Phil 250 -- The Social Contract

M/W/F 11-11:50am Chavez 301
Instructor: Keith Hankins
Email: hankins@email.arizona.edu
Office Hours: Wed 12-1:30 and by appointment
Social Sciences 138
Course Website: www.keithhankins.com/courses.html

1. Overview

In this class we will study the idea of the social contract in moral and political philosophy from the 16th century to the present day. Our reading and discussion will focus on the major thinkers in this tradition with an emphasis on what their ideas can tell us about the challenges of living in community with one another. Of particular interest will be two questions. (1) Why might political authority be important? (2) How might political authority be justified? In exploring these questions we will look at three of the classical social contract theorists (Hobbes, Locke, and Rousseau), two contemporary theorists who have also explored the idea of a social contract (Buchanan and Rawls), as well as some ideas and methods from the social sciences that will allow us to look at the ideas of these thinkers in greater detail.

2. Policies

2.1 Attendance, Holidays, and Absences

Attendance is expected in this course. Class discussion and lectures will go beyond the material in the assigned readings for the course and lecture notes will not be made available. Furthermore, as described in section 5, because your grade will reflect your participation in class discussions and other in-class activities, regular attendance is required in order to get full credit for participation. Attendance will not be taken, however, and your participation grade will depend only on whether you regularly participate and not on whether you show up. Note that missing a few classes will not significantly impact this part of your grade, but merely showing up to class will not be enough to get full credit.

In accordance with University policy the course will observe all holidays recognized in the official University Academic Calendar. We will not meet on University holidays, nor will work be assigned to be done on those days. Additionally, holidays or special events observed by organized religions will be honored for those students who affiliate with a particular religion, and absences pre-approved by the UA Dean of Students (or Dean’s designee) or associated with a serious medical condition will also be honored.

2.2 Classroom Behavior

I expect acceptable classroom behavior at all times. Disruptive or threatening behavior may result in disciplinary procedures leading to severe penalties. See the UA Policy on Threatening Behavior by Students, and documents referenced therein. Note that topics in political philosophy often concern important and hotly contested issues. As a result some of the material will undoubtedly be controversial. In order to engage with this material properly mutual respect is required and it is important to learn how to express a viewpoint without being offensive. Part of what it means to be an educated person in a democracy is to be able to civilly and respectfully debate important issues. Students who are engaging in classroom discussion in disrespectful ways will be warned and if necessary asked to leave.
2.3 Students with Disabilities

Students with physical, psychological, or learning disabilities who anticipate needing accommodations in this course are encouraged to register with the S.A.L.T. Center or the Disability Resource Center. Students with special needs who are registered with the S.A.L.T. Center or the Disability Resource Center are reminded that they must submit appropriate documentation as soon as possible if they are requesting special accommodations.

2.4 Plagiarism

Anytime you quote or paraphrase another author's work in your own work you must explicitly indicate that you have done so by citing the work according to one of the standard methods for citing quotations or works of other sorts. Among other things this policy applies to Wikipedia articles and other information available online. Failure to acknowledge sources, or to note quotations or paraphrases, constitutes plagiarism — intentionally or knowingly representing the words or ideas of another as one’s own in any academic exercise, which is the ultimate academic crime. For exact details, see the Code of Conduct in the ABOR Policy Manual, beginning at 5-301.C. Any cheating, fabrication, or plagiarism may result in a failing grade for the work concerned or for the course, at my discretion, and I may recommend additional penalties ranging from making the infraction a permanent part of your academic record to expulsion from the University, in accordance with the UA Code of Academic Integrity.

3. Reading and Course Materials

The reading for each class will be listed on the class schedule. You are expected to do the reading before the day for which it is listed. It is essential that you do this because your ability to understand the lectures will depend heavily on whether you come to class prepared. Although we will spend some time during each class reviewing the readings and I will always be happy to answer questions about the readings or lectures, most of our time in class will be spent going beyond the reading. Note, too, that you should be prepared to set aside considerable time for reading and reflection. The material we will be reading will often prove to be difficult. Many of the texts are from the 17th or 18th century and the language and style may take some getting used to. The contemporary theorists we read will often be challenging as well. In some cases you will almost certainly need to read the text more than once in order to understand it. Budget your time accordingly. Finally, as I'm emphasized throughout this syllabus, it is important that you keep in mind that a significant portion of your grade will depend on your participation in class discussion and your ability to participate will depend on whether or not you are prepared to discuss the readings we have done. Those that are not willing to put in the time and effort to read and attempt to understand the material we will be discussing should drop the class.

