

Meir Dan-Cohen
786 Simon Hall (Boalt Hall)
Phone: 642-7421
Email: dan-cohen@law.berkeley.edu

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”
P. Berger and T. Luckmann, *The Social Construction of Reality* (excerpt)
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"

Ernest Partridge, "Posthumous Interests and Posthumous Respect"

M. Dan-Cohen, "Revising the Past: On the Metaphysics of Repentance, Forgiveness, and Pardon"

"Harmful Thoughts"

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.