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## **Basic Legal Values Seminar**

### ***Description***

Although everyone agrees that law promotes some values, what these values are is often unclear and controversial. In this seminar we will examine a number of values that have been advanced within the liberal tradition, specifically welfare, autonomy, and dignity, and consider their potential role in shaping or explaining a wide range of legal issues. The seminar will divide into two parts. In the first, we'll get acquainted with these values in the context of the two main strands in liberal moral theory, utilitarianism and Kantianism, and consider the meaning of these values and their interrelationships. The second part will consist of student presentations on specific substantive topics in which the general issues discussed in the first part arise.

### ***Requirements***

In the first part of the seminar, (as of the second week) students will submit short reports on the weekly assignment. The reports will consist of a one-paragraph outline of the argument, followed by three questions for discussion/clarification, and one brief objection to some point/argument made in the reading. The reports have to be emailed to me by 2:00 p.m. on Sunday. These reports will form the basis for class discussion, which will consist in part in students explaining various parts of the reading, and raising questions and objections. Students may be asked to take turns in leading the discussion. In the second part of the seminar, each student will present a short paper (10-15 pages). Drafts of these papers will be circulated to the class in advance of the presentation, and students will be asked to comment on each other's papers. A revised final version is due by the end of the exam period.

Attendance in **all** sessions is mandatory.

### ***Paper Topics***

The following is a list of possible topics, though you're welcome to suggest others. Notice that some of these topics are compound, and all are very broad. When choosing a topic, try to narrow it down.

- Sale of human organs
- The regulation of prostitution
- Surrogate motherhood
- The regulation of pornography
- Consent in criminal law
- Suicide, assisted suicide, euthanasia, and refusing life-saving treatment

**(turn over)**

- The permissibility of torture
- Violent sports
- Legal paternalism: smoking, drugs, safety belts, helmets, etc.
- Degrading practices: dwarf tossing, cannibalism, sado-masochism, etc.
- The legal status of animals

***First assignment (for the meeting on Feb. 3)***

1. Murphy and Coleman, *The Philosophy of Law*, pp. 72-75.
2. Jeremy Bentham, *The Principles of Morals and Legislation*, pp. 1-6.
3. The entries on *Utilitarianism*, *Jeremy Bentham's moral theory*, and on *Welfare*, in the *Routledge Encyclopedia of Philosophy*, *The Stanford Encyclopedia of Philosophy*, or *The Internet Encyclopedia of Philosophy* (all available online), or some comparable source.  
[The two first readings are posted on bCourses]

No written report is required for the next session. Instead, send me by Sunday a list of three paper topics in order of preference.