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 / Thursdays from 2:00 to 3:20

III. **Phil 125B Web Site:** The course will have its own LATTE Site for Spring 2017.

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.

VI. **Reading:** The course is divided into four sections. Reading assignments will be blocked out week by week. *Books will be available at the University Book Store:*


VII. **Participation:** The participation requirement can be met in four distinct ways or a combination of two or more of these ways: (1) by participating in class discussion of which there will be plenty; (2) by keeping a notebook or journal in which you record your thoughts on various conundrums or knotty issues in the law; (3) by coming to discussion sessions which will be optional but regularly scheduled throughout the semester to brainstorm, in particular, about the paper topics; and (4) by talking with fellow students, roommates, friends, 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:** A course assistant will be assigned to this class. He or she will be responsible for reading and making comments on the papers. I too will read *ALL* the papers too and be responsible for grading each and every one of them.

X. **Office Hours:** I will hold office hours on Thursdays from 11:00 to Noon 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, 330. If you wish to contact mw, the best method is via email: teuber@brandeis.edu.

*Note 1* 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.

*Note 2* 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.).