Philosophy 210: The Just Society (Winter 2018)

Professor: Max Cherem  E-mail: Max.Cherem@kzoo.edu
Schedule: M/W/F 9:40-10.55am, UL 302  Office hours: T/TH, 9.30-11.30(& by apt.; last meeting 11.15), HH 202

Course Description:
The social contract tradition is a foundational pillar of modern political philosophy. Authors in this tradition hold that life without any government (the supposed “state of nature”) would be so problematic that it motivates people to set up a “contract” of sorts with one another that institutes a system of government. 1 This account of the move from the state of nature to government supposedly explains why we have an obligation to obey existing governments. According to this tradition government and laws of some kind are a prerequisite to any minimally just society. This is how the tradition differs from philosophical anarchism (another class). Although the social contract tradition is an overarching framework authors within it have very different views on topics such as just and unjust systems of government, consent to governance, the sources and limits of political obligation, property rights, and the supposed “right to revolt”. We will study this tradition by reading excerpts from Hobbes, Locke, Rousseau, and Kant. We end the course by reading a few contemporary authors. We will read a piece by an author who defends our duty to obey the law and uphold legitimate states. We will also read two contemporary authors who critique the social contract tradition based on what it neglected to account for in terms of gender and race, and how this impacts the notion of tacit voluntary consent to governance.

General learning objectives:
By the end of Phil 210, all students are expected to be able to:

- Identify and articulate the fundamentals of and differences between the four classic social contract models,
- Understand the arguments of each author in detail as well as the assumptions that they rely upon,
- Identify and articulate errors or oversights in both individual authors and the social contract framework itself—particularly contemporary critiques from the perspective of structural inequalities along race and gender lines.

We will meet these learning objectives through a combination of readings, pre-class questions that accompany readings, lectures, in-class discussion, and individual assignments (see below).

Expectations: This syllabus will let you know my expectations. I am also interested in knowing about you and what your expectations for class are. Please take a moment to fill out the note card on your desk with the following:
(1.) Name, year, major (if known) and relevant interests—academic or otherwise.
(2.) Prior experience in philosophy, political science, formal logic, mock trial, pre-law, or debate (if any).
(3.) Any recurring evening conflicts when you’ll be unable to see a film outside of class (e.g. sports, lab, work).
(4.) (Most important) Your expectations for this class!

Participation & Attendance: jointly make up 10% of your grade. Attendance is a necessary yet not sufficient condition for participation (you can’t participate unless you attend, but attending does not mean you are participating). You can take one unexcused absence without consequence. Each subsequent absence will lower your participation grade by 1/3 of a letter grade (B→B-). Missing eight classes or more is grounds for failing the course. Coming to class more than 5 minutes late constitutes ¼ of an absence. If you miss more than 3 days without extenuating, documented reasons you will automatically lose this entire 10%. Think about it: we have 10 weeks and each week we meet 3 times. Missing 3 days is already missing a week—10% of the entire class! Please e-mail me if you miss class. Whether you are late or absent you are responsible for being aware of everything that goes on in class (check with classmates for notes or handouts). As for participation: you need to consistently be an active participant to earn full participation (contribute to in-class discussion, answer questions, respectfully critique / respond to / build upon a point made by an author or a fellow classmate, etc). This means that you should always come to class having carefully and thoroughly read the readings assigned for that day. We will primarily use structured questions, class discussion and some lecture to analyze the readings; these methods require familiarity with the text and active questioning based on that familiarity.

Reading: Read the readings before coming to class on the day for which they are listed. Thoroughly read (do not skim) all assigned readings. You may find that it helps to underline/highlight important passages and make notes in the margins of the text (or elsewhere). You need to do close and careful reading of these texts in order to understand them (much like philosophical writing, this is similar to the type of reading one might encounter as a law student). You cannot rush through the readings and expect to fully understand them. If you have an academic background outside of a theoretical discipline, you may find that you need to read some of the readings multiple times to fully understand them.

1 Most of the theorists we read do not think of the state of nature as a literal period, but as a thought experiment that clarifies the grounding of the obligations we have towards those who share our society and political community.
This is because (like any academic skill) reading theoretical texts and fully understanding them is a skill acquired over time. I would encourage you to stick with it, as it gets easier the more theoretical texts you read. Make sure you set aside enough time to properly do the readings. Please come to office hours to discuss any issues you don’t understand.

