

**LS450: jurisprudence and social issues**  
*spring 2018*

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**instructor:** Adam Pham  
**contact:** akpham@wisc.edu  
**office hours:** *W* 1:00-3:00, in the  
*Rathskeller*  
**office:** 5154 Helen C. White

**meeting time:** *TR* 2:30-3:45  
**location:** 6102 Social Science  
**URL:**  
<https://canvas.wisc.edu/courses/119126>

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**course learning objectives:**

- Develop critical thinking skills.
- Develop the skills required to read and understand difficult texts.
- Develop the ability to clearly formulate and express ideas and arguments.
- Become familiar with some central issues in analytic and normative jurisprudence.
- Begin to appreciate the relevance of philosophical reflection to everyday life and action.

**statement on credit hours:**

This is a 3-credit hour course. One credit is the learning that takes place in at least 45 hours of learning activities, which include time in lectures or class meetings, in person or online, labs, exams, presentations, tutorials, reading, writing, studying, preparation for any of these activities, and any other learning activities.

**grades:**

memos: <b>10%</b>
punishment paper: <b>30%</b>
case study project: <b>30%</b>
exam #1: <b>15%</b>
exam #2: <b>15%</b>

<b>A</b>	[93% - 100%]
<b>AB</b>	[88% - 93%)
<b>B</b>	[83% - 88%)
<b>BC</b>	[78% - 82.9%)
<b>C</b>	[70% - 77.9%)
<b>D</b>	[60% - 70%)
<b>F</b>	[0% - 60%)

## **attendance:**

No portion of your grade is dedicated to participation. However, your participation can affect your grade. If your final average is within 2 percentage points of another grade and you have participated well, you will get the higher grade. This policy can only benefit your grade. Attendance is mandatory. If you are going to miss class, please notify me via email *before* the missed class.

## **technology:**

*Smartphones must be put away.* If you use a laptop or tablet for notetaking purposes, *you must sit in the back row of the class, and you are disallowed from doing anything with it other than taking notes.* If circumstances require you to use your phone or have it available, this exception must be cleared with me in advance. *I reserve the unconditional right to cold-call on anyone who is on their phone without prior authorization.*

## **special accommodations:**

The policy of the Board of Regents of the UW System is to ensure that no qualified person shall, solely by reason of disability, be denied access to, participation in, or the benefits of, any program or activity operated in the UW System. Each qualified person shall receive reasonable accommodations needed to ensure access to educational opportunities, programs, and activities in the most integrated setting appropriate. Anyone who requires special accommodations for attending class or satisfying the course requirements should get in contact with me *as soon as possible.*

## **academic dishonesty:**

**No cheating of any kind—including plagiarism—will be tolerated.** Do not pass off anyone else's words or work as your own without clear attribution, for any reason. If I discover you to be in violation of the University's policies governing academic dishonesty, you will be penalized in accordance with University guidelines concerning academic dishonesty. For information about these policies, see the following: <https://conduct.students.wisc.edu/academic-integrity/student-resources/>.

#	date	week	content	paper	assigned reading	
1	September 6th	1			introduction	
2	September 11th	2			"The Problem of Punishment," David Boonin	
3	September 13th				"The Consequentialist Solution," David Boonin	
4	September 18th	3	punishment		"The Retributivist Solution," David Boonin	
5	September 20th				"Other Solutions" (selections), David Boonin	
6	September 25th	4			"The Appeal to Necessity," David Boonin	
7	September 27th					
8	October 2nd	5		due	"A Positivist Conception of Law," J. L. Austin	
9	October 4th				"Law as the Union of Primary and Secondary Rules," H.L.A. Hart	
10	October 9th	6	the nature of law		"Eight Ways to Fail to Make a Law," Lon Fuller	
11	October 11th					<i>On Law, Morality, and Politics</i> (selections), Thomas Aquinas
12	October 16th	7				"The Path of the Law," Oliver Wendell Holmes; "Two Kinds of Reduction," Andrei Marmor
13	October 18th				"The Model of Rules," Ronald Dworkin; "Postscript," H.L.A. Hart	
14	October 23rd	8			review	
15	October 25th				exam #1	
16	October 30th	9			"Letter From a Birmingham Jail," Martin Luther King, Jr.	
17	November 1st		obligations and rights		"Is There a Prima Facie Obligation to Obey the Law?," M.B.E. Smith	
18	November 6th	10				<i>On Liberty</i> (selections), J.S. Mill
19	November 8th					"Offensive Nuisances," Joel Feinberg
20	November 13th	11			presentations	
21	November 15th					
	November 20th		<i>Thanksgiving break</i>			
	November 22nd					
22	November 27th	12			presentations	
23	November 29th					
24	December 4th	13			presentations	
25	December 6th					
26	December 11th	14			conclusion	