

Syllabus
Philosophy of Law (PHIL 3320-001)
The University of Texas at Arlington
13 January 2014

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Office Hours: 11:00 to 12:00, MW

Meetings: 10:00 to 10:50, MWF, 308 Woolf Hall

Prelude: “[T]he most valuable thing a student can learn in college is how to think, how to study, how to learn, how to acquire and process new information” ([Irving M. Copi](#), *Introduction to Logic*, 7th ed. [New York: Macmillan Publishing Company, 1986], viii).

Description of Course Content: Philosophy of law, which is a field or specialty within the discipline of philosophy, takes as its subject matter (1) the nature of law; (2) the institution of law; (3) legal processes (e.g., legislation, adjudication, administration, constitutional amendment); (4) legal rules or doctrines (e.g., *stare decisis*, the exclusionary rule, consideration, hearsay, assumption of risk [*volenti non fit injuria*], incorporation of the Bill of Rights); (5) legal concepts (e.g., entrapment, negligence, rights, murder, privacy, guilt); and (6) legal reasoning. The field of philosophy of law is vast and expanding, so, since time is limited, we will focus on a few perennially important (or topical) issues, such as the interpretation of legal texts, the legal status of animals, criminal punishment, drunk driving, torture (a.k.a. coercive interrogation), smoking, homosexual marriage, the decriminalization of drugs, capital punishment (in general and of the mentally retarded in particular), compulsory voting, bad-samaritan laws, and civil disobedience. This is not a law course, so if you learn any law in here, it will be by accident. There are no prerequisites, but the course will be difficult for anyone who has not had a previous philosophy course.

Student Learning Outcomes: Students who (1) read the course material painstakingly, (2) attend all classes, (3) listen to the lectures attentively, (4) make good notes, (5) participate in classroom discussions, and (6) study properly will be able to (1) analyze and reconstruct the arguments of the authors of the various essays we read; and (2) state and discuss the main criticisms of (or objections to) these arguments. The course, while focused on law, is designed to inculcate philosophical skills—analytical, synthetical, argumentative, and critical—in the students.

Required Textbooks and Other Course Materials: There are no books. All course materials are available free of charge (except for the paper on which to print them) from the UTA library (online) or from the course blog. Each student is responsible for locating and printing these

materials. (See the handout entitled “[Reading List](#)” for details. It is incorporated herein by reference.) From time to time, I will post additional materials (in the form of handouts) on the course blog. You are responsible for all such postings, so print and study them as they appear.

Interlude: “When you come to any passage you don’t understand, *read it again*: if you *still* don’t understand it, *read it again*: if you fail, even after *three* readings, very likely your brain is getting a little tired. In that case, just put the book away, and take to other occupations, and next day, when you come to it fresh, you will very likely find that it is *quite* easy” ([Charles Lutwidge Dodgson](#), quoted in Morris R. Cohen and Ernest Nagel, *An Introduction to Logic* [New York and Burlingame: Harcourt, Brace & World, 1962], 121 [italics in original] [first published in 1934]).

Descriptions of Major Assignments and Examinations: (1) A midterm take-home examination, which constitutes 40% of your grade. This examination will be distributed at the end of class on Friday, 28 February, and will be due at the beginning of class on Friday, 7 March. (2) An end-of-term, noncomprehensive take-home examination, which constitutes 40% of your grade. This examination will be distributed at the end of class on Friday, 2 May, which is our final day of class for the semester, and will be due—in the classroom—on Friday, 9 May, between 9:00 and 10:00 AM. (See the handout entitled “Requirements for Take-Home Examinations” for details. It is incorporated herein by reference.) (3) Classroom attendance, which constitutes 20% of your grade. (See below for details.) The aim of the examinations is to test the breadth and depth of your knowledge and skill. You are responsible for *all* the readings, handouts (if any), blog posts, lectures, and discussions (yes, discussions). I do not duplicate lectures in my office or provide notes to students; nor do I allow audio or video recording of my lectures. If you miss a class, you must ask another student for assistance. I *strongly* recommend that you find a study partner the first week of class and meet regularly during the semester to go over the course material. I do not give quizzes, assign homework, or permit extra credit. Five points will be deducted for each day an examination is late.

Attendance: Each student is allowed to miss four of the 43 classes (I do not count the first day of class [13 January]) before it begins to cut into your grade. Here is a chart:

Classes Attended (of 43)	Attendance Score
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39 through 43	100
38	97
37	94
36	92
35	89
34	87
33	84
32	82
31	79
30	76
29	74

28	71
27	69
26	66
25	64
24	61
23	58
22	56
21	53
20	51
0 through 19	50

Please do not attempt to explain, excuse, or justify an absence. My policy is not that you are allowed four *unexcused* absences; it is that you are allowed four *absences*. If you expect attendance to be a problem, do not take the course. If attendance *becomes* a problem, you may wish to drop the course rather than receive a poor or failing grade. The last drop day of the semester is Friday, 28 March. Please do not ask me to add up your days of attendance (or absences). Keep track of these yourself.

