

Politics 3334E: Contemporary Political Theory (2012-13)

Tuesday, 11.30-1.30, SSC 4103.

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Room 4129 SSC. Office hours Monday 1.30-3.30, and other times by arrangement

“Contemporary political theory” can mean many things. It could mean, for example, the study of contemporary political theorists (rather as Politics 2237e studies political theorists of the past). Or it could mean studying schools of thought – “isms” such as liberalism, libertarianism, conservatism, socialism and so on. Either of those approaches could be the basis for a fine course. The approach taken here, however, is different. Politics 2237e studied theorists of the past who tried to make sense of the issues of their day: likewise, “contemporary political theory” can be understood as an attempt to make sense of the issues in our own world. We will make use of readings, written for the most part in the last two decades: their function is to give us an accelerated starting-point for our own critical reflection on the questions posed. What should we look for in the readings? **Arguments** – that is, not just statements of opinion, but developed reasoning that is intended to lend support to one position rather than another. What are the strengths of the arguments? Their weaknesses? How might we support or criticize them?

These are the questions that we will discuss:

Are there any absolute rights?

Are states entitled to try to make us into better people?

Is free speech unlimited?

Does religious belief entitle people to special consideration?

What is the basis of the right to vote?

Do we have rights against spouses, partners, friends?

Do cultural groups have rights?

Is diversity valuable?

Does the recognition of culture have a dark side?

Is “reverse discrimination” bad, or good?

Should we worry about injustices that took place long ago?

If groups are unhappy, can they secede?

Is it a good thing, or a very bad one, that people have patriotic feelings?

Why shouldn't borders be open to whoever wants to enter?

Does everyone have human rights?

What do humans have rights to?

Should states prevent other states from committing atrocities within their borders?

Do people in poverty in one country have claims against rich people in other countries?

Do children have rights against their parents?

What do we owe to future generations?

What do we owe to past generations?

Do animals have rights against us?

Does the natural world have intrinsic value, over and above the rights of future people?

Now these are, of course, very disparate questions! But the course has two features that are meant to make discussion more continuous from week to week. First, whether or not the word “rights” is used in the questions listed above, we shall use that topic as a thread to link them together. What does it mean to have a right? We will begin with a week’s preliminary discussion on that topic, and try to establish a framework that will help with our later discussions. Second, the questions are organized into four segments, indicated in the headings below. In each of these segments, the questions addressed are strongly related: segment 1 looks at the rights of citizens, segment 2 at the rights of groups, segment 3 at the rights of people outside our own society, segment 4 at claims that have generally been left out of the discourse on rights.

This is a **seminar** course. You may not yet be familiar with that concept. Let me contrast it with a lecture course. A lecture course is defined by the activity of an instructor, i.e. someone who gives lectures, and the course takes place whatever the response of the students happens to be. (In the limiting case, a lecture course could take place even if no students showed up!) A seminar, however, is a group of students who have undertaken to examine a common body of work. Apart from necessary absences due to illness, it has to be the same group from week to week so that discussion can be cumulative. The work of the course is carried out, in the first instance, through discussion of the assigned readings.

The final mark for the course will be based equally (25% each) on four components:

1st term essay

2nd term essay

final exam

“participation”

Here's what "participation" means for this purpose. You must attend every class (except of course in case of illness or emergency) and hand in, at the beginning of each class, a typed page that lists:

- something you agree with in each of the two readings (briefly explain why);
- something you disagree with in each of the two readings (briefly explain why);
- something, in each of the two readings, that you don't understand, or which in your view needs further discussion.

Doing that every week will get you 17.5 of the 25% participation mark (= 70%, the passing mark for Honors). A mark will be lost for each week that you don't attend and hand in your page. Missing five weeks or more makes you ineligible for this portion of the mark. The remaining 7.5 marks will be assigned on the basis of constructive contributions to seminar discussion throughout the year. (No contributions = 0, occasional contributions = 1-2, occasional but good contributions = 2-3, consistent and good contributions = 3-4, excellent contributions = 4-5, outstanding contributions = 6. Constructiveness is more important than sheer quantity!

