# YORK UNIVERSITY FACULTY OF LIBERAL AND PROFESSIONAL STUDIES 2019-20

# AS/POLS 3075 3.0 Law, Justice and Jurisprudence.

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### COURSE DESCRIPTION.

This course explores some fundamental issues in liberal conceptions of law and some of the criticisms of this conception. Jurisprudence is concerned with the study of the nature of legal systems and the analysis of the fundamental principles on which they are founded. It is therefore a theory with two well-defined parts: a descriptive part, outlining the nature, sociology, and history of existing systems; and an analytical part, in which the concept of law and the principles for its justification are examined. This second part is concerned not with what any particular system is like, but rather with what distinguishes law from other social institutions, as well as its links to politics and to ethics. In this course, we shall be concerned mainly with the latter, that is, with the study of the nature of law and its ethical and political justification.

The main purpose of this course is to acquire an understanding of the ethical and political conceptions that shape our understanding of law and of legal reasoning. The course focuses on the social aspects of law, and hence with questions of distributive justice generally understood.

## **REQUIRED READINGS.**

POLS 3075 KIT (Available from Bookstore)

### **GRADING SCHEME**

Short essay (due Feb.	10)	30 %
Research Paper (Mar.	30)	40 %
Final exam		30 %

#### PLAGIARISM.

Do not plagiarize, cheat, buy essays, hire ghost writers or researchers, or represent other people's work or ideas as your own. Violations of the York University Senate policy on academic honesty are vigorously pursued, and have serious consequences.

#### LATE POLICY.

Assignments must be submitted on time. No extensions will be generally granted for papers, other than in some officially documented exceptional circumstances (illness, bereavement, disability, special needs). Late papers will be penalized 5% per day. There are no exceptions to this rule.

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# WEEKLY READINGS

Jan.	6	Introduction to the course Readings: Senate Policiy on Academic Honest (KIT 2), Ibn Khaldun ( KIT 3)
	13	Natural Law and its Critics Readings: Sean Fine (KIT 4), Leo Barry (KIT 5) Aquinas (KIT 6); Hart (KIT 7)
	20	Law and Morality Readings: Dworkin (KIT 8), <i>Riggs v. Palmer</i> ; (KIT 9); West (KIT 10)
	27	Justice and Property Readings: Locke (KIT 11); Squadrito (KIT 12)
Feb.	3	Justice and Class Readings: Marx (KIT 13); Tucker (KIT 14)
	10	Justice and Equality Readings: Rawls (KIT 15); Gould (KIT 16) <b>First Paper Due</b>
	24	The Charter of Rights and Equality Readings: Fredden (KIT 17); Law Society of B. C. v Andrews (KIT 18)
Mar.	2	Women and Justice Readings: Okin (KIT 19)
	9	Strong-Boag (KIT 20); R. V. Morgentaler (KIT 21); Nahanee (KIT 22)
	16	Race and Justice Readings:); Dred Scott v. Standford (KIT 23); Plessy v. Ferguson (KIT 24); Brown v. Board of Education of Topeka (KIT 25), Mills (KIT 26), Davies (KIT 27)
	23	Bahdi (KIT 28); Dale Turner (KIT 29)
	30	Review Research Paper Due