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**Phil 250—The Social Contract**

MWF 11:00-11:50

Haury Anthropology Building Rm.129

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Instructor: John Thrasher

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Office: Social Sciences 138

Office Hours: Wednesday 12:00-3:00 Social Sciences 138

**1. Overview**

In this class we will study the idea of the social contract in political and moral philosophy from the 16<sup>th</sup> century to the present day. Our reading and discussion will focus on the major thinkers in this tradition and the importance of their ideas in the history of moral and political philosophy, as well as its contemporary relevance.

**2. Policies**

*2.1 Holidays and Absences*

All holidays or special events observed by organized religions will be honored for those students who show affiliation with that particular religion. Absences pre- approved by the UA Dean of Students (or Dean's designee) will 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. Topics in political philosophy often concern important and hotly contested issues, so there is no doubt that some of the material will be controversial. To engage with this material properly, mutual respect is required. 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.

*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

If you quote from any work, or paraphrase it, you must note explicitly that you have done so—in the case of direct quotation, the use of quotation marks will suffice. 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

The reading for each class will be listed on the class schedule. You are expected to do the reading *before* class. Most of the reading will be done from the primary texts of the great social contract theorists. This material may prove to be difficult, many of the texts are from the 17<sup>th</sup> or 18<sup>th</sup> century and the language and style may take some getting used to. The contemporary theorists we read will often be difficult as well. It is absolutely essential, if you want to learn the material and perform well in this class, that you set aside considerable time for reading and reflection. You will most likely need to read the text more than once to understand it, budget your time accordingly. The lectures *will not* be an overview of the reading. Instead we will spend time in class going beyond the reading. For this to work, it is essential that you do the required reading. A significant amount of your grade will depend on whether or not you have read and understood the reading. Those that are not willing to put in the time and effort to read and attempt to understand these texts should drop the class.

#### Required Texts

The required texts are available at a low cost at the bookstore or online. Make sure you buy the specific editions I have listed below. There are considerable differences between different editions and translations so it is important we all have the same editions. If you go on to do further work in political philosophy, political science, or PPEL you will inevitably use these books in other classes or in your research.

Thomas Hobbes, *Leviathan*, edited by Edwin Curley. ISBN: 978-0-87220-177-4

John Locke, *Political Writings*, edited by David Wootton. ISBN: 978-0-87220-677-9.

Jean-Jacques Rousseau, *The Basic Political Writings* 2<sup>nd</sup> Edition, translated and edited by Donald A. Cress. ISBN: 978-1-60384-673-8

James Buchanan, *The Limits of Liberty: Between Anarchy and Leviathan*, The Collected Works of James M. Buchanan volume 7, ISBN: 0-86597-226-6. Also available online at [http://oll.libertyfund.org/index.php?option=com\\_staticxt&staticfile=show.php%3Ftitle=1827&Itemid=28](http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=show.php%3Ftitle=1827&Itemid=28)

Other reading will be available online at the course website:

<http://www.johnjthrasher.com/phil250> Password: Leviathan

#### 4. Assessment

There are three sources of your grade: in class quizzes based on the reading, a midterm, and a final project. Each element will count for a third of your grade. Your final grade will be: quiz score \* (1/3) + midterm \* (1/3) + final project \* (1/3). I will round up. There are also opportunities for some bonus points.

(1) *Class Quizzes*—Throughout the semester there will 10 quizzes. Each quiz will have 5 questions based on the assigned reading, with each question being worth 2 points for a total of 100 possible quiz points. Quizzes will also sometimes have bonus point questions.

(2) *Midterm*—There will be one midterm on Monday, October 28. The week before, I will distribute three possible midterm questions. On the Wednesday before, I will spend some time answering questions about the possible exam questions. The exam will use one of the possible questions and students will be required to answer the question in a blue book during the time allotted for class.

(3) *Final Project*—The ideal of society in the social contract tradition is what Rawls described as a “cooperative venture for mutual advantage.” One of the challenges of forming a truly cooperative venture for mutual advantage, as we will learn, is choosing the terms on which diverse individuals can benefit one another while minimizing free-riding and predation. To illustrate the complexities of this problem concretely and to create the opportunity for students with diverse talents and interests to create something of value, students will be able to form groups of 5 or less and propose a project related to the topics and reading in class. I am leaving the exact form of these projects open, but each group must schedule to meet with me before Friday, October 11<sup>th</sup> with a detailed description of their project and the members of their group. Anyone may leave a group until Friday November 8<sup>th</sup>. Any students that leave a group before this time or those who do not wish to join a group (independents) can propose their own project or they may write a substantial term paper. The instructor must approve both paper topics and projects. Projects will be due on December 13<sup>th</sup>. Groups that turn in their projects a week early on December 6<sup>th</sup>, will gain 10 bonus points on their project.

