

# Contemporary Problems in Political Philosophy

Philosophy 6310

Fall 2017

**Course Description:** American politics has devolved into polarized extremes, made no better by last year's divisive election. The aim of this seminar is to critically evaluate some of the most contentious issues facing us, as well as to try to charitably construct—as opposed to caricature—arguments from across the political spectrum. The methodology will be broadly interdisciplinary, drawing from sources in philosophy, political science, and law. The first unit is theoretical, trying to understand the differences between liberalism and conservatism, as well as different approaches to judicial interpretation. The second unit looks at issues in voting, gerrymandering, and campaign finance. The third unit considers the First Amendment, specifically religious tolerance, religious liberty, and hate speech. The final unit engages patriotism, nationalism, immigration, and the Second Amendment.

**Professor:** Dr. Fritz Allhoff  
Monday 11:00-1:00; 3006 Moore Hall  
387-4503 (w)

**Seminar:** Monday 1:00-3:30; Moore 3014

**Books:** John Corvino, Ryan T. Anderson, and Sherif Girgis, *Debating Religious Liberty and Discrimination* (Oxford University Press, 2017).

Brain Leiter, *Why Tolerate Religion?* (Princeton University Press, 2013).

Antonin Scalia, *A Matter of Interpretation: Federal Courts and the Law* (Princeton University Press, 1997).

Michael Waldman, *The Second Amendment: A Biography* (Simon & Schuster 2014).

Jeremy Waldron, *The Harm in Hate Speech* (Harvard University Press, 2012).

*The Bluebook: A Uniform System of Citation*, 19<sup>th</sup> ed. (Harvard Law Review, 2011).

Additional materials will be made available in Dropbox as needed.

**Electronics:** Aside from anything necessary for presentations, please leave laptops, tablets, and smartphones outside of the seminar room; bring hard copies of readings.

<b>Grading:</b>	Attendance/Participation	10%
	Reaction Papers	20%
	Presentation	10%
	Annotated Research Bibliography	10%
	Research Paper	50%

**Attendance/Participation:** Students are required to attend each seminar and to participate. If students miss a seminar, they may turn in a 1000-word reaction to the assigned readings (half exegetical, half evaluative) at the beginning of the following seminar to avoid a zero for the previous week. They may do this, at most, two times.

**Reaction Papers:** Over the course of the seminar, students are required to submit six reaction papers; again, these should be 1000 words, half exegetical, half evaluative. Reaction papers should include approximately ten footnotes to primary source material—i.e., neither substantially more nor substantially fewer—which, at a minimum, should include the week’s reading(s). Use of additional sources is welcome, but not required.

Reaction papers submitted for missed seminars will be counted toward attendance/participation, not this requirement. Students may not submit a reaction paper over content that they are presenting (see below), but they may submit a reaction paper the same week as their presentation if the reaction paper is on different content (e.g., some other reading, as available). Reaction papers are due by noon on the day of seminar.

**Presentations:** Students will be assigned one presentation each over the course of the semester. Good presentations will not merely trace through the assigned reading, but will make connections across readings and promote broad discussion. PowerPoint is optional but encouraged.

**Annotated research bibliography:** Before writing their research papers, students will compile a research bibliography that will support the research for their projects. There should be at least fifteen academic sources in this bibliography, at least half of which should be from within the past ten years. An additional five sources should be court decisions; the timing of these is unimportant, but they should not have been overturned.

For each of these twenty sources, students should provide full bibliographic information as well as a 100-word précis. Students should also provide an abstract for the paper—of approximately 250 words—at the beginning of the annotated research bibliography.

**Research paper:** Students will incorporate the annotated research bibliography into a research paper, which should be no fewer than 6,000 words, inclusive of footnotes and exclusive of bibliography. At least twenty sources and forty footnotes are strongly encouraged.

Students wishing to write longer papers (e.g., 9,000+ words) may discuss the prospects of an additional credit with the professor.

**Formatting:** All written work should be submitted to my mailbox (i.e., not by email, not to my office). It should be in 11-point font for the body and 10-point font for footnotes; all fonts should be serifed (e.g., Cambria). Both the body and footnote text should be fully justified. Spacing should be double, except for block quotes in single. Legal sources should be formatted according to Bluebook; academic sources may be formatted according to students' preferences.

Written work submitted out of compliance with these requirements—beyond a one-assignment grace period—will be returned to students. It may then be resubmitted as late (see below) once compliant.

**Late Work:** Work may be submitted up to a week late for a 10% penalty. Work may be submitted more than one week late only with prior approval of the professor. 'Late' means anything beyond the exact time at which it is due. Any work submitted late should be time stamped by the student; violations therein are subject to any relevant academic honesty provisions (see below).

