JURISPRUDENCE

Spring 2012 Mr. Hubbard

Syllabus

DATE	PROBLEM	TOPIC	ASSIGNMENT
Jan. 10, 11 & 12	1	Introduction to Dispute Resolution	Supplementary Materials: Problems, Discussions and Questions –Preface –Chapter One (Problem 1 and Decision, Discussions and Questions following problem.) Bowie & Simon, The Individual and The Political Order (4th ed. 2008) –Introduction, pp. 1–7 –Chap. 1, pp. 9–12 –Handout (Martin Luther King, Letter from Birmingham Jail)
Jan. 17	2	The Concept of Law A. Introduction	–Problem 2 –Decisions following Problem 2 –Parts I & IIA of Discussion following Problem 2 –Questions 1, 7–10 following Problem 2. (pp. 90–93, 94–97)
Jan. 18	2	B. Nature and Validity of Law	–Part IIB of Discussion –Questions 2–6, 11–14 following Problem 2. (pp. 93–94, 97–101)
Jan. 19	2	The Concept of Law – Obligation	–Review Discussion, pp. 78–80 and Questions 1, 2, 5, 6, and 9 following Problem 2 –Bowie & Simon, Chap. 1; pp. 13–28; Ch. 6, pp. 174–178

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Jan. 24	2	The Concept of Law – Review	–The Problem of The Grudge Informer (Question 15, pages 101–105). Prior to class each student must prepare: (1) a draft press release announcing the decision, and (2) an outline of a strategy for handling a press conference about the decision. These will be handed in at the end of class.
Jan. 25, 26	3, 4	Institutions	
	3	Introduction	–106–10
		Courts as an Institution –judicial decision-making and the study of "law"	–Problem 3 –Decision –Discussion and Questions at 133–139
		–Courts, legislatures, and agencies	–Discussion and Questions at 139–43
Jan. 31	4	Courts as an Institution: Promises, Privacy, Family, Culture and Morality	–Problem 4 –Decision –Discussion –Questions at 175–183
Feb. 1	3, 4	Two Legal Institutions": (1) Rights (Analytical Jurisprudence)	–Discussion at 143–146 –Bowie & Simon Chapter 3
		(2) Persons	–Review Discussion following Problem 1 at pages 20–21 –Handout
Feb. 2		Jurisprudence as an Institution –Relativism and subjectivism	–Discussion at 184–189 –Handout (Leff, *Unspeakable Ethics, Unnatural Law*)
		–Criteria of "good" theory	

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Feb. 7	5	Justice; Purpose of State	–Introd. to Chap. 3, pp. 190–192 –Problem 5 –Decision –Discussion and Questions at pp. 198–200
		Utilitarianism	–Discussion and Questions at pp. 202–206 –(Review pp. 18–20) –Bowie & Simon, Chapter 2
Feb. 8		Rights	–Discussion and Questions at pp. 207–211 (Review pp. 20–21) –Bowie & Simon, C. 3 (review), 4
Feb. 9		Egalitarianism	–Discussion and Questions at p. 201 –Bowie & Simon 70–77
		Majoritarianism/Democracy	–Discussion and Questions at p. 202 –Bowie & Simon, Chapter 6
		Perfectionism "Guardian" Elites (Aristotle/Plato/J.S. Mill)	–pp. 207–211 –Bowie & Simon, 157–158, 172–173
Feb. 14	5	Open – Topic to be announced	
Feb. 15	5	Open – Topic to be announced	

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Feb. 16	5	Liberalism	–Bowie & Simon, Ch. 7 –Discussion and Questions, Part VIII at p. 216 Party choices made for Review Problem at p. 217. Each student will pick a party, and students in each party will work as a team. Each party's scheme will be discussed in next class. Each team must develop a scheme for addressing poverty and be prepared to present and defend scheme in the next class.
Feb. 21	5	–Distributive Justice-Specific Schemes	–Discussion and Questions at 211–216 –"Review Problem One," p. 217
		–Poverty	–Develop, present and defend scheme for addressing poverty
		–Nature and Status of Theory	–Review Problem Two, pp. 218–219
Feb. 22	6	Limits on Law: Format and Substantive Limits	Pages 220–224
		Rule of Law Formal Rights	–Problem 6 –Decision –Discussion and Questions
Feb. 23	7	Equal Treatment and Affirmative Action – Theoretical Basis	–Problem 7 –Decision –Discussion and Questions –Review p. 201 of Problem Supplement
Feb. 28	7	Law School Admissions: Race, Gender, and Politics	Handouts

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Feb. 29	8	Rule of Law – Substantive Limits	There will be no class. In lieu of class, read Problem 8 and the "Discussions" and "Discussion and Questions" following problem 8 (materials, pp. 266–286). In addition, do personal research on torture and on "waster-boarding" as torture, and be prepared to take and defend a position at next class meeting on: (1) whether water-boarding and/or sensory deprivation are torture; and (2) conditions, if any, where torture would be justified. You must prepare a one-page summary of your position and turn it in at class on March 14.
Mar. 1	8	Rule of Law – Substantive Limits	
Mar. 5–9		Spring Break	
Mar. 13	8	War and Terrorism	Bowie & Simon, Ch. 9
Mar. 14	7, 8	Beyond Nationalism	–Review materials pp. 95–97, 216 –Bowie & Simon, Chapter 8
Mar. 15	9	Liberty	–Problem 9, Decisions and Discussion and Questions at pp. 318–327, 339–341 –Bowie & Simon, 105–127
Mar. 20	9	Religious Liberty	–Problem 9 at pp. 328–335
Mar. 21	9	Autonomy and Privacy	–Problem 9 at pp. 304–313, 318–327 335–341
		Equal Treatment and "basic rights"/Liberty and Security	–339 –Bowie & Simon 127–151

DATE	PROBLEM	TOPIC	ASSIGNMENT
Mar. 22	9	Economic Liberty and Freedom of Association and Contract	–Problem 9 at pp. 323–325, 337–339 –Review Problem 2 (Camellia Association part) and Problem 4
		Life/death topics distributed	
Mar. 27	10	Introduction to Life and Death Issues	–Problem 10 –Sign up for life/death topics
Mar. 28, 29		No class – Work on topic selected for your student presentation	
Apr. 3–12		Student Presentations	
Apr. 16–27		Check out Examination	