**TOPICS IN DEMOCRATIC THEORY**

Instructor: Tomer Perry

Summer 2015

Mondays and Wednesdays, 1:15p-2:45p, Encina Hall C464

Office hours: Monday 3-4p, Wednesday 10-11a or by appointment, Encina West rm. 309

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Democratic rule is rule of the people. But what does that mean? This course explores democracy’s roots in ancient Athens, explores its modern incarnation and looks to democracy’s future. The course aims to familiarize students with various strands of democratic theory as well as the democratic responses to political issues such as immigration and freedom of speech. The goal is to equip students to think critically about democracy and its role in contemporary politics by reflecting on the ways democracy has been implemented throughout history.

The questions we will investigate include: What does democracy require? What is the relationship between democracy and human rights or social justice? Can democracy justify border control? What restrictions, if any, does democracy place on hate speech? What is the role of courts in a democracy? The course provides tools to answer these questions by surveying different approaches to democracy in contemporary literature as well as the history of democratic theory from ancient Athenian democracy to contemporary times, with a look to the future of democracy in a globalized era.

*Assignments*. The course will take the form of a seminar. Therefore, attendance and participation will be of great importance and comprise 20% of the grade. I take attendance regularly. If you have to miss a class for good reason, it’s best to notify me in advance. Students are also encouraged to visit office hours to discuss the readings and/or their paper.

Each student will write 3 short response papers (3-5 pages, double spaced), each on one piece of reading from the syllabus. Response paper should offer a brief recap of the argument (or an important part of it), and provide some critical reflections. Response papers will be assigned during the first week of classes. Response papers are due on the day their topics are discussed in class. Response papers comprise 30% of a student’s final grade. Students who wrote response papers are expected to present briefly their take on the reading in class (5-10 minutes).

Students’ final assignment will be a final seminar paper (10-15 pages) on a topic of their choice which pertains the materials of the class. Each of the classes in part 3 of the course are potential paper topics. Students will send in paper proposals for approval by July 29th (one page max.) and meet with the instructor in office hours to discuss their topic. The final paper comprises 50% of a student’s final grade. Final papers are due on August 15th at 23:59p (PST). That is the absolute latest deadline and there could be no extensions.

*Grading.* Papers are graded according to four criteria: format, writing, argument and comprehension. *Format* refers to the proper presentation of the paper. Was the paper submitted on time? Are there citations when needed and are they done correctly? Is the paper within the word limit and in the required format? *Writing* refers to clarity, precision, conciseness, appropriate terminology, correct use of punctuation and grammar and the like. *Argument* refers the structure of the argument and its soundness. Argument based grading will be given on the basis of an answer to questions such as these: is there a clear and focused thesis to the paper? Are there arguments supporting each premise and inference? Do conclusions follow from premises? Lastly, *comprehension* refers to the discussion of the readings. Is this a plausible interpretation of the author’s view? Is this an accurate representation of their purported project? Does the paper engage with the course material that is relevant to this issue?

There is no specific formula to the weight of the different ingredients, but as a general rule argument carries the most weight in a grade and format the least. Under no circumstances will students be penalized for the content of the views expressed in their paper and/or discussion. I do not grade your views, only the way you argue for them.

*Discussion.* The purpose of the discussion in class is to provide *productive, inclusive* and *stimulating* environment for discussion about the material of the course. *Productive* means it should help students reach a better understanding of the reading material, the theories presented and the questions that are at stake. *Inclusive* means it should help *all* students express themselves, regardless of their views, backgrounds or previous experience in philosophy. *Stimulating* means it should provide an opportunity for students to reexamine their opinions by listening to each other and expressing themselves candidly in a responsive, respectful manner.

I hope to promote this goal by contributing from my experience and acquaintance with the material, clarifying complicated points, structuring the class in a productive manner and facilitating constructive discussion. I expect of you to attend class and participate in a sincere, open and serious manner that allows others the same space. Presenting your opinion as clearly as possible and subjecting it to criticism of your peers, as well as your own, is a good philosophical (and perhaps intellectual) practice.

*Honor Code.* Use of laptops is allowed during classes, though only for purposes that are related to class. The trouble with laptops is not only that they provide one with ample opportunities to distract oneself, they also distract other students. Use the laptop as if your screen was projected for the entire class to see. Disconnecting the internet is recommended. If laptops become a distraction in class, I will ask students to put them away.

Plagiarism will not be tolerated. Suspected instances will be reported to and dealt with by the Judicial Officer. If you have any questions or doubts about citations or usage of sources – I am more than happy to provide advice and assistance.