**Incompletes:** Incomplete grades may only be assigned in conformity with [university policy](#), not as general extensions. Should students anticipate requesting an incomplete, they should communicate this to the professor *as soon as is reasonably feasible*. Unnecessary delay in such communication may be relevant in the adjudication of such requests.

**Statement on Academic Honesty:** You are responsible for making yourself aware of and understanding the policies and procedures in the Graduate Catalog (pp. 25-27) that pertain to Academic Honesty. These policies include cheating, fabrication, falsification and forgery, multiple submission, plagiarism, complicity and computer misuse. If there is reason to believe you have been involved in academic dishonesty, you will be referred to the Office of Student Conduct. You will be given the opportunity to review the charge(s). If you believe you are not responsible, you will have the opportunity for a hearing. You should consult with the professor if you are uncertain about an issue of academic honesty prior to the submission of an assignment or test.

<u>Week</u>	<u>Date</u>	<u>Topic</u>	<u>Readings</u>
1	9/11	Liberalism and Conservatism	Alan Ryan, "Liberalism"  Anthony Quinton, "Conservatism"
2	9/18	Political Neuroscience	David Amodio et al., "Neurocognitive Correlates of Liberalism and Conservatism"  Jonathan Haidt and Jesse Graham, "When Morality Opposes Justice"  Jesse Graham et al., "Liberals and Conservatives Rely on Different Sets of Moral Foundations"  Yoel Inbar et al., "Conservatives Are More Easily Disgusted than Liberals"
3	9/25	Judicial Interpretation	Antonin Scalia, <i>A Matter of Interpretation</i> [pp. 3-48 and one comment]  Stephen C. Mouritsen, "Hard Cases and Hard Data: Assessing Corpus Linguistics as an Empirical Path to Plain Meaning"
4	10/2	Voting	Simon Jackman, "Compulsory Voting"  Jason Brennan, <i>Against Democracy</i> , ch. 6  Alex Guererro, "Against Elections: The Lottocratic Alternative"

5	10/9	Gerrymandering	<p>Christopher Ingraham,  <a href="#">“How to Steal an Election: A Visual Guide”</a></p> <p><i>Baker v. Carr</i>, 369 U.S. 186 (1962)</p> <p><i>Vieth v. Jubelirer</i>, 541 U.S. 267 (2004)</p> <p>Adam Liptak, <a href="#">“Justices to Hear Major Challenge to Partisan Gerrymandering”</a></p> <p><i>Gill v. Whitford</i>  <a href="#">[materials in press]</a></p>
6	10/16	Corporations	<p><i>Citizens United v. Federal Election Commission</i>,  558 U.S. 310 (2010)</p> <p>Paul Horwitz, “The Hobby Lobby Moment”</p>
7	10/23	Religious Tolerance	<p>Brian Leiter, <i>Why Tolerate Religion?</i>  [entire essay]</p>
8	10/30	Religious Liberty and Discrimination	<p>John Corvino, Ryan Anderson, and Sherif Girgis,  <i>Debating Religious Liberty and Discrimination</i>  [§ 2 or § 3—whichever you disagree with]</p>
9	11/6	[Class Canceled]	<p><b>Research Bibliography due by 12:00 pm</b></p>
10	11/13	Hate Speech	<p><i>Brandenburg v. Ohio</i>, 395 U.S. 444 (1969)</p> <p><i>National Socialist Party v. Skokie</i>,  432 U.S. 43 (1977)</p> <p><i>Snyder v. Phelps</i>, 562 U.S. 44 (2011)</p> <p><i>R.A.V. v. City of St. Paul</i>, 505 U.S. 377 (1992)</p> <p><i>Virginia v. Black</i>, 538 U.S. 343 (2003)</p> <p>Jeremy Waldron, <i>The Harm in Hate Speech</i>  [Ch. 1 and either Ch. 2, 3, 4, or 5]</p>

<b>11</b>	11/20	Patriotism and Nationalism	Igor Primoratz, "Patriotism"  Nenad Miscevic, "Nationalism"
<b>12</b>	11/27	Immigration	<i>Washington v. Trump</i> (9th cir., in press)  <i>International Refugee Assistance Project v. Trump</i> (4th cir., in press)  David Miller, "Immigration: The Case for Limits"  Chandran Kukathas, "The Case for Open Immigration"
<b>13</b>	12/4	Guns	Michael Waldman, <i>The Second Amendment: A Biography</i> [Part II and either Part I or Part III]
-	12/15	-	<b>Research Paper due by 12:00 pm</b>