Grading: The maximum score on each of the two examinations is 100 points. The maximum attendance score is 100 points. I will assign grades on the basis of a 10% scale, which means that a final score of 90 or above is an A, 80 to 89.9 a B, and so on. In principle, everyone can receive an A. In principle, everyone can receive an F.

What follows is university boilerplate.

Expectations for Out-of-Class Study: Beyond the time required to attend each class meeting, students enrolled in this course should expect to spend at least an additional nine hours per week of their own time in course-related activities, including reading required materials, completing assignments, preparing for examinations, etc.

Drop Policy: Students may drop or swap (adding and dropping a class concurrently) classes through self-service in MyMav from the beginning of the registration period through the late registration period. After the late registration period, students must see their academic advisor to drop a class or withdraw. Undeclared students must see an advisor in the University Advising Center. Drops can continue through a point two-thirds of the way through the term or session. It is the student's responsibility to officially withdraw if he or she does not plan to attend after registering. **Students will not be automatically dropped for non-attendance.** Repayment of certain types of financial aid administered through the University may be required as the result of dropping classes or withdrawing. For more information, contact the Office of Financial Aid and Scholarships (<http://www.uta.edu/ses/fao>).

Americans with Disabilities Act: The University of Texas at Arlington is on record as being committed to both the spirit and the letter of all federal equal opportunity legislation, including the Americans with Disabilities Act (ADA). All instructors at UT Arlington are required by law to provide "reasonable accommodations" to students with disabilities, so as not to discriminate on the basis of that disability. Any student requiring an accommodation for this course must provide the instructor with official documentation in the form of a letter certified by the staff in the Office for Students with Disabilities, University Hall 102. Only those students who have officially documented a need for an accommodation will have their request honored. Information regarding diagnostic criteria and policies for obtaining disability-based academic accommodations can be found at www.uta.edu/disability or by calling the Office for Students with Disabilities at (817) 272-3364.

Academic Integrity: All students enrolled in this course are expected to adhere to the UT Arlington Honor Code:

I pledge, on my honor, to uphold UT Arlington's tradition of academic integrity, a tradition that values hard work and honest effort in the pursuit of academic excellence.

I promise that I will submit only work that I personally create or contribute to group collaborations, and I will appropriately reference any work from other sources. I will follow the highest standards of integrity and uphold the spirit of the Honor Code.

Instructors may employ the Honor Code as they see fit in their courses, including (but not limited to) having students acknowledge the honor code as part of an examination or requiring students to incorporate the honor code into any work submitted. Per UT System *Regents' Rule* 50101, §2.2, suspected violations of university's standards for academic integrity (including the Honor Code) will be referred to the Office of Student Conduct. Violators will be disciplined in accordance with University policy, which may result in the student's suspension or expulsion from the University.

Student Support Services: UT Arlington provides a variety of resources and programs designed to help students develop academic skills, deal with personal situations, and better understand concepts and information related to their courses. Resources include tutoring, major-based learning centers, developmental education, advising and mentoring, personal counseling, and federally funded programs. For individualized referrals, students may visit the reception desk at University College (Ransom Hall), call the Maverick Resource Hotline at (817) 272-6107, send a message to resources@uta.edu, or view the information at www.uta.edu/resources.

Electronic Communication: UT Arlington has adopted MavMail as its official means to communicate with students about important deadlines and events, as well as to transact university-related business regarding financial aid, tuition, grades, graduation, etc. All students are assigned a MavMail account and are responsible for checking the inbox regularly. There is no additional charge to students for using this account, which remains active even after graduation. Information about activating and using MavMail is available at <http://www.uta.edu/oit/cs/email/mavmail.php>.

Student Feedback Survey: At the end of each term, students enrolled in classes categorized as lecture, seminar, or laboratory shall be directed to complete a Student Feedback Survey (SFS). Instructions on how to access the SFS for this course will be sent directly to each student through MavMail approximately 10 days before the end of the term. Each student's feedback enters the SFS database anonymously and is aggregated with that of other students enrolled in the course. UT Arlington's effort to solicit, gather, tabulate, and publish student feedback is required by state law; students are strongly urged to participate. For more information, visit <http://www.uta.edu/sfs>.

Final Review Week: A period of five class days prior to the first day of final examinations in the long sessions shall be designated as Final Review Week. The purpose of this week is to allow students sufficient time to prepare for final examinations. During this week, there shall be no scheduled activities such as required field trips or performances; and no instructor shall assign any themes, research problems or exercises of similar scope that have a completion date during or following this week *unless specified in the class syllabus*. During Final Review Week, an instructor shall not give any examinations constituting 10% or more of the final grade, except makeup tests and laboratory examinations. In addition, no instructor shall give any portion of the final examination during Final Review Week. During this week, classes are held as scheduled. In addition, instructors are not required to limit content to topics that have been previously covered; they may introduce new concepts as appropriate.

Emergency Exit Procedures: Should we experience an emergency event that requires us to vacate the building, students should exit the room and move toward the nearest exit, which is located near the end of the hallway. When exiting the building during an emergency, one should never take an elevator but should use the stairwells. Faculty members and instructional staff will assist students in selecting the safest route for evacuation and will make arrangements to assist handicapped individuals.