

Philosophy 255: Introduction to Social and Political Philosophy

Rutgers University – New Brunswick

Asynchronous Fall 2020

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I. Introduction

What is the purpose of government? Why should we have a State? What kind of State should we have? Even within a political community, there may be sharp disagreements about the role and purpose of government. Some want an active, involved government, seeing legal and political institutions as the means to solve our most pressing problems, and to help bring about peace, equality, justice, happiness, and to protect individual liberty. Others want a more minimal government, motivated, perhaps, by some of the disastrous political experiments of the 20th Century, and the thought that political power is often just a step away from tyranny. In many cases, these disagreements arise out of deep philosophical disagreements.

All political and legal institutions are built on foundational ideas. In this course, we will explore those ideas, taking the political institutions and political systems around us not as fixed and unquestionable, but as things to evaluate and, if necessary, to change. In the first half of the course, we will focus on foundational questions concerning the purpose or role of political institutions. In the second half of the course, we will consider a number of more “applied” questions, including the questions of how to define the political community, whether we should have open borders, how we should select our political representatives, and what role (if any) punishment and prisons should have in our society.

We will consider the ideas and arguments of some of the world’s most celebrated philosophers, including historical thinkers such as Aristotle, Thomas Hobbes, Jeremy Bentham, John Stuart Mill, David Hume, Immanuel Kant, and Mary Wollstonecraft; and more contemporary theorists such as Michelle Alexander, Kwame Anthony Appiah, Angela Davis, Frantz Fanon, Michael Huemer, Helene Landemore, Robert Nozick, Martha Nussbaum, Julius Nyerere, Ayn Rand, John Rawls, Andrew Rehfeld, Peter Singer, Kok-Chor Tan, and Jeremy Waldron.

The aim of the course is not to convince you of the correctness of any particular view or political position, but to provide you with a deeper and more philosophically-informed basis for your own views, and, perhaps, to help you better understand the views of those with whom you disagree.

II. Meetings and Communication

There are no official course meetings, but I intend to meet with small groups of you on an occasional basis so that we can get to know each other and I can help answer questions that you might have as you work through the video lectures, readings, and online discussions that constitute the core of the course. I will aim to keep these groups small—under 7 people—and we will meet for around 30 minutes when we do meet. Let me stress: you are not required to attend these and they are not required to do well in the course. I will send out more information about working to schedule these so that all who would like to can attend one.

Speaking of communication, please check all of your official Rutgers emails regularly, as well as the Canvas course page, available here: <https://rutgers.instructure.com/courses/67664>

You are responsible for being in touch and keeping on top of the various assignments, quizzes, and discussion assignments, although I will do my best to keep you informed.

III. Course Requirements

A. Discussion Board Participation

As the course will be conducted entirely online and asynchronously, participating in online discussions is a central and vital part of the course. There are three significant categories of discussion participation:

(1) Participation in Graded Discussions (15% of grade): I will periodically create discussions that everyone must participate in to get full credit. These will be indicated as “graded discussions” with the number of points possible indicated as well. These will only be available for posting and discussion for a limited period of time that is indicated by a “due date” notice on the post itself. You can only earn points for these if you post by the due date.

Your semester score on this will be a measure of the percentage of your total points divided by the points possible for the semester. I will typically give three kinds of ‘grades’ in terms of points awarded:

- full points: responses to the discussion prompt that are engaging, clearly written, thoroughly address the prompt, and show reflection on the material
- half points: response provided, but it seems dashed off and does not engage the prompt clearly or effectively
- no points: either no response or a clearly non-responsive response

(2) Discussion Starter Posts (15% of grade): Every enrolled student is responsible for starting 2 discussions over the course of the semester. These discussions are to be in response to a particular numbered section of the course, but only to one that has reading(s) associated with it. These posts should be made by Friday at 5pm ET on the week during which the section takes place. I will post an assignment sheet indicating which sections you are responsible for.

Your discussion starting prompt should set out an interesting topic for discussion, drawing on both the video lecture for that section and on the reading for that section. So, you must have read the relevant reading and watched the relevant lecture prior to posting. You should write somewhere between 150-300 words to introduce the topic and ask your question(s) or raise your objection(s).

It can ask a number of related questions, raise an objection to a view discussed in the video lecture or in the reading, or do some combination of these. It should be aimed to begin a conversation, so try to think of a question or objection that has something interesting or controversial at its center, so that there might be disagreement or confusion about the topic.

