**PHIL 3200 – POLITICS AND THE LAW**                           UCCS Spring 2023

Professor Raphael Sassower  **Online**  

*This course emphasizes the history of ideas and the cultural settings within which political concerns are expressed and criticized. The political theories of European modern philosophers and the influence of American Natives will be examined and critically analyzed. In order to appreciate how the political arena is based on social and moral principles and models, we’ll review some canonical texts from the history of Western ideas and relate them to contemporary issues. The goal of this course is to familiarize students with the ideas and principles that guided philosophical debates in the past and how they remain pertinent for contemporary debates, especially as they are played out in the legal system.*

**Course Objectives:**

* Critical thinking as applied to and in consequence of reading primary sources in political philosophy.
* The ability to detect principles and ideals undergirding common views and social conventions.
* The ability to analyze a problematic or controversial situation and outline at least two contesting arguments for policy recommendation.

**Course Structure:**

* This course will be delivered entirely **online** through **Canvas**. You are responsible for scheduling your reading, watching the power-point presentations and the links to YouTube on your own. There are no campus meetings (unless a meeting is scheduled individually), except for the optional weekly (Wednesdays 12:10-1:00pm) Office Hours (via Zoom).
* Your week begins on Tuesday (see Monday dates in the Syllabus and their corresponding weeks/dates in the Modules) and ends on the following Monday. Your assignments are for the week to come, so, for example, the second week (Machiavelli) begins on Tuesday 1/17 and ends on Monday 1/23. Make sure to read the materials early in the week so you can upload your Post by Friday (and respond to the Discussion thread by Sunday) and your one-page paper by midnight on Monday (you will be given feedback on your Post and Discussion on Monday morning).
* The weekly course material will consist of readings and written assignments--see the **Syllabus** for details, such as the weekly posts, discussions, and one-page papers.
* Interactivity among class members is through class discussions.
* You are expected to spend about 2-3 hours weekly reading philosophical materials and about 1-2 hours a week writing (some weeks are easier than others).
* You should practice “Netiquette”—polite civility in online exchanges; since a smile or nod cannot supplement your words, be careful and mindful how you address others.
* No late work is accepted unless special arrangements have been agreed on before the deadline; when extension is granted, full credit will not be awarded even if the work is excellent so as to reflect the late submission and in fairness to other students in the class.
* Follow the Syllabus and the instructions carefully!

**Required Books:** all texts can be found free online; a special module is dedicated to weekly links for these texts plus videos that summarize or explain them and introduce their authors.

Donald Grinde and Bruce Johansen (eds.), *Exemplar of Liberty: Native America and the Evolution of Democracy* (1990)

Sharon Harley, "African American Women and the Nineteenth Amendment," *National Park Service (2019)*

John Locke, *The Second Treatise of Civil Government* (1690)

Niccolò Machiavelli, *The Prince* (1513/1532)

Karl Marx, *The Communist Manifesto* (1848)

John Stuart Mill, *On Liberty* (1859)

Charles W. Mills, *The Racial Contract* (1997)

Jean-Jacques Rousseau, *The Basic Political Writings* (1750)

Bertrand Russell, *Authority and the Individual* (1949)

Sally Roesch Wagner, "The Iroquois Influence on Women's Rights" (1992)

Robert Paul Wolff, *In Defense of Anarchism* (1970)

***Note:*** *Unless specified, you are expected to read the whole book (so feel free to get a head start by reading some of the longer texts over the break).*

**Requirements:**

**1. Ten** online **discussions** (credit is split between your **posting** (Friday by midnight) and your **three responses** to other students' posts (Sunday by midnight); make sure to start your POST with capital letters--it should be at least 150 words long; the "replies" should address at least **three** other students by name. Post by Friday, so you have plenty of time to respond/reply to others before the Sunday midnight deadline.

(2 points for each Post and 2 points for each set of responses: 4 x 10 = **40** points)

**Note:** Please choose 10 or the 11 discussions; this means that if you skip one you can make it up.

**2. Ten** short (one-page/250 words) **summaries** of principles from the text (find an interesting idea or principle to distill from the text; don’t summarize the text or what the author says). (Each paper is worth 4 points x 10 = **40** points)

***Note #1:*** *Please choose 10 of the 11 papers; this means that if you skip one you can make it up.*

***Note #2:*** *These short papers are due by Monday at midnight on the week listed in the Syllabus. Each week you'll be prompted to respond to a question related to the text. When you answer any of the questions, don't describe what the author says in the book (or chapters), only the main argument(s) that are being used. (See Introduction week for the difference between Arguments and descriptions.)*

**3. One** (five to six pages/1,250-1,750 words) topical **paper** (topics listed in Syllabus)

(3 points for the outline + 17 points for the paper = **20** points)