#### 5. Class Schedule

Part I: *Classical Social Contract Theory*

##### **Thomas Hobbes**

M 8/26—Introduction to the Class and Key Ideas

No Reading

W 8/28—The Structure of Social contract Theories

No Reading

F 8/30— The "Monster of Malmesbury"

*Leviathan*—Life of Hobbes (pp. xlvii -lxxi).

M 9/2—NO CLASS (LABOR DAY)

W 9/4—The Project of *Leviathan*

Online—Michael Oakeshott “An introduction to

*Leviathan*” [http://files.libertyfund.org/files/668/0091\\_LFeBk.pdf](http://files.libertyfund.org/files/668/0091_LFeBk.pdf)

F 9/6—Hobbes’s Account of Human Nature

*Leviathan*—Introduction and Chapter 1-7 (pp. 1-37)

M 9/8—Introduction to Game Theory

No Reading

W 9/11—The State of Nature

*Leviathan*—Chapter 13

F 9/13—Laws of Nature and Contract

*Leviathan*—Chapter 14

M 9/16—Justice and the Foole

*Leviathan*-Chapter 15

W 9/18—Forming the Sovereign

*Leviathan*—Chapters 16-17

F 9/20—The Anatomy of the Leviathan

*Leviathan*—Chapters 18-19, 21

### **John Locke**

M 9/23—The Political Background of Locke

*Political Writings*—Introduction (pp. 16-25)

W 9/25—The State of Nature

*Political Writing*—*Second Treatise* Chapters 1-2 (pp. 261-268)

F 9/27—The State of War

*Political Writing*—*Second Treatise* Chapters 3-4 (pp. 269-273)

M 9/30—Acquiring Property

*Political Writings*—Chapter 5 (pp.273-286)

W 10/2—The Proviso and Other Concerns

Online—David Schmidtz “[The Institution of Property](#)”

F 10/4—Property and Locke

No Reading

M 10/7—Locke’s Commonwealth

*Political Writings*—Chapters 7-9 (pp. 300-327)

W 10/9—The Structure of the Commonwealth

*Political Writings*—Chapters 10-13 (pp.327-337)

F 10/11—Tyranny and Revolution

*Political Writings*—Chapters 17-19 (pp. 362-387)

M 10/14— Diversity and Toleration  
*Political Writings*—“An Essay Concerning Toleration” (pp.186-210)

### **Jean-Jacques Rousseau**

W 10/16—The Fall  
*Basic Political Writings*—“Discourse on Inequality” Part Two (pp.69-92)

F 10/18—The Road Back  
*Basic Political Writings*—“The Social Contract” Book I (pp. 155-170)

M 10/21—The Politics of Redemption  
*Basic Political Writings*—“The Social Contract” Book II, Book IV Chapters 1-3, 6-9  
(pp. 170-191, 224-230; 239-252)

W 10/23—Assessing Rousseau and Midterm Review  
No Reading

F 10/25—No Class

M 10/28—Midterm

Part II: *Contemporary Contract Theory*

### **James Buchanan**

W 10/30—Critics of the Social Contract  
Online—David Hume [“Of The Original Contract”](#)

F 11/1— The Move from Classical to Contemporary Contract Theory  
Online—James Buchanan “A Contractarian Perspective on Anarchy”

M 11/4—Buchanan’s Starting Point  
*Limits of Liberty*—Chapters 1-2

W 11/6—The Constitutional Contract  
*Limits of Liberty*—Chapters 4

F 11/8—The Post-Constitutional Contract  
*Limits of Liberty*—Chapter 5

M 11/11—No Class (Veteran’s Day)

W 11/13—The Paradox of Being Governed  
*Limits of Liberty*—Chapters 6, 9

### **John Rawls and Beyond**

F 11/15—Justice as Fairness 1958

Required: Online—[John Rawls, “Justice as Fairness” 1958](#)

Optional: Online—John Rawls, “Outline for a Decision Procedure in Ethics”

M 11/18—"Justice as Fairness" continued and The Move from Justice as Fairness to "*A Theory of Justice*"

Online—"Justice as Fairness" continued

W 11/20— The Original Position

Online—John Rawls Selections from *A Theory of Justice*

F 11/22—The Two Principles of Justice

Online—John Rawls Selections from *A Theory of Justice*

M 11/25—Congruence and Compliance

Online—John Rawls Selections from *A Theory of Justice*

W 11/27—Stability and the Problem with *A Theory of Justice*

Online—John Rawls, Introduction to *Political Liberalism*

F 11/29—No Class (Thanksgiving)

M 12/2—The Idea of Political Liberalism

Online—[John Rawls "Justice as Fairness: Political not Metaphysical"](#)

W 12/4—Overlapping Consensus

Online—[John Rawls, "The Idea of an Overlapping Consensus"](#)

F 12/6—Public Reason Liberalism

Online—Gerald Gaus "[Public Reason Liberalism](#)"

M 12/9—The Contractarian Project Reconsidered

Online—[David Gauthier "Why Contractarianism?"](#)

W 12/11—Conclusion and Projects

F 12/13—No Class (Exams Begin) PROJECTS DUE