1. **Introduction:** The course will cover a number of central topics in the philosophy of law: the nature of criminal responsibility (what is a crime?), necessity and duress, causation in the law, negligence and liability, criminal attempts, omissions and the duty to rescue, insanity and excuse, the aims and limits of criminal punishment, and the nature and limits of law. An effort will be made to get at the principles underlying differing judicial judgments about particular cases as well as to answer more general questions: Under what conditions should a person be held responsible for his or her acts? Under what conditions may one be excused? Suppose I simply make a mistake? Or was merely careless? Or was mentally unstable? Is it fair to punish me for a harm I caused but did not intend? And if I attempt but fail to commit a crime, should I be punished less severely than if I succeeded? Specific topics will include sleepwalking, administered poisons, misfired bullets, and foiled attempts. Also: felony murder, duty to rescue laws, the relation of morality to law, strict criminal liability, and a brief excursus on how like and unlike the law is to rules of a game (e.g. chess and poker), cooking recipes and the Ten Commandments.
II. **Class Meeting Time**: Tuesdays / Fridays from 11:00 to 12:20

III. **Phil 125B Web Site**: The course will have its own LATTE Site for Spring 2018.

IV. **Writing**: Four short papers are required on topics growing out of the readings and class discussions. The papers should be about 5 pages in length. One of the four papers will be a credit/no credit paper. You will be also be given the opportunity to rewrite two of the four papers and thereby improve your grade. Paper topics will be available at least ten (10) days before a paper is due. Because you have the opportunity to rewrite two papers, the course has been designated as “writing intensive” by the university.

V. **Examinations**: There will be no exams of any sort. There will be no midterm and no final exam and no quiz.

VI. **Reading**: The course is divided into four sections. Reading assignments will be blocked out week by week for each section. For the course this Spring Semester, you are not required to purchase a textbook or course pak. Much of the reading will be drawn from court cases and law review articles posted on the Course Website, although you may want to purchase two books Leo Katz’s *BAD ACTS & GUILTY MINDS: Conundrums of the Criminal Law*, University of Chicago Press, 1987 and Raymond Wacks’s *PHILOSOPHY OF LAW: A Very Short Introduction*, OUP, 2014. Both are good to have and good to own.

VII. **Participation**: The participation requirement can be met in four ways or a combination of two or more of these ways: (1) by participating in class discussion; (2) by keeping a journal in which you record your thoughts on various knotty issues in the law; (3) by coming to discussion sessions to brainstorm, in particular, about the paper topics; and (4) by talking with your friends and other students: roommates, relatives, moms and dads, uncles and aunts, brothers, sisters, and about questions that arise in class about the law.
VIII. **Grading:** There will be one credit/no credit paper at the start. Grading of the three remaining papers will be broken down as follows: 35% for your strongest essay, 30% for your next best effort and 20% for the one which is least successful of the three graded papers on the presumption that you receive “credit” for the “credit/no credit” paper. There will be three Reader Response Exercises of no more than two paragraphs each on a reading from the course announced in advance. The Reader Responses will count a total of 10% of the final grade. The participation requirement will count 5%. There will also be at least three opportunities during the semester to receive “extra credit.” (TBA)

IX. **Course Assistance:** Course assistants will be assigned to this class. They will be responsible for reading and making comments on the papers. I too will read **ALL** the papers and be responsible for assigning a grade to each and every one of them.

X. **Office Hours:** I will hold office hours on Fridays from 12:30 to 1:20 and by appointment. Please write ahead of time, that is, send an email, saying when and on what day you would like to meet. My office is RABB, 306. If you wish to contact me the best method is via email: teuber@brandeis.edu.

XI. **Resources to Support Academic Integrity:** Brandeis offers essential information about the use of sources in academic writing.

**Here’s a Guide to Using Resources**
http://usingsources.fas.harvard.edu/icb/icb.do

To receive the most benefit, read all seven sections of the guide. You will gain a deep appreciation for why and how sources are used in academic writing and the ethical implication of improper citation.
XII. Accessibility and Accommodation Services:

**Academic Services**

http://www.brandeis.edu/acserv/disabilities/

offers a variety of accommodations and services to students with documented disabilities, permanent and temporary injuries, and chronic conditions. If you are a student with a disability Brandeis will engage you in an interactive process to provide you with an equal opportunity to participate in, contribute to, and benefit from the academic activities and materials in the course. The manager of accessibility services will work with you on an individualized, case-by-case basis, to provide appropriate services to ensure you have a rich and rewarding academic experience. If you are a student with a documented disability on record at Brandeis University and you would like to have a reasonable accommodation made for you in PHIL 125B, please see me as soon as possible.

XIII. Four-- Credit Course: This is a four--credit course (with three hours of class--time per week) Success in this 4 credit hour course is based on the expectation that students will spend a minimum of 9 hours of study time per week in preparation for class (readings, papers, discussion sections, preparation for exams, etc.).

XIV. Learning Goals Philosophy of Law aims to teach students to think better and think smarter, to analyze controversial cases, and to develop principles that not only fit the facts of a given case or set of cases, but set strong legal precedent.