

Democracy (updated)

University of Virginia
PHIL 2500 / Fall 2017
Ruffner 173
Thursdays 3:30–6pm

Dr Matthias Brinkmann
Gibson 342
Office hours by appointment
mb7tw@virginia.edu

OVERVIEW

For those who have grown up in democracy, it is often taken for granted—practically, but also intellectually. While it is normal to be engaged with the political developments of the every-day, we rarely think about the design of the democratic system in an abstract way. This course is concerned with questions precisely of this kind—e.g., what is the value of democratic institutions? What type of democracy should we aim to realize? Can we justify certain democratic practices, such as excluding foreign residents from the vote? At the end of this course, you should be able to think about these questions in a principled and philosophically sophisticated way.

Philosophy is done, not consumed: it lives in active debate, not soulless dogma. This course will not be one in which I lecture you on democracy; it's one in which I will provide you with the tools to develop your own views on it. Thus, this course will be based to a large extent on your active contributions to it—both before class, through your close reading of crucial texts, and in it, through your participation and debate.

REQUIREMENTS

Attendance & Class Contribution

Attendance is mandatory. Students with three or more unexcused absences will fail the course.

RULES

Participation. I expect regular and active participation from all students, and I will start to cold-call you if you don't regularly participate. Some seminar sessions will include group work, or other types of group activities.

Preparation. Enjoying this course will be very hard for you (and everyone else) if you do not adequately prepare the readings.

Electronic Devices. Act as if you had no mobile phones. I prefer for you to use pen & paper. You are permitted to use laptops or tablets—but *only* to take notes, and to check electronic copies of the texts we're reading. If I have the feeling that students are regularly distracted by their laptops, I will ban them entirely.

Openness and Respect. This is a philosophy class, so (i) there is nothing that cannot be questioned, but also (ii) you must *offer reasons* for what you believe, and (iii) be

willing to accept rational criticism—sometimes harsh—from others, all the while (iv) staying within the boundaries of respect for, and kindness to, others.

GRADING

This component of the course will be graded primarily on the basis of your shown preparation and engagement, as the aim is to encourage you to participate, not to judge your contributions harshly. I will make deductions, however, if I find your preparation for the course repeatedly lacking or your attention elsewhere.

EXTRA
CREDIT

I reserve the possibility of rewarding extra credit to students who contribute to the course regularly and enrich it in a substantial way.

Reflections

Throughout the course, there are required readings which are marked with an asterisk (*). Before each session, you need to send me a written *reflection*. Each reflection should offer a question, opinion, or critical remark regarding the topic for that week on the basis of these readings. The point of these reflections is to (i) ensure that you've read the required readings, and (ii) to form the basis for discussion in seminar.

FORMALITIES

Reflections should be around ½ page. Please send them to me by email in a Word-compatible format (.DOC, .DOCX, .RTF, .TXT, or in the email body).

DEADLINES

The deadline for each reflection is *Thursday 8am* of the relevant week. I will collate all reflections into a single document which is sent around to everyone.

GRADING

You can fail to hand in up to *three* reflections, no questions asked; every reflection you fail to hand in afterwards, however, will automatically lead to a deduction from your final grade of 5 points. I might reject, or ask you to rewrite, reflections which I think do not show sufficient engagement with the readings. Please note: not handing in a reflection does *not* excuse you from preparing the readings (see above under "Attendance").

EXTRA
CREDIT

I reserve the possibility of extra credit for particularly impressive reflections, or if your reflections show a consistently high level of engagement with the topics.

Two Papers

I will require you to write two seminar papers. In these papers, I expect you to substantially engage with a philosophical question in an independent and original way which is informed by relevant, important secondary literature, and which goes beyond what we have discussed in the seminar.

We will discuss the features of a good philosophical essay in the course. My expectations for a good essay are outlined at length in a guide you can obtain from www.matthiasbrinkmann.de/slides/guide.pdf. The feedback form I use for grading can be found at www.matthiasbrinkmann.de/slides/feedbackform.pdf.

- TOPIC CHOICE** Any of the QUESTIONS found in the readings can form the basis of one of your essays. You can also write a paper on any other topic falling within the philosophy of democracy. In either case, you need to write a *topic proposal*, which outlines (i) the question you wish to tackle, (ii) a brief elaboration of how you will approach it, and (iii) a list of academic articles or books you aim to use for that purpose. I also suggest you discuss possible topics before or after class with me. Your topic proposal needs to be approved by me in advance, or I will not accept the corresponding essay.
- DRAFTS** If you wish to discuss a draft of your paper, or if you have trouble making progress, you should come to my office hours or make an appointment. You can raise minor questions before or after the course.
- FORMALITIES** Each paper should be around 3,000 words; what primarily matters, however, is that you argue your point convincingly and succinctly, not how long it takes you to argue it. You can decide to write three papers, in which case the best two will be taken into account for grading purposes.
- SCHEDULE** Send finished papers to me by email in a Word-compatible format (.DOC, .DOCX, .RTF, .TXT), by the following dates:

	<i>First Essay</i>	<i>Second Essay</i>
Stage 0. <i>Essay-Writing Advice.</i> There will be a brief session where we go over the fundamentals of philosophical writing.	Essay-Writing Session: 21 September	
Stage 1. <i>Choosing & Exploring a Topic.</i> (2 weeks) You write a topic proposal (see above), and start exploring the literature on your own. You briefly present your choice to your classmates.	Presenting Topic in Class: 28 September	Presenting Topic in Class: 9 November
Stage 2. <i>Creating First Draft.</i> (2-3 weeks) You work your way through the literature. You sketch your own argument, and try to write it down in an organised fashion.		
Stage 3. <i>Getting Feedback.</i> You send a written draft of your paper to your classmates to read and comment on. At some point, you can (and should) meet with me individually to discuss your draft.	Discussing Draft in Class: 12 October	Discussing Draft in Class: 30 November
Stage 4. <i>Rewriting and Finishing.</i> (2 weeks) On the basis of your classmates' and my comments, as well as any further research you pursue, you rewrite and improve your paper.		
Stage 5. <i>Handing in & Grading.</i> You hand in your paper. After a maximum of one week, you receive written comments and a grade on your paper. You can meet with me individually to discuss those.	Final Deadline: 26 October	Final Deadline: 13 December

Final Grade

You can choose between two systems for receiving a final grade. You must decide between these two systems before our last session (30 November).

On system 1, your reflections are only graded on a pass/fail basis, and not taken into account for your final grade. On system 2, you choose **five** reflections which I will grade. These should be the reflections you originally handed in, at most *lightly* modified (e.g., added references, corrected phrasing, a few added sentences).

	participation	essay 1	essay 2	reflections
system 1	20%	40%	40%	--
system 2	20%	30%	30%	20%

I will compute a grade average of your chosen system, which, when rounded, will be translated into a grade as follows,

A	A-	B+	B	B-	C+	C	C-	D+	D	F
93+	90-92	87-89	83-86	80-82	77-79	73-76	70-72	67-69	60-66	0-59

OTHER POLICIES

- EMAILS** Please give emails you send me titles which allow me to identify their topic and urgency quickly. I try to answer any questions quickly, but please give me 48 hours to answer any email. You can address me as “Matthias”, or more formally, “Dr Brinkmann”; UVA etiquette also suggests “Mr Brinkmann” as acceptable.
- DISABILITIES** If you are in need of accommodation for an impairment or disability, contact me as soon as possible. You should also contact the Student Disability Access Center (SDAC) to document your needs and determine a reasonable accommodation. They can be reached at sdac@virginia.edu.
- FEEDBACK** If, at any point, you have a suggestion or complaint to make about the course, its contents, my teaching methods, or another student, you should raise such an issue with me at the earliest possible point so that I can improve your experience.

QUESTIONS & READINGS

The following is the syllabus *as I have currently planned it*. However, some topics might be cut, and others expanded, based on student interest, and how we progress throughout term. I don’t give this course for myself, but for you; so if you find any topics particularly interesting—or boring—tell me so, and I’ll see how topics can be rearranged. (Have a look at the appendix for alternative topics.)

1. Introduction

Week 1. Introduction—NO CLASS

There will be no class this week, but I suggest you use this week to read through this syllabus carefully, and to have a look ahead at the readings from week 2.

READINGS

If you want to read generally on the philosophy of democracy, any of the following are a good starting point.

Christiano, Thomas. "Democracy," *Stanford Encyclopedia of Philosophy*. <http://plato.stanford.edu/entries/democracy/>.

Christiano, Thomas (ed.). *Philosophy and Democracy: An Anthology*, Oxford University Press 2003.

Estlund, David. *Democracy*, Blackwell 2001.

Dahl, Robert, Ian Shapiro, and José Antônio Cheibub (eds.). *The Democracy Sourcebook*. MIT Press, 2003.

Week 2. Approaching Democracy (31 August)

QUESTIONS

What is the best argument for the claim that democracy has intrinsic value?

Does the value of democracy rest on both its procedures and its outcomes?

Does democracy only have intrinsic value when we disagree about justice?

READINGS

*Brettschneider, Corey. "Balancing Procedures and Outcomes Within Democratic Theory: Core Values and Judicial Review." *Political Studies* 53 (2005): 423–41. [19pgs]

*Anderson, Elizabeth. "Democracy: Instrumental vs Non-Instrumental Value." In T. Christiano and J. Christman (eds.), *Contemporary debates in political philosophy*, Wiley-Blackwell, 2009.

Valentini, Laura. "Justice, Disagreement and Democracy." *British Journal of Political Science* (2012): 1–23.

Waldron, Jeremy. "Participation: The Right of Rights." *Proceedings of the Aristotelian Society* 98 (1998): 307–37.

2. Political Equality

Week 3. Equalising Power (7 September)

QUESTIONS

What is the best way to understand the ideal of equal power?

Which political reforms would implementing the ideal of equal power require?

Would throwing lots to determine the winners of an election realise the ideal of political fairness in some ways better than majority rule?