Writing: Philosophical thinking is concerned with the argumentative clarity, coherence and the defensibility of a particular position. Your writing should focus on clarity, coherence, succinctness and the construction of sound arguments. The thinking and writing expected in a philosophy class are similar to what you might encounter as a law student. For guidance on writing please read Jim Pryor’s online essay “How to Write a Philosophy Paper”. When writing you need to express yourself very clearly, as I can only grade what you write on the page. Even if you know a theory or argument well in your head, I can only grade what you write (there is no way to evaluate what someone intends to write but fails to clearly express). You will be graded on how well you defend your views (whatever they are) not the particular view / position you take. That being said, there are better and worse ways to construct arguments, so please read Pryor’s essay (be forewarned: some students find his writing style a bit annoying [I think he is trying to be funny]...but the content of this essay is good): http://www.jimp pryor.net/teaching/guidelines/writing.html. Make sure you write what you mean and that you do so clearly. One way to do this is to let a friend read your writing and see if they understand it. You can also set up an appointment at the writing center. But, keep in mind that it is not a “one-stop shop” that will simply fix all the mistakes in a particular assignment for you so that you can get a better grade. The center’s main purpose is to help develop your writing skills by giving sustained feedback over the course of 4 years. I write fairly detailed comments on each student’s paper so as to explain why you have earned a certain grade. Comments are meant to help you identify your strengths and weaknesses and to do better on the next paper. If you ever feel that my comments show that I have misunderstood what you wrote then please meet with me and we’ll go over the paper.

Due dates and extensions: Extensions will not normally be granted. But, please let me know if you feel there are extenuating circumstances that merit an extension (death in the family, documented severe illness, etc). Assignments are counted down 1/3 of a grade (A to A-) for each day (or part of a day) they are late. You’ll receive assignments via email. The due date/time and hand-in procedure will be in the email.

Accommodations: If you need accommodations (due to learning, physical, emotional, or other disabilities) let me know in the 1st week so we can start certifying the accommodation; policy: http://reason.kzoo.edu/studev/disabilities/.

Plagiarism & academic integrity: I don’t tolerate plagiarism or other violations of academic integrity. Any violation (no matter how small or unintentional) will automatically result in at least a failure of the assignment (depending on the assignment and your past performance this may result in failure of the course) and is reported to dean of student affairs. It is your responsibility to familiarize yourself with the college’s policies: https://reason.kzoo.edu/studev/stuconduct/ (especially, but not only, art.1, sect.17 & 18 and art. 3, B1) and https://reason.kzoo.edu/studev/policies/dishonest/. If, after reading the college policies, you have questions about what constitutes plagiarism or academic integrity then ask.

Laptops and phones: No. This class requires engaged discussion. A distraction-free environment where people can focus on the material is crucial. Because laptops produce a variety of distractions (email, Facebook, E-bay, etc) they are not allowed. Turn off your phones before class. Do not text during class. I can generally see when students are texting. As it wastes class time to call attention to this it will simply be reflected in your participation grade.

Questions to aid reading and discussion: 1-2 times a week I email questions that go with the readings for our next meeting. These will be emailed 12-24 hours in advance of class. You should do the reading even if you do not yet have the questions (you will not receive them for every session). You should merely view them as something extra provided as an aid for your understanding (finding the answers to them is absolutely not a substitute for reading closely and carefully). Even when we do use these questions in class we will not get to every question. I encourage you to think about questions we do not get to and re-read the material with them in mind. Doing so will help you on assignments.

2 Short summary assignments: For each of the 4 classical authors we cover I assign a prompt asking you to summarize the author’s views on an issue. The prompts are straightforward. Your response should be 550 words maximum. Part of the challenge is fitting a concise summary into so little space. Some students may also find it challenging to merely summarize an issue rather than to also evaluate it. The purpose of these assignments is to teach you to first neutrally (and charitably) describe an issue or argument before critiquing it. But, rest assured: other assignments will give you a chance to express your own views. You only need to complete 2 of the 4 prompts and you may choose which 2 to write. These prompts are assigned as we go. If you skip 2 you must then do the subsequent 2. You can also write 3 and take
At the end of the class we will likely be assigned via email late in the evening of 01/31. These are short assignments so they are not marked on the syllabus. Look for them in your email inbox from time to time. I try to space them out fairly evenly over the term.

**1 documentary film response:** At the end of the class we will be getting into two contemporary critiques of the social contract tradition from the perspectives of race and gender. They are broadly similar in that they highlight the inequitable impact that the socially constructed categories of race and gender have had upon societies and how such inequality calls into question the voluntary consent involved in the social contract tradition. In order to more vividly demonstrate what at least one of these critics is getting at, we will watch a documentary film (outside of class) about the history of race in the United States. You will be assigned a short response after viewing this documentary.

