

Democratic Theory

PHIL 457L/PHIL 609C

Spring 2014

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Office Hours: Tuesday 3:00 – 4:00 PM; Wednesday 2:00 – 3:00 PM

I will be in my office and available during office hours, but you can make appointments to see me at other times. My preference is that we make appointments by email, and have substantive discussions face-to-face.

Course Description

The course will examine normative issues about democratic rule of recent concern to philosophers. Questions concerning democracy's value, authority, legitimacy, and demands will be central. What is the relationship of justice (or other political virtues) to democratic rule? How far can democratic decisions properly compel our obedience? By what right are democratic decisions enforced, and what is the appropriate scope of democratic sovereignty? What does the democratic ideal require in a world like ours, full of creatures like us? Most of the theoretical work we consider will be recent, but as we will see, these have been long-standing problems for political thought.

Learning Objectives

The student will:

- Be familiar with some of the central philosophical work on democratic rule
- Develop and be capable of articulating cogent views on several of the questions outlined in the course description
- Demonstrate an ability to write effectively, coherently, and analytically, and with a high degree of argumentative sophistication (C)
- Demonstrate an ability to revise and improve writing in both form and content (C)
- Develop an ability to read and critically consider difficult texts
- Improve ability to reason through and intelligently discuss complex issues
- Demonstrate an understanding of the human experience through the study of philosophy (H)

Readings

Students are expected to show up to class prepared to discuss, and answer questions concerning, the assigned reading. This is a seminar, so there will be a focus on student to student and instructor to student dialogue. The class discussion will center on students addressing the issues raised by the texts. Successful participation in class, then, requires familiarity with the readings for the course.

The required texts for purchase are:

Anna Stilz, *Liberal Loyalty: Freedom, Obligation, & the State* (Princeton, 2009)

Philip Pettit, *On the People's Terms* (Cambridge, 2012)

Jamie T. Kelly, *Framing Democracy: A Behavioral Approach to Dem. Theory* (Princeton, 2012)

In addition to these texts, many of the readings will be available on electronic reserves (marked “[ER]” on the schedule) through Blackboard.

Requirements:

Grade Breakdown

	<u>Undergraduate Students:</u>	<u>Graduate Students:</u>
Participation:	25%	20%
Paper Draft:	5%	5%
Paper	45%	55%
Presentation	0%	20%
Final Exam	25%	0%

Paper Draft and Paper: Students will be required to write a 20 to 25 page paper. Undergraduate students have the option of either developing their own topic or selecting one of the topics distributed by me. Graduate students should develop their own topic. The writing of the paper will occur in stages, and students should expect to invest considerable effort over the course of several weeks into writing the paper.

Stage One (Topic Selection): One week after possible topics have been distributed, send me an email or hand in a piece of paper indicating which of the topics you are going to write on. If you are writing on your own topic, you should discuss it with me.

Stage Two (Draft): Three weeks after the assignment is distributed, hand in a 10 to 12 page draft of your paper. Graduate student drafts can be a bit longer, if needed. The paper should provide the main line of argument you intend to use in your final draft and much of the supporting material you will rely upon (e.g., explanations of other pertinent

theorist's views regarding your topic). To put it otherwise, you should provide me a condensed, polished version of your final paper. After I review it, we will schedule a time to meet one on one. I will return the draft to you then with verbal and written comments for the purpose of expanding and revising the draft into a full twenty to twenty-five page paper. Failure to turn in the draft, or turning in one that is inadequate, will have an adverse effect on your final course grade.

Stage Three (Revision): After the draft is returned with comments, revise and expand it into the best paper you are able.

In general, papers will be assessed on the basis of: (1) its ability to identify the relevant material, (2) accuracy and completeness in portraying the material in question, and (3) the development of a well-reasoned critical assessment.

Students will be required to submit all material to Turnitin on Blackboard. An electronic version of the draft and final paper must be made available.

Presentation: Graduate students are required to give an in class presentation on one of the assigned readings. Students can identify a reading of interest to them, or I can assign a one. In either case, presentation assignments should be completed by the third week of classes. The presentation will be twenty to thirty minutes long, and should include: (1) an exposition of some portion of the reading, properly contextualized within the reading as a whole, (2) a critical assessment, and (3) questions to initiate discussion. The precise format of the presentation is within the presenter's discretion, but we can discuss it in advance.

Participation: Students will be assessed on their contributions in class. The grade will be based on the frequency with which students provide valuable verbal contributions to the class. Such contributions include informed responses to instructor questions, participation in classroom discussions, and raising relevant and cogent questions.

Final Exam: Students are responsible for all assigned material up to the day of the exam (i.e., the final exam is cumulative).

