Law, Self, and Society

Syllabus and Reading List

Part I: Moral Theory and Conceptions of Self

1. **Utility and the sentient self**
   J. Murphy and J. Coleman, *Philosophy of Law* (excerpt)
   J. Bentham, *An Introduction to the Principles of Morals and Legislation* (excerpt)
   J.J.C. Smart and B. Williams, *Utilitarianism: For & Against* (excerpt)
   Robert Nozick, “The Experience Machine”

2. **Autonomy and the choosing self**
   Robert Johnson, “Kant’s Moral Philosophy”
   *People v. Minkowski*

3. **Dignity and the constructing self**
   R. Descartes, *Meditations on First Philosophy* (excerpt)
   J.P. Sartre, “The Humanism of Existentialism”
   D.C. Dennett, “The Origins of Selves”
   – “The Self as a Center of Narrative Gravity”
   T.E. Hill, Jr., *Dignity and Practical Reason in Kant’s Moral Theory*, Chapter 2
   M. Dan-Cohen, “Defending Dignity”
   “Constructing Selves”
   *State v. Brown*

(turn over)
Part II: Law and the Boundaries of Self

1. The physical dimension
   M. Dan-Cohen, “The Value of Ownership”
   M.J. Radin, “Commodification as a Worldview”
   “Prostitution and Baby-Selling: Contested Commodification and Women’s Capacities”
   *Breithaupt v. Abram*
   *Lovett v. West Virginia Central Gas Company*
   *Moore v. Regents of the University of California*

2. The mental dimension
   P.F. Strawson, “Freedom and Resentment”
   M. Dan-Cohen, “Responsibility and the Boundaries of the Self”
   Harry Frankfurt, “Taking Ourselves Seriously”
   M. Dan-Cohen, “Socializing Harry”
   *Regina v. Charlson*
   *State v. Snowden*

3. The social dimension
   E. Goffman, “Role Distance”
   J.P. Sartre, *Being and Nothingness* (excerpt)
   M. Dan-Cohen, “Interpreting Official Speech”
   *State v. Parker*
   *People v. Kessler*

4. The temporal dimension
   Michael Quante, “Precedent Autonomy and Personal Identity”
   David Heyd, “From Wrongful Life to Wrongful Identity”
   Ernest Partridge, “Posthumous Interests and Posthumous Respect”
   M. Dan-Cohen, “Revising the Past: On the Metaphysics of Repentance, Forgiveness, and Pardon”

Requirements and Grading

Grading will be based on class participation in lecture and in section (30%), a midterm in-class exam (30%), and a take-home final. As part of class participation students will be occasionally asked to submit short written reports on the reading material and to make oral presentations in section.