***Topics:****You may choose to write the paper for any of the topics in the last three weeks; you are welcome to consult other students and myself for feedback on the wording of the question—making sure it is a “controversial” question (a question that cannot be determined empirically but remains open ended. For example, “Should there be mandatory conscription?” is controversial because we can argue both sides, regardless of our personal opinion, and regardless of the experience of other countries that have that policy. By contrast, “Does Russia have mandatory conscription?” is not controversial because you can “google” the answer).*

***Structure:*** *Spend the first page or two explaining first, why is this a controversial topic, second, what is the meaning of the terms you are using, third, the specific context for the question (country, state, city, period), fourth, what Supreme Court or local courts case is relevant here and why (you must attach a link to the case in question)—each of these four questions should be its own paragraph (or two, if needed); then spend one to two pages arguing one side (from the example above, “Yes, there should be mandatory conscription”) using the principles you have learned/mastered from the readings (we will upload a* ***List of Principles*** *once we are done with the readings)—each principle on which your argument is based requires a separate paragraph! It would be helpful if you* ***bold*** *the principle itself and give the reference to the author (no need for page number); then spend one to two pages arguing the other (opposite) side (from the example above, “No, there should not be mandatory conscription”) using the principles you have learned/mastered from the readings—each principle on which your argument is based required a separate paragraph!*

***Note #1:*** *You must include a link to a Supreme Court Decision that is relevant to the issue you are discussing; if there isn’t one, a State Supreme Court decision, a local ordinance, or policy statement may be substituted.*

***Note #2:*** *You will have three weeks to write this paper, so start early. Note the Outline deadline (for 3 points) a week before the paper is due. When you choose your controversial question, send its wording for approval by the professor; a good question helps the paper, a poorly worded one makes it difficult to answer well. You are welcome to send the professor a draft or an outline of your paper for feedback (only once) to ensure 3 out 20 points total.*

**Contacting the Professor:**

* Best way to get in touch with me is through e-mail: rsassowe@uccs.edu
* My office is located at Columbine Hall 4059; office phone: 719.255.4090; I will be in my office on these days:
* I will hold office hours on Wednesdays afternoon between 12:10 and 1:00pm; you will receive weekly invitations to join me, but your participation is optional.
* I respond to e-mails within hours; if you want to arrange a phone conversation, please do so through an e-mail first; I'm happy to talk to you about course materials or assignments.

**Technology Requirements:**

* In general, students are expected to have access to a working computer and the Internet during the course. For the general technical requirements for online education, see https://www.uccs.edu/connect/resources. This features the University’s “general technical requirements” for “Quality Online Education.
* For the minimal technical skills expected of the student, see <https://www.uccs.edu/connect/resources/technical-skills>. This features the University’s “technical skills” for “Quality Online Education.” In particular, students are expected to:

1. use the learning management system
2. use e-mails (and sometimes with attachments) to communicate with professor
3. create and submit files in doc, docx, or pdf format
4. copy and paste assignment questions
5. if needed, download and install software.

**This course fulfills LAS college requirement for the Social Sciences distribution. It also fulfills Compass Curriculum EXPLORE and WRITING INTENSIVE:**

**Explore courses** help you learn about:

* Specific methods of producing and discussing knowledge.
* Connections between this area of study and other disciplines.
* Thinking critically and creatively at the level required of a university student.
* Core ethical principles and responsible research methods of this discipline.

Essential Learning Outcomes:

* Gather, critically analyze and evaluate quantitative information within relevant disciplinary contexts
* Gather, critically analyze and evaluate qualitative information within relevant disciplinary contexts
* Apply and integrate knowledge from a range of disciplines, including interdisciplinary or cross-disciplinary research
* Demonstrate the core ethical principles and responsible methods of your discipline

**Writing Intensive courses** help you learn how to:

* Approach writing as a process.
* Revise your written work based on feedback.
* Provide useful feedback to your classmates about their written work.
* Refine your critical and analytical writing skills.

*Essential Learning Outcomes:*

* Gather, critically analyze and evaluate quantitative information within relevant disciplinary contexts.
* Gather, critically analyze and evaluate qualitative information within relevant disciplinary contexts.
* Apply and integrate knowledge from a range of disciplines, including interdisciplinary or cross-disciplinary research.
* Communicate through reading and/or writing to receive, comprehend, and convey information.
* Demonstrate the core ethical principles and responsible methods of your discipline.

**SYLLABUS:**

*(This syllabus may change)*

***NOTE****: All dates are Mondays (the actual dates on which you end the weekly work of the course); assignments are due by midnight on the Friday, Sunday, or Monday before or on said date.*

**January 16/17:**  Introduction [See Power-Point]

Philosophical Discourse: argument vs. description; what counts as a political or moral principle; discussion of the relationship between morality and the law; the individual and society; legal power: rights and duties; reference to Socrates’ ***Trial*** (399 bce); preparation for all the writing projects in the course.

