

**Text:** *Philosophical Problems in the Law*, Fourth Edition, edited by David M. Adams (Wadsworth Publishing Company, 2005) (All page references are to Adams, unless otherwise indicated)

*This text has been used in many classes in recent years on our campus. You should have no problem finding a used copy. No new edition is planned for 2010, so you will be able to sell it at the end of the semester.*

In-person Class: LA4-108	Activity point options: Beachboard
<u>Monday, August 31</u> <b>Introduction to the Course:</b> Methodologies, goals Beachboard, Turn-it-in Briefing cases	Activate Beachboard account  Post an introduction on the Discussion Board with your name, major, career goals (2 points) DEADLINE: Monday, 9/14 - 5 am
<u>Monday, September 7</u> CAMPUS CLOSED: Labor Day	Plagiarism On-Line Quiz (4 points) DEADLINE: Monday, 9/21 - 5 am
<u>Monday, September 14</u> <b>I. The Nature of Law</b> "Philosophy and the Law" (3-14) <b>A. Law and Morality</b> "Classical Theories of Law" (40-44) <i>Lawrence v. Texas</i> (259-265) <i>Bowers v. Hardwick</i> (excerpts) (Beachboard) "Positivism and the Separation of Law and Morals," H.L.A. Hart (61-70)	Threaded discussion group on Beachboard: Discuss reading for 9/14 (2 points) DEADLINE: Monday, 9/21 - 5 am
<u>Monday, September 21*</u> [A-1] "Positivism and Fidelity to Law," Lon L. Fuller (70-76) "Legality and Justice: A Fictional Case," Carlos Nino (46-49) <i>Zaballa v. Pakei</i> (Beachboard)	On-line Quiz 1 on Hart and Fuller (4 points) DEADLINE: Monday, 9/28 - 5 am
<u>Monday, September 28*</u> [A-2] <b>B. The Validity of Law</b> "Natural Law Theory" (45-46) "What Is Law?" Thomas Aquinas (76-78) "Letter from Birmingham Jail," Martin Luther King, Jr. (78-82) "The Antelope" (157-59)	Short Paper Assignment posted  On-line Quiz 2 on Natural Law (Aquinas and King) (4 points) DEADLINE: Tuesday, 10/13 - 5 am
<u>Monday, October 5*</u> [A-3] "What Is Law?" (15-18) "Opening Address for the United States, "Nuremberg Trials," Robert H. Jackson (22-27) "Nuremberg: A Fair Trial?" Charles E. Wyzanski, Jr. (28-33) "Trial of Border Guards" (19-22) "The Problem of the Grudge Informer," Lon Fuller (159-163)	Short Paper due: Beachboard dropbox DEADLINE: Monday, 10/5 - 6:00 pm  On-line Quiz 3 on readings for 10/5 (4 points) DEADLINE: Monday, 10/19 - 5 am
<u>Monday, October 12*</u> STATE BUDGET FURLOUGH DAY: NO CLASS	

