

PHILOSOPHY 50: LAW AND SOCIETY
Winter 2018
Syllabus
(Draft: December 2017)

Professor: Dana Kay Nelkin

Office: HSS 8085

Office hours: Monday 1-2, Wednesday 10-11, and by appointment

Email: dnelkin@ucsd.edu

www.danakaynelkin.com

Course Description: The course will be divided into two overarching topics. The first concerns the ethics, political theory, and legal theory of voting. We will attempt to answer questions such as the following: Is there a duty to vote? Is there a right to vote, and, if so, who has it? What should the voting age be? Are laws requiring voting acceptable? Is it rational to vote? The second concerns the questions of whether there is a duty to obey the law, and whether there are conditions under which it is permissible to disobey it (and, if so, what those conditions are). In each case, we will connect the theoretical questions at hand with current events and cases.

Course Readings: All course readings are available through the class website.

Week 1: Voting Age and the Right to Vote

Tommy Peto, "Why the Voting Age Should Be Lowered to 16"

Nicholas Munn, "Reconciling the Criminal and Participatory Responsibilities of the Youth"

Week 2: Is It Rational to Vote?

Alex Guerrero, "The Paradox of Voting and the Ethics of Political Representation"

Julia Nefsky, "How You Can Help, Without Making a Difference"

Week 3: Is there a Duty to Vote?

Jason Brennan, *The Ethics of Voting* chapters 2 and 3

TBA

Week 4: Ex-Felons and the Right to Vote; One Person, One Vote?

Christopher Bennett, "Penal Disenfranchisement"

Sheila Kennedy, "Electoral Integrity: How Gerrymandering Matters"

Week 5: Compulsory Voting?; Should There Be Elections for Office-Holders?

Jason Brennan and Lisa Hill, *Compulsory Voting: For and Against* (excerpts)

Alex Guerrero, "Against Elections"

Week 6: Is There a Duty to Obey the Law?

Christopher Wellman and A. John Simmons, *Is There a Duty to Obey the Law* (excerpts)

Week 7: Is There a Duty to Obey the Law?

Richard Arneson, "Paternalism and the Principle of Fairness"

Margaret Gilbert, "Group Membership and Political Obligation"

Jeremy Waldron, "Special Ties and Natural Duties"

Week 8: Civil Disobedience: Case Studies

Kimberlee Brownlee, "Features of a Paradigm Case of Civil Disobedience"

Case Studies (see TritonEd)

Week 9: Civil Disobedience: Are There Conditions In Which It Is Permissible to Disobey the Law?

Martin Luther King, "Letter from Birmingham Jail"

Kimberly Brownlee, *Conscience and Conviction: The Case for Civil Disobedience (excerpts)*

Week 10: Civil Disobedience: Are There Conditions In Which It Is Permissible to Disobey the Law?

Candace Delmas, "Political Resistance: A Matter of Fairness"

TBA

Course Requirements:

- Short Paper (~3 pages) (15%)
- Midterm (20%)
- Take-home Final, uploaded to Turnitin on the TritonEd site (40%)
- Quizzes (top 20 of 26 opportunities—you can drop or skip up to 6) (20%)
- Participation in in-class assignments (5%)

For general rubrics and expectations, please see the course website.

Please note: Late assignments will not be accepted without a valid excuse and supporting documentation, given in advance if at all possible.

Notes:

- If OSD accommodations are needed, please notify me as soon as possible during the first week of class.
- Laptops, phones and other electronic devices may not be used in class **except by permission of the instructor.**
- The Academic Honor Code must be observed in this course.
- If you find yourself needing help with any aspect of the course, or would simply like to explore some ideas further, please don't hesitate to see me in office hours or make an appointment to talk.
- Please note that the policies and readings described above are subject to **minor change.**