Most of the reading will be done from the primary texts of the theorists whose ideas are being discussed in the course. The required texts are all available at the campus bookstore although you may be able to acquire these same editions more cheaply online and if so I encourage you to do so. Note, however, that I've selected what I believe are the most accessible editions of the primary texts so I strongly recommend purchasing the editions I've listed on the syllabus. There are considerable differences between different editions and translations of some of the works we will discuss so you will benefit from using the editions I've recommended.

When assigned readings are not in one of the required texts they will be made available on the course website.

Required Texts


4. Computers and In-Class Experiments

You are permitted to use computers or tablets in class to take notes or read digital texts. If the use of computers becomes disruptive to the class or impedes our ability to have good discussions, however, I reserve the right to restrict their use in class.

Over the course of the semester we will be doing a number of in-class experiments. The point of these experiments is to illustrate the ideas that we will be discussing in class including especially the benefits of social cooperation and the difficulties that groups of individuals face in trying to successfully cooperate with one another. Some of the experiments will have "winners" and "losers", but your relative performance in these experiments will not affect your grade for the course. You will be given a number of short writing assignments asking you to reflect on these experiments, though, and these assignments will count towards your grade. In some cases, extra credit may also be awarded to some (or all) students based on their performance in the experiments according to pre-determined criteria, and we may also use in-class experiments to determine the number and type of assignments that you have.

Most of these experiments will be run utilizing online software. This means that your participation in the experiments will require you to bring a laptop or tablet to class on the days in which we are running experiments. However, if you do not have a laptop or tablet, this will not impact your grade. Students who do not have a laptop they can bring to class, or who have forgotten to do so, will be allowed to work together with students who do have laptops, in which case any opportunities for extra credit will be shared equally by both students.

The website we will use to access most of the experiments is: http://veconlab.econ.virginia.edu
Login information will be assigned during class.

5. Assessment

There are four sources for your grade: short-writing assignments in which you will reflect on the in-class experiments and/or readings, two midterms, and a final project. Each element will count for a quarter of your grade.

Your final grade will be:

\[
\text{cumulative writing assignment grade} \times (1/4) + \text{midterm 1} \times (1/4) + \text{midterm 2} \times (1/4) + \text{final project} \times (1/4)
\]

Grades will be assigned on a numerical scale from 0 – 100 with grades rounded up to the nearest tenth. As I indicated in section 4 there will also be opportunities to earn extra credit in the in-class experiments. Numerical grades will correspond to letter grades in the usual manner:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Numerical Score</th>
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<tbody>
<tr>
<td>A</td>
<td>90 – 100</td>
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<tr>
<td>B</td>
<td>80 – 89</td>
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<tr>
<td>C</td>
<td>70 – 79</td>
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<tr>
<td>D</td>
<td>60 – 69</td>
</tr>
<tr>
<td>F</td>
<td>0 – 59</td>
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</tbody>
</table>

(1) **Writing Assignments** – Throughout the semester there will be a number of short writing assignments. These assignments will either ask you to reflect on the in-class experiments or to comment on some of the readings. The length of these assignments will vary from 500 – 1000 words. Each assignment will be worth a maximum of 25 points. In addition to these assignments you will also receive a participation score based on your participation in in-class experiments and your contributions to class discussion. This score will also be worth a maximum of 25 points. Simply showing up to class will not earn you points, though. Your cumulative writing assignment grade will be the sum of your three highest scores on writing assignments that you complete and your participation score. Note that there will be at least 3 writing assignments, so it will be possible to get full credit, but there may be more than 3 assignments in which case you will have the opportunity to skip an assignment or replace a low score.

(2) **Midterms** – There will be two midterms. Each midterm will include several multiple choice questions and one essay question. A week before the exam I will distribute three possible essay questions. The exam will use one of these. During the week before the exam I will set aside time in class for you to ask questions about exam. Additionally I will hold extended office hours during that week so that you have the opportunity to ask questions outside of class.
Final Project – Many of the thinkers in the social contract tradition depict society as something like what Rawls has called “a cooperative venture for mutual advantage,” and as each of the thinkers we will discuss describe in one way or another, one of the challenges of forming a truly cooperative venture for mutual advantage is determining the terms on which diverse individuals are prepared to cooperate with one another. To illustrate the complexities of this problem concretely and to create the opportunity for students with diverse talents to work together in exploring this problem, students will be able to form groups of up to 5 students to complete a final project. The form of these projects is up to the groups to decide among themselves, although the project must be related to the topics discussed in class. The projects may, but need not, take the form of a term paper focusing on the work of one or more of the theorists whose work we will discuss. Alternative projects could include presentations, videos, or other creative ways of exploring the themes discussed in class. All members of a particular group will receive the same grade no matter how much each individual contributes. This is the problem of determining the terms of cooperative ventures! Individuals may also work on their own.