Essays are due on the last day of classes in each term. You have five "grace days" for the year, no questions asked: if you use them all for the first essay the second essay must be on time, if you use three of them for the first essay the second may be two days late... etc. After your grace days are used up, **late work will not be accepted** unless you have an approved extension for medical or compassionate reasons:

For UWO policy on Accommodation for Medical Illness, please consult:
<https://studentservices.uwo.ca/secure/index.cfm>

The essays are to be 10-12 pages double-spaced in length. Questions will be provided well in advance – they will be based on our weekly discussions. The essays will be evaluated on the basis of how well they represent and critically assess competing arguments. Sources other than the set readings should not be used, unless they provide useful examples for your argument.

The final exam (2 hours) will require you to write two answers each of which calls for bringing together ideas from two of our weeks' readings. There will be some choice. The *only* way to prepare for the final exam is to do the readings each week and keep notes on them during the year!

DISCUSSION TOPICS & READINGS

Segment 1: *The rights of citizens*

1. On rights in general:

Joel Feinberg, "The Nature and Value of Rights," *Rights, Justice and the Bounds of Liberty*, Princeton: Princeton University Press, 1980, 143-58

Joseph Raz, "Rights-Based Morality," in Jeremy Waldron ed., *Theories of Rights*, Oxford: Oxford University Press, 1984, 192-200

2. An absolute right -- against torture?

Alan Dershowitz, *Why Terrorism Works*, New Haven: Yale University Press, chapter 4.

David Luban, "Liberalism, Torture and the Ticking Bomb," *Virginia Law Review* 91 (2005), pages 1425-52 only.

<http://www.jstor.org.proxy2.lib.uwo.ca:2048/stable/3649415>

3. A right to make up our own minds?

Nicholas Dixon, "Boxing, Paternalism, and Legal Moralism," *Social Theory and Practice* 27 (2001), 323-44.

<http://proquest.umi.com.proxy1.lib.uwo.ca:2048/pqdweb?index=3&did=76157409>

Ronald Dworkin, "Can a Liberal State Support Art?" in *A Matter of Principle*, Cambridge MA: Harvard University Press, 1985, 221-33.

4. A right to free speech, or a right not to be offended?

Bhiku Parekh, "The Rushdie Affair," *Political Studies* 38 (1990), 695-709.

<http://onlinelibrary.wiley.com.proxy1.lib.uwo.ca:2048/doi/10.1111/j.1467-9248.1990.tb>

Peter Jones, "Respecting beliefs and Rebuking Rushdie," in John Horton ed., *Liberalism, Multiculturalism and Toleration*, London: Macmillan, 1993, 114-38.

5. Does religion confer special rights?

Anna E. Galeotti, *Toleration as Recognition*, Cambridge University Press 2002, chapter 4.

Sonu Bedi, "What is so Special about Religion?" *Journal of Political Philosophy* 15 (2007), 235-49.

<http://journals1.scholarsportal.info.proxy1.lib.uwo.ca:2048/details.xqy?uri=/09638016/v>

6. A right to vote?

Rainer Baubock, "Expansive Citizenship: Voting beyond Territory and Membership," *PS: Political Science and Politics* 38 (2005), 683-7.

<http://www.jstor.org/stable/30044350>

Francis Shrag, "Children and Democracy: Theory and Policy," *Politics, Philosophy & Economics* 3 (2004) 365-79.

<http://ppe.sagepub.com.proxy1.lib.uwo.ca:2048/content/3/3/365.full.pdf+html>

7. Do rights extend from the public into the personal realm?

John Hardwig, "Should Women Think in Terms of Rights?" *Ethics* 94 (1984), 441-55

<http://www.jstor.org/stable/2380817>

Michael Meyer, "Rights between Friends," *Journal of Philosophy* 89 (1992), 467-83

<http://www.jstor.org.proxy1.lib.uwo.ca:2048/stable/2941112>

Segment II: *The rights of groups*

1. Cultural rights.

Will Kymlicka, *Multicultural Citizenship*, Oxford: Clarendon Press, 1995, chapter 5, 75-106.

