

Philosophy of Law

Instructor: Jeff Carroll

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Office Hours: TBA

Assignments:

- Participation: 15%
- Presentation: 15%
- Quizzes: x%
- Paper: y% Due Date: **TBA**
- Final: z% Due Date: **TBA**
- **Students decide how to allocate the remaining 70% of the grade. It is stipulated that: (1) x, y, and z must *each* be equal to or greater than 1, and, (2) x, y, and z must sum to 70.

Schedule:

Week 1: What is law?

- Day 1: Introduction
- Day 2: J.L.A. Austin, selections from *The Province of Jurisprudence Determined*
- Day 3: H.L.A. Hart, selections from *The Concept of Law*
- Day 4: Ronald Dworkin, selections from *Taking Rights Seriously*
- Day 5: Chris Suprenant and Jason Brennan, “What Should Be a Crime? The Scope of Criminal Law and Government Power” in *Injustice for All*

Week 2: Do we have an obligation to follow it?

- Day 6: Robert Paul Wolff, “The Conflict Between Authority and Autonomy”
- Day 7: M.B.E. Smith, “Is There a Prima Facie Obligation to Obey the Law?”
- Day 8: Anna Stilz, “Nations, States, and Territory”
- Day 9: Joseph Raz, “Authority and Justification”
- Day 10: Michael Huemer, selections from *The Problem of Political Authority* and selections from A. John Simmons, *Moral Principles and Political Obligation*

Week 3: Should we sometimes disobey it?

- Day 11: John Rawls, “The Justification of Civil Disobedience” and Martin Luther King, Jr., “Letter from a Birmingham Jail”
- Day 12: Candice Delmas, “Political Resistance: A Matter of Fairness”
- Day 13: Michelle Alexander, *The New Jim Crow*, Intro and Chapter 1
- Day 14: Michelle Alexander, *The New Jim Crow*, Chapters 2 & 3
- Day 15: Doug Husak, “The Amount of Criminal Law” from *Overcriminalization*

Week 4: When should we punish those who break it?

- Day 16: David Boonin, selections from *The Problem of Punishment*
- Day 17: Jean Hampton, “The Moral Education Theory of Punishment”
- Day 18: David Lewis, “The Punishment that Leaves Something to Chance”
- Day 19: Review for Final Exam
- Day 20: **Final Exam**