

Lecture 3:

Natural law:

- each person has a natural purpose
- natural purpose of animal: to be ate, to be served
- progress: human are treated in the right way, human purpose is to govern the law
- offers a way to look at human

Positivism

Common law

- Judges speak for the will of people
- Judges emerge from the society

Rights based liberalism

- Rights

Utilitarianism

Equality

Liberalisms

- Humans are equal, they are not beneath the king
- Prisoners: people who breach the social contract, do not have equality (human declaration)

Social contract

- When people turn 18, they surrender their freedom when they see advantage in doing so (harm others)
- The state of freedom can intervene with the social contract
- Legal obedience: perform everyday

Harm principle

- Power can only be rightfully exercised when harm is done
- People are free until they harm others
- Your belief of free is already colonized by law

Welfare liberalism and equality

- Helping

Problems

- We are formally equal but not everybody is the same

Moral conscience

- Performing sex
- Dominant values – hegemony 支配权
- Truth, right, power – triangle
- Truth: law protects you
- Power: people speaking of an existing truth articulates within social
- Naming power: power to make you believe what is right; dominant values dictate where harm is