 word essay	100%		Yes (extension)
Students will answer one question from a selection given.			

Weighting

Study time

Eligible for self-certification

Reassessment component is the same

Feedback on assessment

Written feedback via Tabula, with the option of supplementary verbal feedback if requested.

Availability

Courses

This module is Optional for:

- Year 3 of UPHA-V7MW Undergraduate Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)