**PART I: Historical Antecedents**

**January 23:** Machiavelli, ***The Prince*** (chapters 15-23) [See Power-Point and YouTube]

The nature of political power; human nature; governance; treatment of one’s citizens and of one’s conquered enemies.

**January 30:** Locke, ***Second Treatise*** (chapters 1-10) [See Power-Point and YouTube]

The individual and the community (state of nature, state of war); duties, rights, and responsibilities; private property; implicit and explicit commitments to one’s society (civil power and governance).

**February 6:** Grinde & Johansen, ***Exemplar of Liberty*** (Introduction + chapters 1-6) [See Power-Point and YouTube]

The political structure and oral/textual rules of governance; tribal debates; decision-making processes and consensus building; women’s rights and property rights; war and peace; collaboration and unity amidst diversity; the US Constitution’s reliance on Indian tribal practices.

**February 13:** Rousseau, ***Discourse on the Foundation and Origin of Inequality Among Men*** (pp. 9-37 in pdf file on Canvas); [See Power-Point and YouTube]

Natural vs. artificial inequality; human nature: descriptive or prescriptive view of human history; inter-generational considerations.

**February 20:** Rousseau, ***The Social Contract*** (Introduction + Books I & II) [See Power-Point and YouTube]

The social contract: advantages and disadvantages; “general will”; what is given up or gained from the social contract.

**February 27:** Mills, ***The Racial Contract*** (Introduction + Overview) [See Power-Point and YouTube].

On the question who really was meant to participate in the “social contract”; on the Eurocentric universalization of ideals and the realities of settler-colonial European conquest for centuries (including the American colonies).

**March 6:** Marx, ***The Communist Manifesto*** [See Power-Point and YouTube]

Socialist and communist images of a classless society; class struggle; economic and political conditions for freedom and equality; the ten proposals for the future and how they are apparent in contemporary USA.

**March 13:** Mill, ***On Liberty*** (chapters 1-2, 5) [See Power-Point and YouTube]

The nature of freedom and liberty; the centrality of the individual in society; positive and negative liberty; the Harm Principle; the boundaries of the private and public domains; tyranny of the majority.

**March 20:** Russell, ***Authority and the Individual*** (lectures 1-2, 5) [See Power-Point and YouTube]

The relationship between authority and the individual and how much competitive human nature and cooperation influence political institutions; the three roles of government in the affairs of the state.

**March 27: Spring Break --** No Class

**April 3:** Wolff, ***In Defense of Anarchism*** (Part III) [See Power-Point and YouTube]

On the merits of democracy and its inherent flaws; questions of the legitimacy of the State and its authority over citizens and others.

**April 10:** Harley **"African American Women and the Nineteenth Amendment”** and Wagner **"The Iroquois Influence on Women's Rights"** [See Power-Point]

On the question of "equality" and "liberty" as understood historically by Native Americans and later by the 13th and 19th Amendments to the US Constitution; revisiting the Constitutional rights of Blacks and women.

**PART II: Contemporary Applications**

**April 17:** Topics: **The Carceral State**; the Thirteenth Amendment to the Constitution and the case of the Angola prison in Louisiana. [See Power-Point, article, and YouTube]

You may choose other topics related to these issues

**April 24:** Topics: **Privacy in the Digital Age** surveillance; Patriot Act of 2001 and the Freedom Act of 2015; censorship; NSA; workplace monitoring; data collection by private companies; the civilian and police/military use of drones. [See Power-Point and YouTube]. You may choose other topics related to these issues

**PAPER OUTLINE/DRAFT DUE ON MONDAY 4/24 MIDNIGHT (3 points)**

**May 1:** Topic: **Drugs** classification; state vs. federal regulations; Colorado’s medical and recreational marijuana; focus on recent developments. [See Power-Point and YouTube]. You may choose other topics related to these issues.

Final Class: FCQ. **PAPER DUE MONDAY 5/1 MIDNIGHT (17 points)**

**Grading Scale (points):**

A 100–95; A- 94–90; B+ 89–87; B 86–84; B- 83–80; C+ 79–77; C 76–74; C- 73–70; D 69–60; F 59–0

**Conduct:**

We expect respectful exchange of ideas regardless of your agreement or disagreement with your classmates and the professor. We are here to learn from each other and test our opinions. Please remain courteous!