(3) Participation in Discussions Started by Others (15% of grade): Every enrolled student is responsible for regular, thoughtful, respectful, informed discussion in the course discussions started by other students. I will be chiming in on a regular basis on these posts, but you should participate consistently, too! I will be keeping track of who posts regularly and thoughtfully, in the same way I would keep track of in-class participation if we were meeting in person. Additionally, you are welcome to participate by creating additional on-topic posts and discussions beyond just the required two, and that will also count toward this portion of class participation.

B. Quizzes (25% of grade)

There will be 9 regular quizzes during the course of the semester. They will be available through Canvas on Tuesdays, covering video lectures and reading from the previous week. The hope is that at that point, you will have had a chance to go through all the material, discuss it online with others, and ask me questions when relevant. The quizzes will be available for 24 hours when after they become available on Tuesday. They will be open book, but timed, so that you have a limited amount of time to finish the quiz after starting it. They will aim to test your understanding of the basic concepts, arguments, and ideas covered in the previous week, partly to make sure you are keeping up with the course material.

There will be quizzes on the following Tuesdays:

9/15, 9/22, 9/29, 10/6, 10/13, 10/20, 11/3, 11/10, 11/17

Your total quiz grade will be calculated by combining your performance on the 9 quizzes.

C. Papers

You will be required to write two short papers for the course. Details to follow about each of the papers, but the basic information about the papers is as follows:

Paper One (15% of grade): 1000-1500 words, due 10/27

Paper Two (15% of grade): 1000-1500 words, due 12/11

IV. Accessibility

We want this class to be a great and educational experience for all of you, and all of you are entitled to equal access to educational opportunities at Rutgers. Students with disabilities are encouraged to speak with me if that would be helpful and to avail themselves of the services provided by the Office of Disability Services: <https://ods.rutgers.edu/>

V. Plagiarism and Academic Integrity

You are expected to be familiar with and adhere to the Rutgers University policies on plagiarism and academic integrity. Penalties for violations of these policies can be severe, including an automatic failing grade for the course and worse. This document provides a comprehensive overview of those policies:

<http://nbacademicintegrity.rutgers.edu/home-2/academic-integrity-policy/>

VI. Plan for Course and Readings

This is the plan for the course. As you can see, each week has a number of topics along with associated reading. The reading is all available on the “Pages” part of the Canvas site, under “Course Plan and Readings”: <https://rutgers.instructure.com/courses/67664/pages/course-plan-and-readings>

Each numbered course segment has a video lecture associated with it. So, there is a video for 1.0, 1.1, 1.2, and so on. You should watch all of the videos and do all of the reading for that week during the listed dates. So, for Week 1, which runs from 9/1 – 9/6, you should watch videos 1.0, 1.1, 1.2, and 1.3. There is no associated reading for Week 1. The video lectures will help situate and explain elements of the reading assignments, but they do not always work through the readings in extensive detail.

The video lectures will be from my Coursera course: Revolutionary Ideas: An Introduction to Legal and Political Philosophy (there are two parts). You should go to <https://www.coursera.org/> and create an account (it is free to do so) so that you can watch the lectures through that platform. You can look up the two relevant Coursera courses (just searching by “revolutionary ideas” or my last name, “Guerrero”). You might want to create a notebook in which you take notes during the video lectures, as you might during a course lecture, so that you can study and synthesize the basic concepts to help you prepare for the quizzes, contribute to the discussions, and write your papers.

All of the units 1.0 through 5.2 are in Part One of the Coursera course, available here:
<https://www.coursera.org/learn/revolutionary-ideas-utility-justice-equality-freedom>

The units 6.0 through the end of the course are in Part Two of the Coursera course, available here:
<https://www.coursera.org/learn/revolutionary-ideas-borders-elections-constitutions-prisons>

Please note: we are not doing every numbered unit of the Coursera courses! You are only required to watch the videos that correspond with the segment numbers below.

Note also that the readings might change slightly from what is below. Please use the Canvas “Course Plan and Readings” page available at the link above to be sure to do the correct reading.

