NEW YORK UNIVERSITY
School of Law

Introduction to Legal Philosophy
(L06.3005.001) Fall 2006

Tu & Th 2:30-3:45 / FH 210

Prof. Leslie Green
Email: ljg3@nyu.edu
Phone: 212 998 6269
Office: 302C

This course offers a critical introduction to some central problems in contemporary legal philosophy, including: What is the nature of law? What is a legal system? What are legal rules and rights, and how do they figure in legal reasoning? What are the relations between law and morality, and between law and power? What's so good about the rule of law? Is there a duty to obey the law? Our approach will be in the tradition of analytical jurisprudence; the format will involve both lectures and discussion.

Requirements and Evaluation:
You are required to complete the required readings, to attend class, and to be prepared to participate in discussion.
Evaluation will be based on a 24 hour take-home examination, consisting of essay-style questions, among which you’ll have some choice.

Text and Materials:
Required:
The other required readings, marked * below, can be found on the Blackboard site for this course, and on reserve in the law library.

Recommended:
For those who would also like a textbook or handbook treating these issues, the following are recommended:

You may occasionally want to consult a general reference work in philosophy for definitions of technical terms etc.; these ones are reliable:

*Routledge Encyclopedia of Philosophy* (online at www.rep.routledge.com; also in print edition)
*Stanford Encyclopedia of Philosophy* (online at http://plato.stanford.edu)

**Lecture and Discussion Topics**

Topics 1 and 14 will take one class each; the others will probably take two classes each. I may make some adjustments to timing as we go.

1. **Some problems of legal philosophy**  
Hart, CL, chap. I

2. **What is a law? (i)**  
Hart, CL, chap. II  

3. **What is a law? (ii)**  
Hart, CL, chap. III  

4. **What is a legal system? (i)**  
Hart, CL, chap. IV  

5. **What is a legal system? (ii)**  
Hart, CL, chaps. V, VI.

6. **Legal reasoning in court**  
7. Indeterminacy in the law
Hart, CL, chap. VII

8. A science of judicial decisions?
*Leslie Green, “Law and the Causes of Judicial Decisions” (draft)

9. Justice and regularity
Hart, CL, chap. VIII
*Leslie Green, “The Germ of Justice” (draft)

10. Coherence and consistency

11. Moral Principles in the Law
Hart Chap . IX
Hart, CL, pp.254-68, 272-76

12 The authoritative nature of law

13. Is there a duty to obey the law?

14. Envoi