

**Philosophy 206**  
Philosophy of Law  
**Fall 2025**

MW 305-420  
West Duke 106

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West Duke 210  
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**Reading schedule**

August 25 Introduction.

Aug 27 Austin, *The province of jurisprudence determined* (1832), lecture 1.

September 1 *Labour Day. No class (!).*

Sept 3 Austin, lecture 6, pp. 164-217.

Sept 8 Hart, *The concept of law* (Oxford, 1961), chh. 1-2.

Sept 10 Hart, ch. 3.

Sept 15 Hart, ch. 4.

Sept 17 *No new reading.*

Sept 22 Hart, ch. 5.

Sept 24 Hart, ch. 6.

Sept 29 Hart, chh. 8-9.

**October 1 First in class exam.**

Oct 6 Dworkin, *Taking Rights Seriously* (Harvard, 1977), ch. 2.

Oct 8 *No new reading.*

Oct 13 and 15 *Fall break.*

Oct 20 Dworkin, *Law's Empire* (Harvard, 1986), chh. 1 and 3.

Oct 22 Dworkin, *LE*, ch. 4.

Oct 27 Dworkin, *LE*, ch. 7.

Oct 29 Smith, "Is there a prima facie obligation to obey the law?," *Yale Law Journal* (1973): 950-76.

November 3 *No new reading.*

Nov 4 Simmons, *Moral Principles and Political Obligations* (Princeton, 1979), pp. 29-45 and 143-56.

Nov 10 Simmons, "The duty to obey and our natural duties," in Wellman and Simmons (eds.) *Is there a duty to obey the law?* (Cambridge, 2005), pp. 170-88.

Nov 12 Wellman, "Toward a liberal theory of political obligation," *Ethics* 111 (2001): 735-59.

**Nov 17**      **Second in class exam.**

Nov 19      Shelby, *The idea of prison abolition* (Princeton, 2022), ch. 2.

Nov 24      Shelby, ch. 3.

Nov 26      *Thanksgiving.*

December 1      Shelby, ch. 4.

Dec 3      Shelby, ch. 5.

*End of lectures.*

### **Texts**

Apart from the Hart, all the readings will be made available in Canvas. Copies of Hart are available online, or in paper at the library (limited), or can be purchased second-hand fairly readily. Any edition is fine.

### **Assignments**

There will be three examinations in this course, two in class and one final. The ‘final’ will simply be a third exam of the same kind as before, except that it takes place during the exam period. Each exam will be worth 30 percent of the final grade. Participation in class is worth the remaining 10 percent.

### **Office hours**

By appointment. Please e-mail me or see me after class to arrange a meeting.

27 August, 2025