

Introduction to Philosophy of Law Phil 114 - Summer 2009

Instructor: Elizabeth Scarbrough
Class Times: MTWThF 10:50 am – 11:50 am
Instructor Office Hours: 11:50 am -12:50 pm TTh
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Course Description:

This course is designed for those with little to no philosophical background and will be taught as such. This course will cover major topics in the introduction to philosophy of law including: do we have a moral obligation to follow the law?, legal reasoning, privacy law, case law development and *stare decisis*, liberty and its limits, crime, constitutional interpretation, negligence, and 1st Amendment issues.

Required Textbooks (2):

1. Golding, Martin. *Legal Reasoning*. Peterborough ,Ont.: Broadview, 2001 [G]
2. Adams, Martin. *Philosophical Problems in the Law*. Belmont: Wadsworth 4d ed., 2005 [A]

Suggested Textbook (1):

1. Wacks, Raymond. *Philosophy of Law: A Very Short Introduction*. Oxford: Oxford University Press, 2006 [W]

Any other readings will be available electronically or distributed in class. The readings are listed by the class dates when we will begin discussing them; you should read the assigned reading **prior** to coming to class that day.

Schedule of Topics and Reading:

6/22: Introduction to the class

6/23: Do we have a moral obligation to follow the law?

Readings: Plato, “Crito” - <http://classics.mit.edu/Plato/crito.html>

6/24: Do we have a moral obligation to follow the law?

Reading: Martin Luther King, Jr., “Letter from Birmingham Jail”
<http://www.mlkonline.net/jail.html>

6/25: Rights & Justice: Bentham & Mill

Reading: Wacks, Chapter 4, handout

6/26: Rights & Justice: Kant & Rawls

Reading: Wacks, Chapter 4 , handout

6/29 – 7/2 Judicial decisions & Rule Skepticism

Reading: G: xi, 1-33

Suggested Reading: Wacks: 81 - 88

7/3: No Class: Holiday (have fun!)

7/6 – 7/10 Form and Substance of Legal Reasoning, Law of Privacy

Readings: G: 35-83

7/13 – 7/16 *Stare decisis*, Conflicts in Principles, Case Law Development

Readings: G: 84-143

7/17 In Class Midterm Review

7/20: In Class Midterm Exam: 100 points

7/21 – 7/23 Liberty and Its Limits

Readings: A: 193 -223

7/24 -7/28 Pornography

Readings: A: 230 - 254

Suggested Readings: Wacks: 101- 108

7/29 – 7/31 What is Crime? / *Mens Rea* / Justification & Excuse in the Law

Readings: A: 503-504, 391-404, 415-440

8/3: Midterm II Review

8/4: Midterm II Exam : 125 Points

8/5 – 8/12 Civil liability & Negligence

Readings: 518-523, 525-533, 560-585

8/13 – 8/19 Interpreting the Constitution

Readings: A: 164-191

8/20: In Class Final Review

8/21: Final Exam: 150 points

Student Conduct

I expect students to be actively participating in class (which includes active listening). A portion of your grade is dedicated to your active participation.

The use of cell phones in class is strictly forbidden. Laptop computers may only be used for academic purposes. Violating this “No surfing. No texting.” policy will result in class sanctions (please see more under “Grading Procedures.”)

Academic Integrity:

I take academic honesty extremely seriously and will pursue sanctions against any student(s) caught engaging in any form of academic misconduct, in accordance with the University of Washington Student Conduct Code, which can be found at:

<http://www.washington.edu/students/handbook/conduct.html#020> You can find additional information about what constitutes plagiarism/academic dishonesty at: <http://depts.washington.edu/grading/issue1/honesty.htm#plagiarism>

If you have any questions about what constitutes academic dishonesty, please ask me. Ignorance of policies regarding academic misconduct does not constitute a legitimate excuse for inappropriate behavior (*Ignorantia legis non excusat!*).

Disability Accommodations:

Students with disabilities should contact Disabled Student Services at (206) 543-8924/V, (206) 543-8925/TTY, (206) 616-8379 (FAX), or e-mail at uwdss@u.washington.edu. If you have a letter from the Disability Services Office indicating you have a disability that requires academic accommodations, please present the letter to me so we can discuss the accommodations you might need for the class.

Grading Procedures:

Class Participation: (15 discretionary points, 10 point presentation) 25 points

In Class Quizzes: (5 quizzes at 5 points each) 25 points

Midterm Exam I: 100 points

Midterm Exam II: 125 points

Final Exam or Paper: 150 points

* I do not intend to curve the grades for this course, but I will, at my discretion, give a bonus of .1 to the final decimal grade of those students who show significant improvement over the course of the term.

Participation (25 points / ~5%)

You will be required to present one court case to the class. This assignment will be worth a total of 10 points. A sign-up sheet will be presented the second week of class. 15 points are allocated toward active engagement in the class.

In Class Quizzes (25 points / ~5%)

There will be a total of 5 in-class quizzes. The quizzes will be composed of questions similar to those found on the midterm examinations. The quizzes will not be announced in advance. They may be precipitated by unauthorized use of electronic devices in class (texting, surfing the internet).

Midterms / Final (375 points total / ~90%)

There will be three examinations in this course: two midterms and a final.

Late exams will not be given unless you have made prior arrangements with me. In cases of documented illness or emergency, contact me as soon as possible to make arrangements.

Approximate Grade Conversion:

The numbers below give you a guideline of the conversion from points to final decimal grade. I won't determine the details of the conversion until I've seen the final spread of points earned, but if you earn the points listed below, you are guaranteed *at least* the corresponding decimal grade. I will only adjust grades upward from the conversions listed below.

Points required for 3.5: 382 - 90%

Points required for 2.5: 340 - 80%

Points required for 1.5: 297 - 70%

Points required for the minimum passing grade (.7): 255 - 60%