

Philosophy 9127A/Political Science 9507A: Aristotle's Legal Theory
Fall 2019-20
Fridays 9:30-12:30 StvH 1145

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Outline

Though Aristotle's work in ethics and political philosophy is perhaps better known among philosophers and political theorists, his contributions to philosophy of law are no less significant and enduring. In this seminar we will look at his main treatments of issues arising in four topics: responsibility, justice (including equity), property, and the rule of law.

Texts

The main texts will be the *Nicomachean Ethics* and the *Politics*, though we will read a bit (1-2 pp each) of the *Eudemian Ethics* and the *Rhetoric* as well. I will post pdfs of the relevant passages on line.

Some of you may have copies of the *NE* and perhaps the *Politics* as well. If not and you'd like to buy them, I'll be using the Oxford World's Classics edition of the *NE* (ed. Brown), which is a revised version of a classic translation by David Ross and the Cambridge UP edition of the *Politics* (ed Everson), which is a revised version of a classic translation by Benjamin Jowett.

For each week I will also suggest one or two scholarly papers or excerpts from books. I'll do this as we go along, at least a week in advance of the relevant class. I'll post these on the course OWL page, or tell you how to find them.

Requirements

There will be two options for the work in this course:

1. Four short papers (5 pp), commenting on issues in the readings, topics first approved by me (informally). Each will be due two weeks after the class for which the reading on which you are commenting was discussed. For these papers you are welcome but not required to do research into the relevant scholarly literature. You must write on at least three of the four topics (one week's readings in the justice section of the course may be used to count toward a paper on justice or one on responsibility—see below).
2. A term paper on a topic of your choice (100%), 15-20 pp. For a term paper you will be expected to look into the relevant scholarly literature. I will help get you started.

Topics and readings

Here is a list of the topics and readings in Aristotle for each.

1. Sept 6. Background. *Nicomachean Ethics* (NE) I, II.5-7.
2. Sept 13. Responsibility: Compulsion and force. NE III.1, beginning to 1110b18; *Eudemian Ethics* II.8 1225a1-34.
3. Sept 20. Responsibility: Knowledge. NE III.1, 1110b18 to end, III.5.
4. Sept 27. Justice: General and particular justice. Re-read NE II.6; NE V.1-2.
5. Oct 4. Justice: Varieties of particular justice. NE V.3-5.
6. Oct 11. Justice: Natural and legal justice. NE V.7. Guest speaker: Prof. John Thorp.
7. Oct 18. Justice: Degrees of wrongdoing. Re-read NE III.5, V.8. (A paper on this week's reading may count as a paper on responsibility or on justice.)
- No class Oct 25.
8. Nov 1. Justice: Equity. NE V. 10; *Rhetoric* I.13.
- No class Nov 8.
9. Nov 15. Property. *Politics* I.1-2, 8-10.
10. Nov. 22. Property cont'd. *Politics* II.7-9.
11. Nov. 29. The rule of Law. NE V.6; *Politics* III.6-9, 16.