Individuals and groups must meet with me to get approval for their projects / paper topics. Each group must schedule to meet with me before Friday March 7th with a detailed description of their project and the members of their group. Anyone may leave a group until Friday April 4th. Students that leave a group before this time as well as those that choose to work individually can propose their own project or term paper topic until Friday April 4th.

Projects will be due by midnight on Friday May 9th. Groups and individuals that turn in their projects at least a week early (by May 2nd) will receive 10 bonus points on their project.

6. Course Feedback

It is important for instructors to get feedback about the courses they teach. You typically have the opportunity to do this at the end of the semester when the university asks you to fill out course evaluations. In order to make the class better for you, though, I want to encourage you to give me feedback over the course of the semester on how you think the class is going. If there are certain assignments, readings, or aspects of class that you find especially helpful or unhelpful please let me know! My goal is for you to get as much out of the class as possible, but in order to meet that goal I need to know how I'm doing. To encourage you to do this I'm willing to offer up to 3% extra credit on your final grade for any constructive feedback that you provide. I've created a special email address for you to send this feedback to and you will receive a 1% bump on your final grade for each constructive email you send (up to 3). The feedback can be positive or negative. If I'm doing something that isn't working or that you think is wasting your time please tell me! To get credit however the feedback must be useful, i.e. you must briefly explain why things aren't helpful (or why they are), and there's no sense complaining about things that I have no control over, for instance the time the class meets (the University chooses that not me). The email for feedback is: hankins.course.feedback@gmail.com

7. Schedule

*** This schedule is tentative. We may move things around over the course of the semester depending upon how quickly we get through the material. An updated version of the syllabus will always be available on the course website. Please check there frequently to ensure that you are prepared for class***

Part I: Introduction

<table>
<thead>
<tr>
<th>Day</th>
<th>---</th>
<th>Introduction to the class and syllabus review</th>
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</thead>
<tbody>
<tr>
<td>W</td>
<td>1/15</td>
<td>No Reading</td>
</tr>
<tr>
<td>F</td>
<td>1/17</td>
<td>The costs and benefits of social cooperation and the structure of social contract theories</td>
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<tr>
<td></td>
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<td>No Reading</td>
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<tr>
<td></td>
<td></td>
<td>In-Class Experiment</td>
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Part II: The Classical Social Contract Theorists

Hobbes

<table>
<thead>
<tr>
<th>Day</th>
<th>---</th>
<th>NO CLASS (MLK Day)</th>
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</thead>
<tbody>
<tr>
<td>M</td>
<td>1/20</td>
<td>Hobbes' historical context</td>
</tr>
<tr>
<td>W</td>
<td>1/22</td>
<td>Leviathan – The Life of Hobbes (pp. xlvii -lxxi)</td>
</tr>
</tbody>
</table>
F 1/24 --- Hobbes' project
Michael Oakeshott – "An introduction to Leviathan" (ONLINE)

M 1/27 --- Hobbes' account of human nature
Leviathan – Introduction and Chapters 1-7 (pp. 1-37)

W 1/29 --- The state of nature
Leviathan – Chapter 13

F 1/31 --- Prisoner's Dilemmas and an introduction to game theory
No Reading
In-Class Experiment – bring laptops/tablets

M 2/3 --- Contracts and the laws of nature
Leviathan – Chapter 14

W 2/5 --- Justice and the fool
Leviathan – Chapter 15

F 2/7 --- Forming the sovereign
Leviathan – Chapters 16-17

M 2/10 --- Wrapping up Hobbes: The anatomy of Leviathan
Leviathan – Chapters 18-19, 21

Locke

W 2/12 --- Locke's historical context
Political Writings – Introduction (pp. 16-25)

F 2/14 --- The state of nature
Political Writings – Second Treatise of Civil Government – Chapters 1-2 (pp.261-268)

M 2/17 --- The state of war
Political Writings – Second Treatise – Chapters 3-4

W 2/19 --- Acquiring property
Political Writings – Second Treatise – Chapters 5

F 2/21 --- The Proviso
***optional reading: David Schmidtz – "The Institution of Property" (ONLINE)***
In-Class Experiment – bring laptops/tablets