Course Policies

Attendance: Attendance in class is mandatory. Students should arrive promptly at the beginning of class with the assigned reading for the day in hand. Students are permitted (2) unexcused absence without penalty. Each additional unexcused absence will result in the student's final grade being reduced by one-third a letter grade (e.g. a B becomes a B-).

Late Papers: Papers turned in late will be penalized one-third a letter grade per day of lateness, including weekend days.

Academic Honesty: Plagiarism and other forms of academic misconduct will be dealt with harshly in accordance with Harpur College policies. The **Student Academic Honesty Code** can be found at: <http://bulletin.binghamton.edu/integrity.htm>.

Schedule of Readings

The following plan is subject to revision - I will inform the class of any changes as we go. Listed on the left are the dates of the lectures, on the right are the readings that will be discussed on those dates. Readings with “[ER]” next to them are available on electronic reserves on Blackboard.

Date:	Reading:
Jan. 28	Introduction to the course
Jan. 30	John Stuart Mill, <i>Considerations on Representative Government</i> , 23-31, 34-50, 76-78 [ER]
Feb. 4	Mill, <i>Considerations</i> , 87-125 [ER]
Feb. 6	Carole Pateman, “Rousseau, John Stuart Mill, and G.D.H. Cole: A Participatory Theory of Democracy” from <i>Participation and Democratic Theory</i> (1970) [ER]
Feb. 11	Richard Arneson, “Democracy Rights at National and Workplace Levels” in <i>The Idea of Democracy</i> (1993), 118-148 [ER]
Feb. 13	Joseph A. Schumpeter, selections from <i>Capitalism, Socialism, and Democracy</i> , 250-283 [ER]
Feb. 18	Richard Posner, “Democracy Defended” from <i>Law, Pragmatism and Democracy</i> (2003), 158-212 [ER]
Feb. 20	Joshua Cohen & Joel Rogers, “Structure” from <i>On Democracy</i> (1983), 47-87
Feb. 25	Jamie Kelly, <i>Framing Democracy</i> , 1-58
Feb. 27	Kelly, <i>Framing Democracy</i> , 59-110, 119-121
Mar. 4	Joshua Cohen, “Deliberation and Democratic Legitimacy” (1989), 16-37
Mar. 6	Samuel Freeman, “Constitutional Democracy and the Legitimacy of Judicial Review”, <i>Law and Philosophy</i> , 9 (1990), 327-370 [ER]
Mar.11	Jeremy Waldron, “Legislation, Authority, and Voting,” in <i>Law and Disagreement</i> (1999), 88-118 [ER] Waldron, “The Core of the Case Against Judicial Review,” <i>Yale Law Journal</i> (2006), 1348-1359 [ER]
Mar.13	Waldron, “The Core of the Case Against Judicial Review,” 1359-1406 [ER] Kelly, <i>Framing Democracy</i> , 110-119
Mar. 18	Anna Stilz, <i>Liberal Loyalty</i> , 1-56
Mar. 20	Stilz, <i>Liberal Loyalty</i> , 57-110
	Paper Topics Distributed
Mar. 25	Thomas Christiano, “Equality” from <i>The Rule of the Many</i> (1996), 47-98 [ER]
Mar. 27	Christiano, “The Authority of Democracy” from <i>The Constitution of Equality</i> (2008), 231-259 [ER]
	Select Paper Topic (Stage One)
Apr. 1	David Estlund, “On Christiano’s <i>Constitution of Equality</i> ,” <i>Journal of Political Philosophy</i> (2009), 241-252 [ER]
Apr. 3	Estlund, “Democratic Authority” from <i>Democratic Authority</i> (2008), 1-20 [ER]

Apr. 8	Estlund, "Political Authority and the Tyranny of Non-consent" <i>Philosophical Issues</i> (2005) 351-367 [ER]
Apr. 10	Elizabeth Anderson, "The Epistemology of Democracy", <i>Episteme</i> (2006), 8-22 [ER] Submit Polished Draft of Term Paper (Stage Two)
Apr. 22	Robert Talisse, "Folk Epistemology and the Justification of Democracy" (2009), 41-53 [ER] Philip Pettit, <i>On the People's Terms</i> , 1-74 Paper Drafts Returned – Schedule Meeting to Discuss Revisions
Apr. 24	Elizabeth Anderson, "What is the Point of Equality?" <i>Ethics</i> (1999), 312-331 [ER] Anderson, "Democratic Ideals and Segregation," in <i>The Imperative of Integration</i> (2010), 89-111 [ER]
Apr. 29	Pettit, <i>On the People's Terms</i> , 75-129
May 1	Pettit, <i>On the People's Terms</i> , 130-186
May 6	Pettit, <i>On the People's Terms</i> , 187-238
May 8	Pettit, <i>On the People's Terms</i> , 239-292 Submit Final Draft of Term Paper (Stage Three)
<hr/> Undergraduate Final Exam will be held in accordance with official university schedule	