Segment	Topic	Reading
Week 1 (9/1 – 9/6): Introduction to the Course		
1.0	Introduction	No reading
1.1	Political Institutions and Starting Positions	No reading
1.2	Peace and Problem-Solving	No reading
1.3	Choice Points in Designing a State	No reading

Week 2 (9/7 to 9/13): Happiness and Welfare (1)		
2.0	Happiness and Welfare: An Introduction	<ul style="list-style-type: none"> ▪United States Declaration of Independence ▪Preamble to the US Constitution ▪Preamble to Constitution of the Republic of Korea ▪Constitution of the Republic of South Africa, Preamble and Sections 26-29
2.1.0	Happiness: Thomas Hobbes and the State of Nature	<ul style="list-style-type: none"> ▪Thomas Hobbes, <u>Leviathan</u> (1651), Chapter XIII (13) ▪<u>Stanford Encyclopedia of Philosophy</u> Entry: “Hobbes’s Moral and Political Philosophy,” by Sharon Lloyd and Susanne Sreedhar
2.1.1	Happiness: Thomas Hobbes and Escaping the State of Nature	<ul style="list-style-type: none"> ▪Thomas Hobbes, <u>Leviathan</u> (1651), Chapter XIV (14) and Chapter XVII (17)
Week 3 (9/14 – 9/20): Happiness and Welfare (2)		
2.2	Happiness, Welfare, and the Scope of the State	<ul style="list-style-type: none"> ▪Ayn Rand, <u>The Virtue of Selfishness</u> (1963), Chapter 14 ▪ <u>Stanford Encyclopedia of Philosophy</u> Entry: “Robert Nozick’s Political Philosophy,” Sections 2 and 3, by Eric Mack
2.3.0	Happiness, John Stuart Mill, and the Harm Principle	<ul style="list-style-type: none"> ▪John Stuart Mill, <u>On Liberty</u>, (1859), Chapter 1
2.3.1	Happiness and the Harm Principle	<ul style="list-style-type: none"> ▪John Stuart Mill, <u>On Liberty</u>, (1859), Chapter 4
Week 4 (9/21 – 9/27): Happiness and Welfare (3)		
2.4	A More Constructive Role for the State in Promoting Happiness	No reading
2.5	Promoting Happiness: Collective Action Problems, Public	<ul style="list-style-type: none"> ▪<u>Stanford Encyclopedia of Philosophy</u> Entry: “The Free Rider Problem,” by Russell Hardin

	Goods, and Free Riding	▪ Concise Encyclopedia of Economics Entry: “Public Goods,” by Tyler Cowen
2.6.0	Promoting Happiness: The Epistemic Power of the State	▪Aristotle, Politics (350 B.C.E.), Book 3, Part X and XI ▪Hélène Landemore, “Democratic Reason: The Mechanisms of Collective Intelligence in Politics”
Week 5 (9/28 – 10/4): Justice		
3.0	Justice: An Introduction	No reading
3.1.0	Distributive Justice and Utilitarianism	▪Jeremy Bentham, An Introduction to the Principles of Morals and Legislation (1781) ▪Peter Singer, “The Drowning Child and the Expanding Circle,” (1997)
3.1.1	Distributive Justice: Problems	No reading
3.2.0	Justice: The Nussbaum and Sen Capabilities Approach	▪Martha Nussbaum, Creating Capabilities: The Human Development Approach (2011), excerpt ▪Martha Nussbaum, "Capabilities as Fundamental Entitlements"
3.2.1	Justice: The Ten Central Human Capabilities	no reading
Week 6 (10/5 – 10/11): Justice (2)		
3.3	Justice: Nozick’s Entitlement Theory	▪ Stanford Encyclopedia of Philosophy Entry, “Distributive Justice,” by Julian Lamont and Christi Favor, section 7: Libertarian Principles
3.4.0	Justice: Rawls’s Theory of Justice	▪ Stanford Encyclopedia of Philosophy Entry, “John Rawls,” by Leif Wenar, section 4: Justice as Fairness New York Times Review of The Myth of Ownership
3.4.1	Justice: Rawls and the Original Position	John Rawls, A Theory of Justice (1971), Sections 1-4 (pp. 3-19)
3.4.2	Justice: Rawls and the Two Principles of	John Rawls, A Theory of Justice (1971), Sections 10-14 (pp. 47-78)