For information on the Student Code of Conduct or the Disruptive Behavior Policy go to the Office of Judicial Affairs Website: <http://www.uccs.edu/~oja/>

**Mental Health Care:**

As a college student, there may be times when stressors interfere with your academic performance and/or negatively impact your daily life. If you or someone you know is experiencing mental health challenges at UCCS, please contact the Wellness Center about their confidential services. The Wellness Center is located inside the Gallogly Recreation and Wellness Center. Phone 719-255-4444. Hours: Monday – Friday 8 a.m. – 5 p.m.  
Other resources include: National Suicide Prevention Lifeline 800-273-8255 or text HELLO to 741741. Colorado Crisis Services 844-493-8255, text TALK to 38255, or visit https://www.pikespeaksuicideprevention.org/.  
For emergencies contact UCCS Public Safety at 719-255-3111 or call 988 or 911.

**Technology Support:**

Technical help is available through the Help link at the bottom of the global navigation in the Canvas course (black nav bar at the far left of the window). Canvas Support Hotline number: 844-802-9230; UCCS Helpdesk - 719-255-3536; Academic Help: The UCCS Excel Centers include the Language and Social Sciences Center, the Mathematics Center, the Communication Center, the Science Center, and the Writing Center. These five academic centers are designed to provide critical academic and individual support to all students in the University in all major academic areas, both within and beyond the classroom.

**Students with Disabilities:**

If you are a student with a disability and believe you will need accommodations for this class, it is your responsibility to contact and register with the Disability Services Office, and provide them with documentation of your disability, so they can determine what accommodations are appropriate for your situation. To avoid any delay in the receipt of accommodations, you should contact the Disability Services Office as soon as possible. Please note that accommodations are not retroactive, and that disability accommodations cannot provided until an accommodation letter has been given to me. Please contact Disability Services for more information about receiving accommodations at Main Hall room 105, 719-255-3354 or [dservice@uccs.edu](https://exchange.uccs.edu/owa/redir.aspx?C=b5ce83abee0c469dbd61d63d8f9f0c9d&URL=mailto%3adservice%40uccs.edu). Ida Dilwood, Director.

UCCS offers free writing support at **The Writing Center** at Columbine Hall, room 316. Students of all skill levels can benefit from working with peer writing consultants at any stage of the writing process be it brainstorming, drafting, or final editing. The Writing Center is open for 50 minute face-to-face or online appointments from 9am to 8pm Monday through Thursday and 9am to 2pm on Friday and Saturday. Appointments can be made by visiting [http://www.uccs.edu/writingcenter/](https://exchange.uccs.edu/owa/redir.aspx?C=rcDgM3efPk2ezd660feEOX6anyyg5dAI2difSnbDtlQ5a7CuQZRgBFWwGIJ8APVHQGvG8D7EdNs.&URL=http%3a%2f%2fwww.uccs.edu%2fwritingcenter%2f). Call 719-255-4336 with questions about our programming and policies.

**Academic Honesty and Plagiarism:**

Plagiarism is a serious academic offense and will be grounds for failing a student from the course, as well as additional academic sanctions as defined in the Academic Honor Code. Plagiarism, the “use of distinctive ideas or words belonging to another person, without adequately acknowledging that person’s contribution” ranges from the improper use of such sources as internet materials to improper use of classmates’ notes. It is the students’ responsibility to become familiar with the various definitions and penalties for plagiarism. The webpage of the Department of History at UCCS includes detailed information on what constitutes and how to avoid plagiarism: <http://web.uccs.edu/history/toolbox/plagiarism.htm>

The Administrative Policy Statement for the University of Colorado System can be accessed on line at <http://www.cusys.edu/~policies/Academic/misconduct.html>

[Links to an external site.](http://www.cusys.edu/~policies/Academic/misconduct.html)

**Military Deployment and Military Service:**

In order to assist students who are called to active duty the Campus has compiled a set of guidelines that include information on withdrawing from courses. General information can be accessed at: <http://www.uccs.edu/~deploy>

In part, that information states that “in order to withdraw from the course, students called to active military duty will need to obtain the proper withdrawal form from the Admissions and Records office, their academic dean’s office or the Student Success Help Center. Information about withdrawing and refund deadlines can be found in the schedule of courses. Completed forms need to be returned to the Admissions and Records office.  If students are receiving veterans’ benefits or financial aid, each of those offices will need to approve the form.  In addition, the form needs to be approved by the Bursar’s Office located in Main Hall on the second floor. Students will be provided a copy of the drop form to retain for their records. The date the form is receipted by Admissions and Records will determine the amount of any refund.

**Campus Emergency Response Team**

UCCS Chief of Police: Jim Spice, phone: 255-3111, e-mail: jspice@uccs.edu

Director of University Counseling Center: Benek Altayli, phone: 255-3265, e-mail: zaltayli@uccs.edu (regarding harm to self or others)

Dean of Students: Steve Linhart, phone: 255-4443, e-mail: slinhart@uccs.edu