Chandran Kukathas, "Are there any Cultural Rights?" *Political Theory* 20 (1992), 105-39 (selections).

<http://www.jstor.org.proxy1.lib.uwo.ca:2048/stable/191781>

3. Can group rights be oppressive?

Susan Okin, "Is Multiculturalism Bad for Women?" in Joshua Cohen ed., *Is Multiculturalism Bad for Women?* Princeton: Princeton University Press, 1999, 7-24.

Jeff Spinner-Halev, "Feminism, Multiculturalism, Oppression, and the State," *Ethics* 112 (2001), 84-113.

<http://www.jstor.org.proxy2.lib.uwo.ca:2048/stable/10.1086/322741>

4. Is there a right to affirmative action in employment?

Ronald Dworkin, "The Rights of Allan Bakke," Michael Levin, "Affirmative Action," and Luke C. Harris and Uma Narayan, "Affirmative Action as Equalizing Opportunity," all in Hugh LaFollette ed., *Ethics in Practice*, Oxford: Blackwell, 1997, 432-63

5. Do oppressed groups have a right to redress?

Janna Thompson, "Historical Obligations," *Australasian Journal of Philosophy* 78 (2000), 334-45

<http://www.tandfonline.com.proxy2.lib.uwo.ca:2048/doi/abs/10.1080/00048400012349631>

Richard Vernon, *Friends, Citizens, Strangers*, Toronto: University of Toronto Press 2005, chapter 11.

(TERM II)

6. Do oppressed groups have a right to secede?

Allen Buchanan, "Theories of Secession," *Philosophy and Public Affairs* 26 (1997), 31-61.

<http://www.jstor.org.proxy2.lib.uwo.ca:2048/stable/2961910>

David Miller, "Secession and the Principle of Nationality," *Citizenship and National Identity*, Cambridge: Polity, 2000, 110-24

Segment III: *The rights of strangers.*

1. Is there a case for patriotism?

Alasdair MacIntyre, "Is Patriotism a Virtue?" in Ronald Beiner ed., *Theorizing Citizenship*, Albany: SUNY Press, 1995, 209-228

Martha Nussbaum, "Patriotism and Cosmopolitanism" and "Reply," both in Joshua Cohen ed., *For Love of Country*, Boston: Beacon, 1996, 2-20 and 131-44

2. Immigration policy: open or closed borders?

Michael Walzer, *Spheres of Justice*, Oxford: Robertson, 1983, chapter 2, 31-63

Joseph Carens, "Migration and Morality," in Brian Barry and Robert Goodin eds., *Free Movement*, New York: Harvester, 25-47

3. Are human rights universal?

Adamantia Pollis and Peter Schwab, "Human rights: A Western construct", in *Human Rights: Cultural and Ideological Perspectives*, New York: Praeger, 1979.

Heiner Bielefeld, "Western vs Islamic Human Rights Conceptions", *Political Theory* 28 (1) 2000, 90-121.

<http://www.jstor.org.proxy1.lib.uwo.ca:2048/stable/pdfplus/192285.pdf?acceptTC=true>

4. Human rights – to what?

Maurice Cranston, "Human Rights, Real and Supposed," in D.D. Raphael ed., *Political Theory and the Rights of Man*, London: Macmillan, 1967, 43-53

Henry Shue, *Basic Rights*, 2nd edition, Princeton: Princeton University Press, 1996, 13-46

5. The right to intervene.

Fernando Teson, "The Liberal Case for Humanitarian Intervention," in J.L. Holzgrefe and Robert O. Keohane eds., *Humanitarian Intervention*, Cambridge: Cambridge University Press, 2003, 93-129

Mohammed Ayoob, "Humanitarian Intervention and State Sovereignty," *International Journal of Human Rights* 6 (2002), 81-102.
<http://web.ebscohost.com.proxy1.lib.uwo.ca:2048/ehost/detail?vid=3&hid=125&sid=d7da421b>

6. International distributive justice?

Peter Singer, *One World*, New Haven: Yale University Press, 2002, chapter 5, 150-95 (selections).