*Feedback.* You are welcomed to email me with any question, concern or feedback you may have. You are also invited to my office hours. I would love to get your feedback on the class early on in the quarter – if there’s something you think we should do more, or less or not at all or in addition – do tell me.

*Reading*. Most course materials will be available on coursework, yet we will use the following book:

Robert Dahl, Ian Shapiro, and Jose Antonio Cheibub, *The Democracy Sourcebook*. MIT Press, 2003.

The book contains many of the readings in the syllabus, often in abbreviated form. Students who write assignments on a specific reading must read the full version, but other students may use the abbreviated versions if they prefer. Consultation with instructor is highly recommended.

**COURSE SYLLABUS AND SCHEDULE OF CLASSES**

Part 1 – The History of Democratic theory

1. June 22nd**Introduction and opening discussion**
   * What is democracy? What’s good about democracy? What are the problems of democracy?
     1. Normative vs. positive theories of democracy
     2. The messy history of democratic theory – learning from critics, from practices, from specific problems, from theoretical thinkers in the context of a comprehensive theory of justice/politics/morality
   * Intro to the course: how should we read philosophical texts? How do should we write philosophy papers? Setting expectations regarding discussion in class, reading before class, response papers and final papers.
   * Intro to Athenian democracy – as we learn about it from its critics
     1. Reading in class: Pericles’ Funeral Oration, in Thucydides’ *History of the Peloponnesian War* (2.34-2.46)

1. June 24th   
   **Democracy in Ancient Greece**
   * Constitution of the Athenians, by Aristotle
   * Pericles’ Funeral Oration, in Thucydides’ *History of the Peloponnesian War* (2.34-2.46)
   * Ober, Josiah, and Catherine Vanderpool. "Athenian Democracy." *Prologue: Quarterly of the National Archives* 25 (1993): 127-35.
   * Pseudo-Xenophon a.k.a the “Old Oligarch”, “Constitution of the Athenians”
   * Robert Dahl, *Democracy and its Critics* (Yale University Press, 1989), ch. 1 “The first Transformation: to the Democratic City-State” pp. 13-23
   * Further reading:
     1. Ober, Josiah, “The Original Meaning of ‘Democracy’: Capacity to Do Things, not Majority Rule”*, Constellations,* 15, 1 (2008)
   * Videos to watch:
     1. A short light hearted video: <https://www.youtube.com/watch?v=g9FfwVZiF94>
2. June 29th**Critics of Athenian Democracy**
   * Plato, *The Republic*, excerpts (VI 484-497c, VIII 555b-562a)
     1. Danielle S. Allen, “Who Was Plato?” in *Why Plato Wrote?* John Wiley and Sons, 2010. Pp. 11-23 but focus on pp. 11-13
   * Aristotle, *Politics*, excerpts (III 1, 6-13, 15) [optional: I 1,2 IV 1,2,4,6, V 1,5. VI 1-5)
   * *Further reading*: Josh Ober, *Political Dissent in Democratic Athens*, ch. 1 (esp. 14-27), 4 (esp. pp. 160-2 and 232-240) and 6 (esp. 316-328)
3. July 1st   
   **Democracy in the Modern Age I – the General Will and Divided Sovereignty** 
   * Robert Dahl, *Democracy and its Critics* (Yale University Press, 1989), ch. 2 “Toward the second transformation: republicanism, representation and the logic of equality” pp. 24-33
   * *Optional but strongly recommended*: Thomas Hobbes, *Leviathan*, Chapters 13-14, 17-18, 20-21
   * Jean-Jacques Rousseau, *On the Social Contract*, Books I (1,5-8), II (1-4, 6, 11 and with less emphasis, read also 7-10), book III (1-4,12-15,18) book IV (1-2)
     1. See excerpts in *The Democracy Sourcebook*
   * *Further reading:*
     1. Joshua Cohen*, Rousseau: A Free Community of Equals*, chs. 2,3,5
     2. Nadia Urbinati, ch. 2 “Rousseau’s Unrepresentable Sovereign” in *Representative Democracy*, The University of Chicago Press, 2006.
4. July 6th**Democracy in the Modern Age II – Representation and Republics**
   * John Stuart Mill, *On Representative Government*, ch. 3 (optional: ch. 2,5,8)
     1. See excerpts in *The Democracy Sourcebook*
     2. https://www.gutenberg.org/files/5669/5669-h/5669-h.htm
   * James Madison et al., *The Federalist Papers*, Nos. 10, 14, 37,39, 47-9 ,51 [further reading: 62, 63, 70, 71, 78]
     1. See excerpts in *The Democracy Sourcebook*
     2. http://thomas.loc.gov/home/histdox/fedpapers.html
   * Nadia Urbinati, “Introduction” in *Representative Democracy*, The University of Chicago Press, 2006.
   * *Further reading:*
     1. Dennis F. Thompson 1976. *John Stuart Mill and Representative Government*. Princeton, NJ: Princeton University Press. Pp. 91-135
     2. Nadia Urbinati, “The Polis of the Moderns” in *Mill on democracy : from the Athenian polis to representative government, pp. 42-76*
     3. Nadia Urbinati, ch. 1 “Representation and Democracy” in *Representative Democracy*, The University of Chicago Press, 2006.

