

SYLLABUS: LAW, POLITICS, AND MORALITY (PHIL 254A/B)  
St. Olaf College  
Fall 2013

Professor: Michael Fuerstein  
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Office: Holland Hall 605  
Office Hours: Tuesday, 11:10-12:40 and Thursday 12:30-2, or by appointment

### **Introduction**

Governments are able to advance vital social objectives to an extent that no other institutions can. They do so, however, by monopolizing the use of violent force and by deploying the threat of such force effectively. How, then, can political authority – which seems to be at once essential to our welfare and a danger to our liberty – be justified? On what basis can citizens be forced to comply with political will against their wishes? In what kinds of concerns may governments intervene, and when may citizens disobey state authority? There are also important questions to ask here about the duties of citizens themselves in their use of political power: What kinds of considerations may citizens take into account in their attempt to wield control over the government? What kinds of constraints properly apply to the role of religion in citizens' political lives? How should they weigh the values and interests of other citizens?

In this class, we will consider a range of competing answers to these questions. Texts will be drawn from both classical and contemporary sources in social and political philosophy. Although no prior background in philosophy is required, students will be expected to display a substantial capacity for analytical reasoning and critical thought.

### **Administrative Details**

Links to St. Olaf's academic integrity policy and honor code can be found at the following links. All students are expected to know and abide by them. Violations of these policies will result in failure of the course in all cases and will be reported to the Dean's Office.

<http://www.stolaf.edu/stulife/thebook/academic/integrity.html>  
<http://www.stolaf.edu/stulife/thebook/academic/honor.html>

If you have a documented disability for which accommodations may be required in this class, please contact Connie Ford (ford@stolaf.edu) or Laura Knobel-Piehl (knobel@stolaf.edu) in the Academic Support Center (507-786-3288, Buntrock 108) as soon as possible to discuss accommodations. If you have already arranged accommodations through Student Accessibility Services, please arrange for the submission of your accommodation letter within the first two weeks of class. Accommodations will only be provided after the letter is submitted to me and with sufficient lead-time for me to arrange testing or other accommodations. Although I will receive the letter electronically, I expect you to initiate a conversation with me about the accommodations.

### **Attendance, Late Assignments, and Deadline Extensions**

Attendance: If you miss more than a few classes, I will mark you down in accord with the extent of your absences. Attending class is a minimum requirement for completing the course and will have no positive effect on your grade. In other words, missing class hurts you but showing up does not help you.

Late Assignments: Late papers will be marked down one fraction of a letter grade for every 48 hours that have passed beyond the deadline. Thus, an A- paper would become a B+ after two days, a B after four days, etc. Final exams and blog posts will not be accepted after the deadline.

Extensions: I am generally willing to grant extensions, but only under the condition that the extension is requested at least one week in advance of the deadline. I normally grant no more than a week of extra time unless you have a special reason for needing more than that.

### **Course Texts**

The following texts will be used for the course and are available for purchase in the bookstore:

- Thomas Hobbes, *Leviathan* (Hackett, 1994)
- John Locke, *Two Treatises of Government and A Letter Concerning Toleration* (Yale University Press, 2003)
- John Stuart Mill, *On Liberty* (Hackett, 1978)
- Karl Marx, *The Communist Manifesto* (Oxford World's Classics, 2008)
- John Rawls, *A Theory of Justice, Original Edition* (Harvard University Press, 2005)
- Robert Nozick, *Anarchy, State, and Utopia* (Basic Books, 1977)

There are also good quality free versions of the Hobbes, Locke, Mill, and Marx texts available online at <http://oll.libertyfund.org/>, though the hard-copy versions of all of these are inexpensive. You may use the free versions if you wish, though it might sometimes be difficult to coordinate page numbers during class discussions.

All other readings will be made available on Moodle.

### **Grading and Course Requirements**

- Paper (approximately 5 pages/1500 words): 25%
- Philosophy in Practice Project - Group Presentation: 10%
- Philosophy in Practice Project - Write-up (approximately 6 pages/1800 words): 20%
- Take-Home Comprehensive Final Exam: 30%
- 8 short (at least 130 words) blog posts + Oral Participation: 15%

All major assignments (paper, Philosophy in Practice Project, and final exam) must be completed in order to pass the course.

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**Extensions:** I always grant extensions, but only under the condition that the extension is requested at least one week in advance of the deadline. I normally grant no more than a week of extra time unless you have a special reason for needing more than that.

### Preliminary Schedule of Readings and Assignments

*Note: This schedule is tentative and will be subject to adjustments over the course of the term. All changes will be announced by email. The authoritative schedule will be posted on moodle and updated regularly.*

9/5: Course Introduction (no reading)

The Classical Social Contract

9/10: Thomas Hobbes, *Leviathan*, Chs. 13-15

Also recommended: Jay Rosenberg, *The Practice of Philosophy*, Ch. 1 (moodle)

9/12: Thomas Hobbes, *Leviathan*, Chs. 17, 18, 21, 29

9/17: John Locke, *Second Treatise of Government*, Chs. 1-5

9/19: John Locke, *Second Treatise of Government*, Chs. 7-9

9/24: John Locke, *Second Treatise of Government*, Chs. 11, 18, 19

### Liberty

9/26: John Stuart Mill, *On Liberty*, Chs. 1-2

10/1: John Stuart Mill, *On Liberty*, Ch. 3-4

10/3: Justice Anthony Kennedy, Majority Opinion in *Citizens United v. Federal Election Commission*, pp. 20-47

10/8: Isaiah Berlin, "Two Concepts of Liberty" (excerpt) (Moodle)

### Justice and Equality

10/10: Marx and Engels, *The Communist Manifesto*

10/15: Marx, "Critique of the Gotha Programme" (Moodle)

10/17: NO CLASS (Fall Break)

10/22: John Rawls, *A Theory of Justice*, Sections 1-5, 11-13

**First Paper Due by 9 PM via moodle**

10/24: John Rawls, *A Theory of Justice*, Sections 20-26

10/29: Robert Nozick, *Anarchy, State, and Utopia*, pp. 28-33, 149-64, 167-82

10/31: Robert Nozick, *Anarchy, State, and Utopia*, pp. 183-204, 213-31

### Oppression

11/5: Iris Marion Young, *Justice and the Politics of Difference*, Ch. 1 (Moodle)

11/7: Susan Moller Okin, *Justice, Gender, and the Family*, Ch. 7

11/12: Charles Mills, *The Racial Contract*, Ch. 1 (Moodle)

11/14: Glenn Loury, *The Anatomy of Racial Inequality*, Ch. 4

Also recommended: Justice Sandra Day O' Connor, Majority Decision in *Grutter v. Bollinger*

### Philosophy in Practice Project

11/19: **Philosophy in Practice Project group presentations**

11/21: **Philosophy in Practice Project group presentations**

11/26: **Philosophy in Practice Project group presentations**

11/28: NO CLASS (Thanksgiving Break)

### Religious Convictions, Christianity, and the Liberal State

12/3: John Locke, *A Letter Concerning Toleration*

12/5: Charles Larmore, *Patterns of Moral Complexity*, Ch. 3 (Moodle)

12/10: Stanley Hauerwas, *A Community of Character*, Ch. 4 (Moodle)

**Philosophy in Practice Project Write-Ups Due by 9 PM via moodle**

12/12: Closing Discussion (no reading)

**A Section: Take-Home Finals due by Tuesday, Dec. 17, 11 AM via moodle**

**B Section: Take-Home Finals due by Thursday, Dec. 19, 4 PM via moodle**