Neera Badhwar, "International Aid: When Giving Becomes a Vice," in E.F. Paul et al eds., *Justice and Global Politics*, Cambridge: Cambridge University Press, 2006, 69-101.

Segment IV: *non-citizens – the unborn, the immature, the deceased, the non-human, the inanimate.*

1. Do children have rights?

Harry Brighouse, "What Rights (if any) do Children Have?" in David Archard and Colin M Macleod eds., *The Moral and Political Status of Children*, Oxford: Oxford University Press, 2002, 31-52

Robert Sparrow, "Defending Deaf Culture," *Journal of Political Philosophy* 13 (2005). 135-52
http://journals1.scholarsportal.info.proxy2.lib.uwo.ca:2048/details.xqy?uri=/09638016/v13i0002/135_ddctoci.xml

2. Do future generations have rights against us?

Annette Baier, "The rights of past and future persons," in Ernest Partridge ed., *Responsibilities to Future Generations*, Buffalo: Prometheus, 1980, 171-86.

Wilfred Beckerman, "The impossibility of a Theory of Intergenerational Justice," in J.C. Tremmel ed., *Handbook of Intergenerational Justice*, Cheltenham: Elgar, 2006, 53-71.

3. Do past generations have rights against us?

George Pitcher, "The Misfortunes of the Dead", *American Philosophical Quarterly* 21 (2) 1984, 183-88.

<http://www.jstor.org.proxy1.lib.uwo.ca:2048/stable/pdfplus/20014044.pdf?acceptTC=true>

Paul Bahn, "Do Not Disturb? Archaeology and the Rights of the Dead", *Journal of Applied Philosophy* 1 (2) 1984, 213-25.

<http://onlinelibrary.wiley.com.proxy1.lib.uwo.ca:2048/store/10.1111/j.1468-5930.1984.tb00004.x/asset/j.1468-5930.1984.tb00004.x.pdf?v=1&t=h3m75j6u&s=4f632bf650df8ce6a6434b8f9cf6ed2dcc109938>

4. Do animals have rights?

James Rachels, "Do Animals Have Rights?" in *Can Ethics Provide Answers?* Lanham: Rowman and Littlefield, 1997, chapter 6, 81-98

Roger Scruton, "The Moral Status of Animals," in Rosalind Hursthouse ed., *Ethics: Humans and Other Animals*, London: Routledge, 2000, 209-28

5. Ecologism.

Paul W. Taylor, "The Ethics of Respect for Nature," in John O'Neill et al eds., *Environmental Ethics and Philosophy*, Cheltenham: Elgar, 2001, 348-69

Bernard Williams, "Must a Concern for the Environment Be Centered on Human Beings?" in *Making Sense of Humanity*, Cambridge: Cambridge University Press, 1995, 233-40.

<http://rci.rutgers.edu/~tripmcc/phil/williams-concernfortheenvironment.pdf>

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:
http://www.uwo.ca/univsec/handbook/appeals/scholastic_discipline_undergrad.pdf

**APPENDIX TO UNDERGRADUATE COURSE OUTLINES
DEPARTMENT OF POLITICAL SCIENCE**

Prerequisite checking - the student's responsibility

"Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites."

Essay course requirements

With the exception of 1000-level courses, most courses in the Department of Political Science are essay courses. Total written assignments (excluding examinations) will be at least 3,000 words in Politics 1020E, at least 5,000 words in a full course numbered 2000 or above, and at least 2,500 words in a half course numbered 2000 or above.

Use of Personal Response Systems ("Clickers")

"Personal Response Systems ("clickers") may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning.

Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else's clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence."

Security and Confidentiality of Student Work (refer to current *Western Academic Calendar* (<http://www.westerncalendar.uwo.ca/>))

"**Submitting or Returning Student Assignments, Tests and Exams** - All student assignments, tests and exams will be handled in a secure and confidential manner. Particularly in this respect, leaving student work unattended in public areas for pickup is not permitted."

Duplication of work

Undergraduate students who submit similar assignments on closely related topics in two different courses must obtain the consent of both instructors prior to the submission of the assignment. If prior approval is not obtained, each instructor reserves the right not to accept the assignment.