M 2/24 --- The Commonwealth
Political Writings – Second Treatise – Chapters 7-10

W 2/26 --- Tyranny and revolution
Political Writings – Second Treatise – Chapters 17-19

F 2/28 --- Dealing with diversity
Political Writings – "An Essay Concerning Toleration" (pp. 186-210)

*** Midterm Week ***

M 3/3 --- Review

W 3/5 --- Midterm

Rousseau

F 3/7 --- Rousseau's historical context
No Reading

M 3/10 --- The fall from the state of nature
Political Writings – Discourse on Inequality – Part II (pp. 69-92)

W 3/12 --- The social contract and the road to freedom and equality
Political Writings – The Social Contract – Book I (pp. 155-170)
<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Topics</th>
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<tbody>
<tr>
<td>F</td>
<td>3/14</td>
<td>The general will</td>
</tr>
<tr>
<td>M</td>
<td>3/17</td>
<td><strong>Spring Break – No Class</strong></td>
</tr>
<tr>
<td>W</td>
<td>3/19</td>
<td><strong>Spring Break – No Class</strong></td>
</tr>
<tr>
<td>F</td>
<td>3/21</td>
<td><strong>Spring Break – No Class</strong></td>
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</tbody>
</table>
| M   | 3/24 | The move from natural to civil liberty  
*Political Writings – The Social Contract* – Book II |
| W   | 3/26 | Modeling the State of Nature: The Stag Hunt  
*No Reading*  
*In-class Experiment – bring laptops/tablets* |
| F   | 3/28 | Democracy, the sovereign, and the legislator  
*Political Writings – The Social Contract* – Book III and Book IV, Chap. 1 |

**Critics of the Social Contract Theory**

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<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Topics</th>
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| M   | 3/31 | Hume on the fiction of the contract  
David Hume – "Of the Original Contract" (ONLINE) |

**Part III: Contemporary Contract Theorists**

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<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Topics</th>
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</thead>
</table>
| W   | 4/2  | Introduction to the contemporary contract theorists  
David Gauthier – "Why Contractarianism?" (ONLINE) |
| F   | 4/4  | Rawls:  
John Rawls – "Outline for a Decision Procedure for Ethics" (ONLINE) |
| M   | 4/7  | Justice and the Basic Structure  
*Justice as Fairness* – Part I |
| W   | 4/9  | Sketching a Theory  
*Justice as Fairness* – Part II |
| F   | 4/11 | No Class |
| M   | 4/14 | The Original Position  
*Justice as Fairness* – Part III, Sections 23-25 |
| W   | 4/16 | Arguing from behind the Veil  
*Justice as Fairness* – Part III, Sections 27-40  
*In-Class Experiment* |
| F   | 4/18 | The Argument for the Principles of Justice  
*No Reading* |
| M   | 4/21 | Stability and Justice as a Political Concept  
*Justice as Fairness* – Part III, section 26 and Part V |

**Midterm Week**

<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Topics</th>
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<tbody>
<tr>
<td>W</td>
<td>4/23</td>
<td>Midterm Review</td>
</tr>
<tr>
<td>F</td>
<td>4/25</td>
<td>Midterm</td>
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**Buchanan**
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<tr>
<th>Day</th>
<th>Date</th>
<th>Topic</th>
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<tbody>
<tr>
<td>M</td>
<td>4/28</td>
<td>Buchanan's Project</td>
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<tr>
<td></td>
<td></td>
<td><em>Limits of Liberty</em> – Chapters 1-2</td>
</tr>
<tr>
<td>W</td>
<td>4/30</td>
<td>The Constitutional Contract</td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>Limits of Liberty</em> – Chapters 4</td>
</tr>
<tr>
<td>F</td>
<td>5/2</td>
<td>The Post-Constitutional Contract</td>
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<tr>
<td></td>
<td></td>
<td><em>Limits of Liberty</em> – Chapters 5</td>
</tr>
<tr>
<td>M</td>
<td>5/5</td>
<td>The Paradox of Being Governed</td>
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<tr>
<td></td>
<td></td>
<td><em>Limits of Liberty</em> – Chapters 6, 8</td>
</tr>
<tr>
<td>W</td>
<td>5/7</td>
<td>Review / Wrap-up</td>
</tr>
<tr>
<td></td>
<td></td>
<td><em>No Reading</em></td>
</tr>
<tr>
<td>F</td>
<td>5/9</td>
<td>Projects Due</td>
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</table>