

Law 622. Jurisprudence Readings Seminar (Spring 2024)

Justice and Rhetoric in Plato, Aristotle, and Cicero

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Some students come to law school because they hope to learn skills that will enable them to devote their careers to the pursuit of justice, typically in jobs with the government or with political or public interest organizations. Others plan to serve as counselors and advocates for private clients. Most law schools try to provide an education that serves both groups, partly by offering a range of elective courses and partly by remaining neutral about the relative worthiness of these alternative ambitions.

But some skills are considered essential for all students, including the ability to produce clear and accurate objective legal analysis and to argue persuasively in briefs and other forms of advocacy. These two skills are generally distinguished from each other in the basic classes on legal writing. At some point, however, most students notice that the judicial opinions to which we devote most of our time and effort do not seem to fall neatly into either of these categories. That phenomenon is related to questions about the purpose of legal education, and ultimately about the purposes of law and government.

This course will explore some of those underlying questions through discussions of justice and rhetoric in the two greatest philosophers of ancient Greece, and through selected speeches of Rome's greatest rhetorician.

This class does not presuppose any background in political philosophy or classical literature.

Starting on January 24, everyone will email me a short paper about the readings for that week's class, which will be due each week by noon on Wednesday. These required papers can be as short as a page or two and will not be graded, though well-done papers will count positively toward the 25% class participation component of the grade for the course. The principal purpose of the weekly papers is to help you get started in thinking about the reading for that week. They can be a summary of the reading assignment, or brief reflections on some puzzle or difficulty in the reading, or anything else that you find useful in preparing for class.

A seminar paper that analyzes one or more of the assigned readings will constitute 75% of the grade for the course.

Learning outcomes: Students will exercise professional skills that should be expected of all members of the legal profession, including careful textual analysis, and probing investigation of the prerequisites of a free society.

We will use the following editions. Especially for Plato and Aristotle, **it is important that you read the designated editions and bring them with you to class.** A lot of inferior translations are available, especially on the internet, so even if you generally prefer to read things you can get for free online, you should use the editions I've assigned.

Four Texts on Socrates, trans. Thomas G. West (Cornell Univ. Press, 1984)
ISBN 978-0-8014-8574-9

Plato, *Gorgias*, trans. James H. Nichols Jr. (Cornell Univ. Press, 1998) ISBN
0-8014-8527-4

Aristotle, *Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D.
Collins (Univ. of Chicago Press, 2011), ISBN 978-0-226-02675-6

Aristotle, *Politics*, trans. Carnes Lord (University of Chicago Press, 2d ed.
2013), ISBN 978-0-226-92184-6

Cicero, *Defence Speeches*, trans. D. H. Berry (Oxford Univ. Press, 2008), ISBN
780-1-9953-7907

Cicero, *Political 2011 Speeches*, trans. D. H. Berry (Oxford Univ. Press, 2011),
ISBN 978-0-19954-0136

Assignments

Week 1 January 18	Plato, <i>Apology of Socrates</i> , <i>Crito</i>
Week 2 January 25	Plato, <i>Gorgias</i> 447a-481b (pp. 25-70 in Nichols ed.)
Week 3 February 1	Plato, <i>Gorgias</i> 481c-527e (pp. 71-129 in Nichols ed.)
Week 4 February 8	Aristotle, <i>Nicomachean Ethics</i> , Book 1
Week 5 February 15	Aristotle, <i>Nicomachean Ethics</i> , Book 2; Book 3, chs. 1-5

Week 6 February 22	Aristotle, <i>Nicomachean Ethics</i> , Book 3, chs. 6-12; Book 4
Week 7 February 29	Aristotle, <i>Nicomachean Ethics</i> , Book 5
Spring Break	
Week 8 March 14	Aristotle, <i>Nicomachean Ethics</i> , Book 10; <i>Politics</i> , Book 3
Week 9 March 21	Aristotle, <i>Art of Rhetoric</i> , Book 1
Week 10 March 28	Aristotle, <i>Art of Rhetoric</i> , Book 2
Week 11 April 4	Aristotle, <i>Art of Rhetoric</i> , Book 3
Week 12 April 11	Cicero, <i>Pro Murena</i> (pp. 59-106 in <i>Defence Speeches</i>)
Week 13 April 18	Cicero, <i>In Catilinam I-IV</i> (pp. 134-203 in <i>Political Speeches</i>)