Grade adjustments

In order to ensure that comparable standards are applied in political science courses, the Department may require instructors to adjust final marks to conform to Departmental guidelines.

Academic Offences

"Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

<http://www.uwo.ca/univsec/handbook/appeals/scholoff.pdf>."

Submission of Course Requirements

ESSAYS, ASSIGNMENTS, TAKE-HOME EXAMS **MUST** BE SUBMITTED ACCORDING TO PROCEDURES SPECIFIED BY YOUR INSTRUCTOR (I.E., IN CLASS, DURING OFFICE HOURS, TA'S OFFICE HOURS) OR UNDER THE INSTRUCTOR'S OFFICE DOOR.

THE MAIN OFFICE DOES NOT DATE-STAMP OR ACCEPT ANY OF THE ABOVE.

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. <http://www.uwo.ca/univsec/handbook/>

Students registered in Social Science should refer to <http://counselling.ssc.uwo.ca/> <http://counselling.ssc.uwo.ca/procedures/havingproblems.asp> for information on Medical Policy, Term Tests, Final Examinations, Late Assignments, Short Absences, Extended Absences, Documentation and other Academic Concerns. Non-Social Science students should refer to their home faculty's academic counselling office.

Plagiarism

"Plagiarism: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence." (see Scholastic Offence Policy in the Western Academic Calendar).

Plagiarism Checking: "All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>)."

Multiple-choice tests/exams: "Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating."

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. <http://www.uwo.ca/univsec/handbook/>

PLAGIARISM*

In writing scholarly papers, you must keep firmly in mind the need to avoid plagiarism. Plagiarism is the unacknowledged borrowing of another writer's words or ideas. Different forms of writing require different types of acknowledgement. The following rules pertain to the acknowledgements necessary in academic papers.

A. In using another writer's words, you must both place the words in quotation marks and acknowledge that the words are those of another writer.

You are plagiarizing if you use a sequence of words, a sentence or a paragraph taken from other writers without acknowledging them to be theirs. Acknowledgement is indicated either by (1) mentioning the author and work from which the words are borrowed in the text of your paper; or by (2) placing a footnote number at the end of the quotation in your text, and including a correspondingly numbered footnote at the bottom of the page (or in a separate reference section at the end of your essay). This footnote should indicate author, title of the work, place and date of publication, and page number.

Method (2) given above is usually preferable for academic essays because it provides the reader with more information about your sources and leaves your text uncluttered with parenthetical and tangential references. In either case words taken from another author must be enclosed in quotation marks or set off from your text by single spacing and indentation in such a way that they cannot be mistaken for your own words. Note that you cannot avoid indicating quotation simply by changing a word or phrase in a sentence or paragraph which is not your own.

B. In adopting other writers' ideas, you must acknowledge that they are theirs.

You are plagiarizing if you adopt, summarize, or paraphrase other writers' trains of argument, ideas or sequences of ideas without acknowledging their authorship according to the method of acknowledgement given in 'A' above. Since the words are your own, they need not be enclosed in quotation marks. Be certain, however, that the words you use are entirely your own; where you must use words or phrases from your source, these should be enclosed in quotation marks, as in 'A' above.

Clearly, it is possible for you to formulate arguments or ideas independently of another writer who has expounded the same ideas, and whom you have not read. Where you got your ideas is the important consideration here. Do not be afraid to present an argument or idea without acknowledgement to another writer, if you have arrived at it entirely independently. Acknowledge it if you have derived it from a source outside your own thinking on the subject.

In short, use of acknowledgements and, when necessary, quotation marks is necessary to distinguish clearly between what is yours and what is not. Since the rules have been explained to you, if you fail to make this distinction your instructor very likely will do so for you, and they will be forced to regard your omission as intentional literary theft. Plagiarism is a serious offence which may result in a student's receiving an 'F' in a course or, in extreme cases in their suspension from the University.

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Accessibility at Western

Please contact poliscie@uwo.ca if you require any information in plain text format, or if any other accommodation can make the course material and/or physical space accessible to you.