

## **BCL/MJur jurisprudence and political theory**

### Law and the state (John Gardner)

THESE classes will take place from 5pm to 7pm on Fridays in Michaelmas Term only at All Souls College (room VII/2, above the Hovenden Room). There will be six sessions in all. **NB: There will be no class in week 1 or in week 3!**

The idea is to focus on the ‘political theory’ aspects of the course, without losing sight of political theory’s debts and contributions to law and legal thought. We will be reading just one or two essays or extracts per week, and giving them close attention in class. For the first two meetings in weeks 2 and 4, JG selects the reading and makes the introductory comments. After that, in weeks 5-8, readings will be selected and introductory comments given by student volunteers. In the past those who took advantage of this opportunity to lead class discussions early in the year found the experience extremely helpful when they came to write their assessed Jurisprudence and Political Theory essays at Easter. See past reading lists (<https://bit.ly/2Qq2V3z>) to get ideas for possible readings.

There are other seminars available to Jurisprudence and Political Theory students in MT and in HT. They all cover their own ground in their own way. This seminar is mainly directed towards building analytical and critical skills, rather than covering a syllabus. Hence the freedom to allow members of the class to select material for reading and discussion.

For further information about JPT, please visit the Weblearn site at <https://weblearn.ox.ac.uk/x/BGMW1c>. Enquiries about JPT should be addressed to [nicos.stavropoulos@law.ox.ac.uk](mailto:nicos.stavropoulos@law.ox.ac.uk). Enquiries about this particular class to [john.gardner@law.ox.ac.uk](mailto:john.gardner@law.ox.ac.uk)

#### Readings

Week 1: no class

Week 2: J. Rawls, *A Theory of Justice* (1971, revised edition 1999), [sections 1-5](#)  
Introduced by John Gardner

Week 3: no class

Week 4: R. Nozick, *Anarchy, State and Utopia* (1974), [pp149-182](#)  
Introduced by John Gardner

Week 5: J. Raz, ‘[Rights and Individual Well-being](#)’ in his *Ethics in the Public Domain* (1994)  
Introduced by Alastair Richardson

Week 6: E. Anderson, ‘[The Ethical Limitations of the Market](#)’, *Economics and Philosophy* 6 (1990), 17  
Introduced by Jack Maxwell

Week 7: K. Popper, *The Open Society and its Enemies* (1945), [ch9](#) plus [notes](#)  
You may also want to read [ch 24](#) (optional)  
Introduced by Tatiana Kazim

Week 8: C. Schmitt, *The Concept of the Political* (1932), sections 1-4  
Introduced by Anna Lukina