	Justice	
Week 7 (10/12 – 10/18): Equality		
4.0	Equality: An Introduction	No reading
4.1.0	Equality as a Constraint: Political Equality	<ul style="list-style-type: none"> •Thomas Christiano, “An Egalitarian Argument for a Human Right to Democracy,” Chapter 16 in <i>Human Rights: The Hard Questions</i> (edited by Cindy Holder and David Reidy, Cambridge University Press, 2013): •History of Brown v. Board of Education •Brown v. Board of Education Supreme Court Opinion (1954)
4.1.1	Equality as a Constraint: Re-examining Political Equality	<ul style="list-style-type: none"> •Money in Politics: Cost of Running For Office •R. Eric Petersen, <i>Representatives and Senators: Trends in Member Characteristics since 1945</i> (2012)
Week 8 (10/19 – 10/25): Equality (2)		
4.2	Equality as an Objective: Introduction to Egalitarianism	<ul style="list-style-type: none"> •Mary Wollstonecraft, <u><i>Vindication of the Rights of Woman</i></u> (1792), Chapter 9 •Kok-Chor Tan, <u><i>Justice, Institutions, and Luck: The Site, Ground, and Scope of Equality</i></u> (2012), Chapter Four
4.3	Equality: Connections between Material and Political Equality	<ul style="list-style-type: none"> •Julius Nyerere, “Ujamaa: The Basis of African Socialism” (1962)
Week 9 (10/26 – 11/1): Freedom		
5.0	Freedom: An Introduction	<ul style="list-style-type: none"> •Constitution of Cuba, Articles 1, 9, and 53 •Paul Finkelman, “The Three-Fifths Clause: Why Its Taint Persists”
5.1.0	Freedom and Autonomy: Positive and Negative Freedom	<ul style="list-style-type: none"> •Stanford Encyclopedia of Philosophy Entry, “Positive and Negative Liberty,” by Ian Carter •Stanford Encyclopedia of Philosophy Entry, “Kant’s Moral Philosophy,” by Robert Johnson, section on Autonomy

5.1.1	Positive and Negative Freedom and the Role of the State	<ul style="list-style-type: none"> •Oxfam report, “Working for the Few: Political Capture and Economic Inequality” (2014) •Sentencing Project, “Fact Sheet”
5.2	Freedom and Autonomy: Individual and Community Freedom	<ul style="list-style-type: none"> •Frantz Fanon, <u>The Wretched of the Earth</u>, “On Violence,” pp. 35-56 (first 20 pages, depending on version) •Internet Encyclopedia of Philosophy Entry, “Frantz Fanon,” by Tracey Nicholls
Week 10 (11/2 – 11/8): Political Community (1)		
6.0	Political Community: An Introduction	<ul style="list-style-type: none"> •Antoinette Scherz, “The Legitimacy of the Demos: Who Should Be Included in the Demos and on What Grounds?,” <u>Living Reviews in Democracy</u> (2013)
6.1	Voluntarism and Political Community	<ul style="list-style-type: none"> •Hugo Grotius, <u>The Rights of War and Peace</u> (1625), Book 1, Chapter 3, Section 8: http://www.constitution.org/gro/djbp_103.htm •Abraham Lincoln, “Peoria Speech: October 16, 1854” (1854) •David Hume, “Of the Original Contract” (1748)
6.2	Alternatives to Voluntarism: Rehfeld’s Random Constituencies	<ul style="list-style-type: none"> •Andrew Rehfeld, <u>The Concept of Constituency: Political Representation, Democratic Legitimacy, and Institutional Design</u> (2008), Introduction and pp. 29-54
6.3	Political Community, Cosmopolitanism, and World Government	<ul style="list-style-type: none"> •Sarah Song, “The boundary problem in democratic theory: why the demos should be bounded by the state,” <u>International Theory</u> (2012) •Kwame Anthony Appiah, “Cosmopolitan Patriots” •Kwame Anthony Appiah, “The Case for Contamination,” New York Times (2006) •Stanford Encyclopedia of Philosophy Entry, “World Government,” by Catherine Lu
Week 11 (11/9 – 11/15): Political Community (2)		
6.4.0	Immigration and Exclusion	<ul style="list-style-type: none"> •Michael Huemer, “Is There a Right to Immigrate?” (2010)
6.4.1	Immigration,	<ul style="list-style-type: none"> •Bryan Caplan interview, “The Case for Open Borders”