<p><u>Monday, October 19*</u> [A-4]</p> <p><b>C. Law and the Judicial Decision</b></p> <p>"Modern Theories of Law" (83-86)</p> <p>"The Path of Law," O.W. Holmes, Jr. (89-95)</p> <p>"A Realist View of the Law," Jerome Frank (95-99)</p> <p>"Law as Interpretation" ( 87-89)</p> <p>"Law as Integrity," Ronald A. Dworkin (111-119)</p> <p><i>Riggs v. Palmer</i> (149-152)</p> <p><i>Henningsen v. Bloomfield Motors, Inc.</i> (Beachboard)</p> <p>Midterm exam review</p>	<p>Practice Exam for Midterm posted</p> <p>On-line Quiz 4 on readings for 10/19 (4 points)</p> <p>DEADLINE: Tuesday, 11/3 - 5 am</p>
<p><u>Monday, October 26</u></p> <p><b>IN-CLASS ESSAY EXAM (MID-TERM):</b> 7:15-9:15 pm</p>	
<p><u>Monday, November 2:</u></p> <p>STATE BUDGET CAMPUS CLOSURE: NO CLASS</p>	
<p><u>Monday, November 9*</u> [A-5]</p> <p><b>II. Legal Responsibility: Responsibility and Causation</b></p> <p>"Causation and Liability" (554-559)</p> <p>"Tracing Consequences," Hart &amp; Honore (569-577)</p> <p><i>Gorris v. Scott</i> (Beachboard)</p> <p><i>Ryan v. New York Central R. Co.</i> (Beachboard)</p> <p><i>Lynch v. Fisher</i> (560-563)</p> <p><i>Palsgraf v. The Long Island Railroad Co.</i> (563-568)</p>	<p>Brief one case for 11/9 (4 points)</p> <p><i>Gorris, Ryan, Lynch, or Palsgraf</i></p> <p>Send in WP format to Beachboard Dropbox</p> <p>DEADLINE: Monday, 11/9 - 5 am</p>
<p><u>Monday, November 16*</u> [A-6]</p> <p>"The Decline of Cause" (559-560)</p> <p>"The Decline of Cause," Judith Jarvis Thompson (577-684)</p> <p><i>Quirke v. City of Harvey</i> (601-604)</p> <p><i>Derdiarian v. Felix Contracting Corp.</i> (604-606)</p> <p><i>Summers v. Tice</i> (607-609)</p> <p><i>Yania v. Bigan</i> (609-611)</p>	<p>Brief one case for 11/16 (4 points)</p> <p><i>Quirke, Derdiarian, Summers, Yania</i></p> <p>Send in WP format to Beachboard Dropbox</p> <p>DEADLINE: Monday, 11/16 - 5 am</p>
<p><u>Monday, November 23</u></p> <p>NO CLASS: Thanksgiving week</p>	
<p><u>Monday, November 30*</u> [A-7]</p> <p><b>III. Law and Society: Liberty and Justice</b></p> <p><b>A. Legal Paternalism</b></p> <p>"Law and Morality" (193-196)</p> <p>"On Liberty," John Stuart Mill (200-202)</p> <p>"The Enforcement of Morals," Patrick Devlin (202-207)</p> <p>"Law, Liberty, and Morality," H.L.A. Hart (207-209)</p> <p><i>McGowan v. Maryland</i> (Beachboard)</p> <p><i>Reynolds v. United States</i> (273-275)</p> <p><i>South Florida Free Beaches v. City of Miami, Florida</i> (199)</p>	<p>On-line Quiz 5 on Hart/Honore and Thompson (Readings for 11/9 and 11/16) (8 points)</p> <p>DEADLINE: Monday, 11/30 - 5 am</p>
<p><u>Monday, December 7*</u> [A-8]</p> <p><b>B. Freedom of Expression</b></p> <p>"Offense and Artistic Freedom" (196-198)</p> <p>"A Ride on the Bus," Feinberg (221-223)</p> <p><i>Village of Skokie v. National Socialist Party of America</i> (Beachboard)</p> <p><i>Cohen v. California</i> (217-220)</p> <p><i>Texas v. Johnson</i> (268-271)</p> <p><i>Michigan v. Boomer</i> (271-273)</p> <p><i>Ashcroft v. The Free Speech Coalition</i> (233-237)</p>	<p>On-line Quiz 6 on Mill, Devlin, Hart (Reading for 11/30) (4 points)</p> <p>DEADLINE: Monday, 12/7 - 5 am</p>
<p><b>FINAL EXAM:</b> <u>Monday, December 14:</u> 7:15-9:15 pm</p>	

\*Attendance point available

### **State budget campus shut-downs and mandatory furloughs**

State budget campus shut-downs and mandatory unpaid faculty furlough days are listed here. The entire campus will be shut-down on the **STATE BUDGET CAMPUS CLOSURE DAYS**. In addition, each faculty member is required to designate six additional unpaid furlough days, when we are not permitted to be available for class, office hours, or e-mail. These will be different for each faculty member.

- Monday, August 24: State Budget Faculty Furlough Day
- Wednesday, August 26: State Budget Faculty Furlough Day
- Tuesday, September 8: **STATE BUDGET CAMPUS CLOSURE DAY**
- Friday, October 9: **STATE BUDGET CAMPUS CLOSURE DAY**
- Monday, October 12: State Budget Faculty Furlough Day
- Monday, November 2: **STATE BUDGET CAMPUS CLOSURE DAY**
- Tuesday, November 24: State Budget Faculty Furlough Day
- Wednesday, December 9: State Budget Faculty Furlough Day
- Friday, December 18: State Budget Faculty Furlough Day

8/14/2009

subject to change until the first day of class 8/31/2009