

JURISPRUDENCE

Peter Mirfield

Week 5

Authority, Obligation to Obey the Law, and Civil Disobedience

A. Reading

Section 1 – Authority and Obligation

Lyons, *Ethics and the Rule of Law*, pp. 208-214

Finnis, *Natural Law and Natural Rights*, Chs. IX, XI and XII.3

Raz, *The Authority of Law*, Chs. 12 and 13

Finnis (1984) 1 Notre Dame Journal of Law, Ethics and Public Policy 115

Rawls, *A Theory of Justice*, ss. 53 and 54

Raz (2006) 90 Minnesota L.Rev. 1003

Dworkin, *Law's Empire*, pp. 190-224

Section 2 – Civil Disobedience

Rawls, *op. cit. supra*, ss. 55-59

Raz, *op. cit. supra*, Chs. 14 and 15

Dworkin, *Taking Rights Seriously*, Chs. 7 and 8

Dworkin, *A Matter of Principle*, Ch. 4

B. Essay

Is there any sound basis, whether from the authority that law has within society, or otherwise, for arguing that the citizen has some sort of obligation to obey the law? May one, consistently with the notion of even a (limited) obligation to obey the law, argue for a right to civil disobedience in some circumstances, or even that it is sometimes right to be civilly disobedient?

05/17