Part 2 – Approaches to Democracy

1. July 8th**Rational Choice and Different Approaches**
   * Downs, Anthony. "An economic theory of political action in a democracy." *The journal of political economy* (1957): 135-150.
   * Jon Elster, “The Market and the Forum: Three Varieties of Political Theory”, in James Bohman and William Rehg, eds., *Deliberative Democracy: Essays on Reason and Politics* [London, 1999], pp.3--‐34.
2. July 13th  
   **Minimalist Theories of Democracy**
   * Joseph Schumpeter, *Capitalism, Socialism, and Democracy,* Chapters XXI and XXII -
     1. See excerpts in *The Democracy Sourcebook*
   * Adam Przeworski, “Minimalist Conception of Democracy: A Defense” in Ian Shapiro and Casiano Hacker--‐Cordon (eds.), *Democracy’s Value* (Cambridge, 1999), pp.23--‐55.
     1. See excerpts in *The Democracy Sourcebook*
3. July 15th  
   **Deliberative Democracy**
   * Cohen, Joshua. "Deliberation and Democratic Legitimacy." *Deliberative Democracy: Essays on Reason and Politics* (1997): 67.
   * Amy Gutmann and Dennis Thompson, *Why deliberative democracy?* (Princeton University Press) chapter 1.
     1. Alternatively: read “Democracy and Disagreement” and “the Voice of the People” in *The Democracy Sourcebook*
   * James Bohman, “Survey Article: The Coming of Age of Deliberative Democracy,” The *Journal of Political Philosophy*, vol. 6, no. 4 (1998): 400-425
   * Further reading:
     1. Jurgen Habermas, “Three Normative Models of Democracy”, *Constellations* 1.1(1994), pp.1-‐10.
4. July 20th**Activism and the limits of deliberation** 
   * *Young, Iris Marion. "Activist challenges to deliberative democracy." Political theory (2001): 670-690.*
   * *Archon Fung, “Deliberation before the revolution”, Political Theory, Vol. 33 No. 2, June 2005 397-419*
   * Mansbridge, Jane, et al. "The Place of Self‐Interest and the Role of Power in Deliberative Democracy." *Journal of political philosophy* 18.1 (2010): 64-100.
   * Further readings:
     1. Jane Mansbrige, “Everyday Talk in the Deliberative System” in *Deliberative Politics* editedby Stephen Macedo, pp. 211-239
     2. Sheldon S. Wolin, “Fugitive Democracy” in Benhabib, Seyla, ed. *Democracy and difference: Contesting the boundaries of the political*. Vol. 31. Princeton, NJ: Princeton University Press, 1996, pp. 31-45.
   * A few cases to consider:
     1. A heckling of President Obama while giving a talk in a LGBTQ activism house: <https://www.youtube.com/watch?v=HpF9ObMoIDc>
     2. The Provost of Stanford calling for discussion:   
        <http://news.stanford.edu/news/2015/april/facsen-april-meeting-041715.html>
     3. Student rsponses:
        1. <http://pastebin.com/CeRLyvTE>
        2. <http://www.stanforddaily.com/2015/04/21/provosts-and-purple-prose-critiquing-dialogue/>
        3. <http://www.stanforddaily.com/2015/04/22/dialogue-isnt-enough/>
        4. http://stanfordreview.org/article/editors-note-in-defense-of-manny-thompson/
5. July 22nd **Epistemic Democracy**
   * David Estlund, *Democratic Authority*, Ch. 1 (pp. 1-20)
   * Helene Landemore, *Democratic Reason: Politics, Collective Wisdom, and the Rule of the Many,* Ch. 1,4,6 (pp. 1-26, 89-117,145-184)
   * *Further reading*:
     1. David Estlund, *Democratic Authority*, ch. 5, 6, 8
     2. Josiah Ober, *Democracy & Knowledge,* ch. 2
6. July 27th  
   **Global Democracy**
   * John S. Dryzek, “Global Democratization: Soup, Society, or System?,” *Ethics and International Affairs,* 24, no. 2 (2011) pp. 211-234
   * Cohen, Joshua, and Charles F. Sabel. "Global democracy." *NYU Journal of International Law & Polilitcs* 37 (2004): 763.
   * Terry MacDonald, “Citizens or stakeholders? Exclusion, equality and legitimacy in global stakeholder democracy” in *Global Democracy: Normative and Empirical Perspectives* edited by Daniele Archibugi, Mathias Koenig-Archibugi, Raffaele Marchetti, pp. 47-68
   * *Further reading*: Daniel Bell, “Democracy with Chinese Characteristics: A Political Proposal for the Post-Communist Era”. *Philosophy East and West* (1999)

