

PHIL 155 section 01, **Philosophy of Law**
Fall 2021

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Online format: Synchronous
Mondays from 3pm to 5:45pm



Laws regulate nearly every aspect of our lives, but to what extent do we have an obligation to obey them? When people break laws, we often send them to prison. Is this really the best thing we can do? If so, what exactly is the purpose of incarceration?

This course is an introduction to three main areas of the philosophy of law. First, we will think about the nature of law and attempt to determine what relationship exists between law and morality. Second, we will discuss our duty to obey the law as well as to engage in acts of (civil or uncivil) disobedience. Third, we will study the current prison-system and debate alternatives to “punishment simply for the sake of punishment.”

One central objective of the course is to provide students with knowledge of contemporary theories of law *and* with the capacity to use those theories to interpret and evaluate contemporary judicial decisions. For this reason, the course will often focus on so-called “hard cases” (i.e. disputed judicial decisions) taken from the American and Canadian legal contexts.

Throughout our reflection, we will take seriously the hypothesis that contemporary legal systems are based on deep social inequalities and think about how we can transform the way law is made, learned, theorized and applied in order to better promote democratic equality.

Course prerequisite: 3 units of philosophy or upper division standing.