**Grading breakdown:**
- Attendance and participation: 10%
- 2 short summaries (550 words each) throughout the term: 20% (each worth 10%)
- 1 documentary film response: 15% (this is at the end of the course and is related to a critique of the tradition)
- Midterm paper: 25%
- Final paper: 30%

**REQUIRED TEXTS:**
1.) Coursepack (Available in K-College Bookstore)

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**Week 1**

Mon, 01/08: Introductory lecture and intuition gauging activities.
Reading: Jim Pryor Essay: web address is in the “writing” section of syllabus (above)

Wed, 01/10: Beginning Hobbes
Reading: Leviathan, “The Introduction” (pgs. 3-5) & chapters 10, 11, 13 & 17

Fri, 01/12: Hobbes in-class discussion and review
Reading: Review Leviathan, particular emphasis on chapters 10, 11, 13 & 17

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**Week 2** NO CLASS on Monday, as it is MLK day.

Wed, 01/17: The laws of nature and consent in Hobbes
Reading: Leviathan, Chapters 14-15, 20-21

Fri, 01/19: Hobbesian Sovereignty
Reading: Leviathan, Chapters 16, 18-19, 29 (also review chapters 17 & 20-21)

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**Week 3**

Mon, 01/22: Hobbes in-class discussion and review
Reading: Review Leviathan, particular emphasis on chapters 17 & 20-21

Wed, 01/24: The state of nature and natural law in Locke
Reading: Second Treatise, Chapters 1-4.

Fri, 01/26: The labor theory of value, the seeds of capitalism and property in Locke
Reading: Second Treatise, Chapters 5 & 13.

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**Week 4** NOTE: Midterm paper will likely be assigned via email late in the evening of 01/31.

Mon, 01/29: Locke’s consent and reasons for leaving the State of Nature
Reading: Second Treatise, Chapters 6-12, 14 (focus on paragraphs 175-6, 223-8).

Wed, 01/31: The right to revolt: The difference between commonwealths created by acquisition and by institution.
Reading: Second Treatise, Chapters 16, 17, 19 (focus on paragraphs 175-6, 223-8).
Fri, 02/02: Locke discussion and review.
Reading: Review Second Treatise, 16, 17 & 19.

Week 5: NOTE: No classes on Fri, 02/09 as it is Midterm Break
Mon, 02/05: Healthy and unhealthy love-for-self in Rousseau.
Reading: Discourse on the Origin of Inequality, Part 1.
Wed, 02/07: The state of nature and the ambiguous effects of civilization according to Rousseau
Reading: Discourse on the Origin of Inequality, Part 2 (focus on pgs. 63-68)

Week 6:
Mon, 02/12: The social contract and the “general will” according to Rousseau.
Reading: On the Social Contract, all Book I, all Book II (focus on chapters 1-7, esp. 3-4) & Chapters 1-2 of Book IV

Wed, 02/14: Government and society according to Rousseau.

Fri, 02/16: Rousseau in-class discussion and review.
Reading: Review On the Social Contract, all of Book II

Week 7:
Mon, 02/19: External freedom and provisional rights according to Kant.
Handout: Pick up a copy of “On the Common Saying” reading for next few classes.

Wed, 02/21: The role of property and welfare in Kant’s ideal state

Fri, 02/23: Kant discussion and review
Reading: Review Metaphysics of Morals, 6:311-318.

Week 8: NOTE: Final paper will be assigned via email either 03/02 or on 03/05.
Mon, 02/26: Kant’s views on revolution

Wed, 02/28: A duty to obey the law? What would our previous theorists say?
Reading: “Why I am Not an Anarchist” & “Doing One’s Fair Share” by CH Wellman (Coursepack).

Fri, 03/02: A duty to obey the law? What would our previous theorists say?
Reading: “Just and Unjust Laws” & “Confronting Injustice” by CH Wellman (Coursepack).

Week 9: NOTE: Documentary outside of class this week—exact time/day arranged based on people’s availability.
Mon, 03/05: The “Racial Contract”: What did the social contract tradition leave out? (part 1).
Reading: The Racial Contract, introduction and chapter 1 “Overview”.

Wed, 03/07: The “Racial Contract”: What did the social contract tradition leave out? (part 2).
Reading: The Racial Contract, chapter 2 “Details”.

Fri, 03/09: The “Sexual Contract”: What did the social contract tradition leave out? (part 3).
Reading: “Women and Consent” by Carole Pateman (Coursepack).

Week 10:
Mon, 03/12: The “Sexual Contract”: What did the social contract tradition leave out? (part 4).
Reading: “God Hath Ordained to Man a Helper”: Hobbes, Patriarchy & Conjugal Right” by Pateman (coursepack)
Wed, 03/14: The “Sexual Contract”: What did the social contract tradition leave out? (part 5).
Reading: “Race, Sex and Indifference” by Carole Pateman (coursepack).
Fri, 03/16: Review/“catch-up” day. If there is reading it will be assigned in previous class. Final due 03/19, 9am.