Part 3 – Issues in Democratic Theory

1. July 29th*PAPER PROPOSALS DUE***Freedom of Speech, Hate Speech and Pornography**
   * Rae Langton, “Speech Acts and Unspeakable Acts.” *Philosophy and Public Affairs*  22 (1993): 293-330
   * Cohen, Joshua. "Freedom of expression." *Philosophy & Public Affairs* (1993): 207-263.
   * Optional: discussing the case of title IX suits against Laura Kipnis in Northwestern, and see: <http://www.huffingtonpost.com/2015/05/31/laura-kipnis-essay-northwestern-title-ix_n_7470046.html>
   * Further Reading:
     1. Jacobson, Daniel. "Freedom of speech acts? A response to Langton." *Philosophy & public affairs* 24.1 (1995): 64-78.
     2. Rae Langton and Jennifer Hornsby, “Free speech and Illocution” , *Legal Theory* 4, 21-38 (1998)
     3. Waldron, Jeremy. *The harm in hate speech*. Harvard University Press, 2012.
2. August 3rd**Democracy and the Law: The Role of Courts**
   * Corey Brettschneider, “Balancing Procedures and Outcomes Within Democratic Theory: Core Values and Judicial Review.” *Political Studies* 53(2):423\_441 (2005) -
   * Robert A. Dahl, “Decision-Making in a Democracy: The Supreme Court as a National Policy-Maker,” *Journal of Public Law* 6 (1957), pp. 279-86, 293-95.
     1. See excerpts in *The Democracy Sourcebook*
   * Jeremy Waldron, “The Core of the Case Against Judicial Review,” *Yale Law Journal* 115:6 (2006), pp. 1348-59, 1379-86, 1390-1401.
3. August 5th**Democratic Border Control? Democracy and Immigration**
   * Arash Abizadeh, “Democratic Theory and Border Coercion No Right to Unilaterally Control Your Own Borders”. *Political Theory* (2008)
   * Miller, David. "Why immigration controls are not coercive: a reply to Arash Abizadeh." Political theory 38, no. 1 (2010): 111-120.
   * Optional: Abizadeh, Arash. "Democratic legitimacy and state coercion: a reply to David Miller." Political theory (2010): 121-130
4. August 10th**The Boundary Problem of Democracy – Where Should we Have Democracy?** 
   * RobertA. Dahl, *On Democracy*, ch. 9 “democracies on different scales” pp. 100-118.
   * David Miller, “Democracy’s Domain”. *Philosophy and Public Affairs*, 2009
   * Terry Macdonald, “Review article: Boundaries Beyond Borders: Delineating Democratic ‘Peoples’ in a Globalized World”*, Democratization, 10:3, 173-194,*
   * *Optional*: Arash Abizadeh, “On the Demos and Its Kin: Nationalism, Democracy, and the Boundary Problem”. *APSR* (2012)
5. August 12th   
   **The Future of Democracy**
   * Robert Dahl, *Democracy and its Critics* (Yale University Press, 1989), ch. 22 “Democracy in Tomorrow’s World”, pp. 311-321
   * Held, David. "The transformation of political community: rethinking democracy in the context of globalization." *Democracy’s edges* (1999): 84-111.
     1. See excerpts in *The Democracy Sourcebook*

An extra topic for discussion:

1. **Justice and Democracy: Does Justice Require Democracy?**
   * Laura Valentini, “Justice, Disagreement and Democracy” *British Journal of Political Science*
   * Ian Shapiro, *Democratic Justice*, ch. 1-3 (pp. 1-63)
     1. See excerpts in *The Democracy Sourcebook*
   * Further Reading: Joshua Cohen, *Is there a human right to Democracy? In Christine Sypnowich (ed.), The Egalitarian Conscience, pp. 226-­‐248*