	Exclusion, and Open Borders	<ul style="list-style-type: none"> •Jason Brennan, “In Praise of Open Borders” •Lant Pritchett, “The Cliff at the Border” •Dylan Matthews, Washington Post: “Five Things Economists Know about Immigration”
Week 12 (11/16 – 11/22): Representatives, Elections, and Lotteries (1)		
7.0	Representatives, Elections, and Lotteries: An Introduction	<ul style="list-style-type: none"> •Encyclopedia Britannica Entry, “Democracy,” by Robert Dahl
7.1	The Case for Representatives	<ul style="list-style-type: none"> •Stanford Encyclopedia of Philosophy Entry, “Democracy,” by Thomas Christiano, sections 3 and 4 •Bryan Caplan, <u>The Myth of the Rational Voter: Why Democracies Choose Bad Policies</u> (2007) (excerpt)
7.2	The Case for Elected Representatives	<ul style="list-style-type: none"> •Bernard Manin, Adam Przeworski, and Susan C. Stokes, “Elections and Representation,” in <u>Democracy, Accountability, and Representation</u> (1999)
7.3.0	The Perils of Electoral Representation: Part I	<ul style="list-style-type: none"> •Chisun Lee, Brent Ferguson, and David Earley, “After <i>Citizens United</i>: The Story in the States,” <u>Brennan Center Report</u> (2014) •“Campaign Finance in India: Black Money Power,” <u>The Economist</u> (2014) •Nick Thompson, “International Campaign Finance: How Do Countries Compare?” CNN (2012) •2012 REDMAP Summary Report on Redistricting •Duverger’s law of 2-party domination •Alexander Guerrero, “Against Elections: The Lottocratic Alternative” (2014), pp. 135-154
7.3.1	The Perils of Electoral Representation: Part II	<ul style="list-style-type: none"> •Martin Gilens, <u>Affluence and Influence: Economic Inequality and Political Power in America</u> (2012), Introduction
Week 13 (short week, 11/23 – 11/25): Representatives, Elections, and Lotteries (2)		
7.4.0	The Lottocracy	<ul style="list-style-type: none"> •Alexander Guerrero, “The Lottocracy,” <u>Aeon Magazine</u> (2014)

		<ul style="list-style-type: none"> •Alexander Guerrero, “Against Elections: The Lottocratic Alternative” (2014), pp. 154-178
7.4.1	The Promise of Lottocracy	Same as above
7.4.2	Concerns about Lottocracy	Same as above
Week 14 (11/30 – 12/6): Prisons and Punishment		
9.0	Crime and Punishment: An Introduction	<ul style="list-style-type: none"> •National Advisory Commission on Criminal Justice Standards and Goals Report (1973), pp. 44-57 •Angela Davis, “Masked Racism: Reflections on the Prison-Industrial Complex,” (1998) •Kim Pate, “Review of Angela Davis “Are Prisons Obsolete?”,” Journal of Law and Social Policy (2004) •Michelle Alexander, The New Jim Crow: Introduction (2010) •Michelle Alexander, “The New Jim Crow: Summary Article,” (2010)
9.1.0	What is Crime? What Should be Criminalized	<ul style="list-style-type: none"> •Stanford Encyclopedia of Philosophy Entry on “Theories of Criminal Law,” by Antony Duff
9.1.1	What Can Be Criminalized? The Hart-Devlin Debate	<ul style="list-style-type: none"> •Gerald Dworkin, “Devlin Was Right: Law and The Enforcement of Morality,” William and Mary Law Review (1999)
Week 15 (12/7 – 12/10): Prisons and Punishment (2)		
9.2	Theories of Punishment	<ul style="list-style-type: none"> •Stanford Encyclopedia of Philosophy Entry on “Punishment,” by Hugo Adam Bedau and Erin Kelly
9.3.0	Theories of Punishment: Retributivism	<ul style="list-style-type: none"> •Shaun Nichols, “Brute Retributivism” (2011)
9.3.1	Retributivism Reconsidered	<ul style="list-style-type: none"> •Christian Henrichson and Ruth Delaney, “The Price of Prisons: What Incarceration Costs Taxpayers,” Vera Institute of Justice Report (2010/2012) •“The Crisis of Violence in Georgia’s Prisons,” Southern Center for Human

		Rights Report (2014)
9.4	Alternatives to Incarceration: Restorative Justice	<ul style="list-style-type: none"> • Alternatives to Incarceration Fact Sheet • Michelle Jackson, “I wanted revenge but found compassion,” (2014) • Heather Strang and Lawrence Sherman, “Restorative Justice: The Evidence” (2007) • Kathleen Daly, “Revisiting the Relationship Between Retributive and Restorative Justice” (1999) • Introduction to Restorative Justice Processes • Restorative Justice and Different Kinds of Crimes