

LAW 7102: Jurisprudence

Karl Llewellyn once wrote that "Jurisprudence is as big as law-and bigger." Jurisprudence, roughly defined, is the study of the concepts and processes that shape, direct, and critique what we do in the name of the law. Through a close reading of seminal statements, both historical and contemporary, on the nature and purpose of law, the course aims to enrich understanding of and facility with such legal building blocks as rules, standards, interpretation, constitutionalism, democracy, justice, rights, natural law, authority, and the "rule of law". The course will emphasize the classical jurisprudential theories, both analytical and normative, and the question whether those theories can survive the radical critiques lodged today by liberals and conservatives alike. Representative authors include Aristotle, Thomas Aquinas, John Locke, John Austin, Jeremy Bentham, Rudolph von Jhering, H.L.A. Hart, Hans Kelsen, Ronald Dworkin, and Richard Posner.

Credits: 3.0