

The central (but not the only) focus of this course is the nature of criminal responsibility as broadly construed. The best recent treatment of the several issues to be examined is R.A.Duff's *Answering for Crime*, which we will read in its entirety. Topics include whether responsibility is relational; who can be the subjects of responsibility; whether control is a requirement for responsibility and the implications of this issue for responsibility for intentions and unforeseen consequences; whether crimes must be wrongs and the implications of this issue for *mala prohibita*; whether criminal responsibility requires an act and the implications of this question for omissions and status offenses; the relevance of the contrast between intention and knowledge; the nature and significance of the distinction between offenses and defenses; the nature and scope of the presumption of innocence; the justifiability of strict liability; and the nature and significance of the contrast between justification and excuse.

In addition, I plan to introduce significant parts of my unpublished manuscript on *Ignorance of Law*. The general topic is whether and to what extent persons are blameworthy for engaging in wrongful conduct they did not realize to be wrong. Along the way I discuss whether beliefs must be occurrent or latent to ground responsibility; the content of moral and legal wrongs and the rationale for supposing the former but not the latter to be strict; the limits of subjectivism in moral and legal philosophy, liability for negligence; the relevance of past wrongdoing to present blameworthiness; the importance of the principle of legality; the credibility of intuitions and the conditions under which they are likely to be contaminated; the connections between morality and law; the foundations of responsibility; the need to compromise between ideal theory and practical realities; and a great many others.

Finally, we will briefly examine the contrast between criminal and civil liability, especially by examining a theory of the foundations of tort law defended by John Gardner.

Each student taking the course for credit will be required to make an in-class presentation and the option to write three short papers or a longer paper due shortly after the end of the semester.