READINGS

*Dworkin, Ronald. "What Is Equality - Part 4: Political Equality." *University of San Francisco Law Review* 22 (1987-8): 1–30. [30pgs]

Still, Jonathan. 'Political Equality and Election Systems'. *Ethics* 91 (1981): 375–94. [20pgs]

López-Guerra, Claudio. "The Enfranchisement Lottery." *Politics, Philosophy & Economics* 10, (2011): 211–33. [24pgs]

Saunders, Ben. "Democracy, Political Equality, and Majority Rule." *Ethics* 121 (2010): 148–77. [30pgs]

Week 4. The Realities of Unequal Power (14 September)

QUESTIONS

How should we respond to the fact that some groups have significantly more influence on policy-making than others?

"[In capitalist democracy] the oppressed are allowed once every few years to decide which particular representatives of the oppressing class shall represent and repress them in parliament." (LENIN) Is this true?

READINGS

*Gilens, Martin, and Benjamin Page. "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens." *Perspectives on Politics* 12 (2014): 564–81. [18pgs]

*Green, Jeffrey. *The Shadow of Unfairness: A Plebeian Theory of Liberal Democracy*. Oxford University Press, 2016. Chapter 2, "Why Ordinary Citizenship is Second-Class Citizenship".

Bartels, Larry. *Unequal Democracy: The Political Economy of the New Gilded Age*. Princeton University Press, 2008. Chapter 9, "Economic Inequality and Political Representation." [31pgs]

Stephanopoulos, Nicholas. "Political Powerlessness." *NYU Law Review* 90 (2015): 1527–1608.

Phillips, Anne. *Engendering Democracy*. Polity Press, 1991. Chapter 3, "The Representation of Women."

Week 5. Symbolic Equality (21 September)

We will have a session on essay-writing this week. Please read the guide on essay-writing (linked above), and ideally send me any questions you have on it in advance.

QUESTIONS

Is democracy necessary to publicly show that we're equals?

"Justice must not only be done, but seen to be done." How should this maxim alter our thinking about democracy?

READINGS

*Christiano, Thomas. "The Authority of Democracy." *Journal of Political Philosophy* 12 (2004): 266–290. [25pgs]

*Brennan, Jason. *Against Democracy*. Princeton University Press, 2016. Chapter 5, "Politics is not a Poem". [29pgs]

Wall, Steven. "Democracy and Equality." *Philosophical Quarterly* 57 (2007): 416–38.

Ottonelli, Valeria. "Equal Respect, Equal Competence and Democratic Legitimacy." *Critical Review of International Social and Political Philosophy* 15 (2012): 201–18.

3. Deliberation

Week 6. Deliberative Democracy (28 September)

You will present your first chosen essay topic this week.

- QUESTIONS Should we try to approximate the ideal of free and open deliberation as far as possible in designing our democracy? Is it an attainable ideal?
Are “mini-publics” a good way to make our society more deliberative?
Is there a tension in deliberative democracy between the scope of participation and the quality of deliberation?
- READINGS *Gutmann, Amy, and Dennis Thompson. *Why Deliberative Democracy?* Princeton University Press, 2004. Chapter 1, “What Deliberative Democracy Means.” [63pgs]
*Lafont, Cristina. “Deliberation, Participation, and Democratic Legitimacy: Should Deliberative Mini-Publics Shape Public Policy?” *Journal of Political Philosophy* 23 (2015): 40–63. [24pgs]
Sanders, Lynn. “Against Deliberation.” *Political Theory* 25 (1997): 347–76. [30pgs]
Ceva, Emanuela. “Just Procedures with Controversial Outcomes.” *Res Publica* 15 (2009): 219–35. [17pgs]
Ackerman, Bruce, and James Fishkin. “Deliberation Day.” *Journal of Political Philosophy* 10 (2002): 129–152. [24pgs]

4. Consent

Week 7. The Problem of Missing Consent (5 October)

- QUESTIONS Given that none of us have consented to be democratically ruled, (why) are democracies allowed to coerce us?
Is voting a form of implicit consent? Is remaining a resident on a country’s territory a form of implicit consent?
- READINGS *Huemer, Michael. *The Problem of Political Authority*. Palgrave Macmillan, 2012. Chapter 2, “The Traditional Social Contract Theory”. [16pgs] Chapter 4, “The Authority of Democracy”. [22pgs]
Simmons, A. John. “Consent, Free Choice, and Democratic Government.” *Georgia Law Review* 18 (1983): 791–819.
Estlund, David. “Political Authority and the Tyranny of Non-Consent.” *Philosophical Issues* 15 (2005): 351–67.
Greene, Amanda. “Consent and Political Legitimacy.” *Oxford Studies in Political Philosophy* 2 (2015): 71–97.

5. Representation

Week 8. Representation (12 October)

We will discuss your first paper draft this week. Send your draft to everyone by email 48hrs before the seminar starts.

- QUESTIONS What does it mean to represent someone?
When representatives have to choose between what is best for everyone and what their representatives want, how should they decide?
- READINGS *Mansbridge, Jane. "Should Blacks Represent Blacks and Women Represent Women? A Contingent 'Yes'." *Journal of Politics* 61 (1999): 628–57.
*Young, Iris Marion. *Inclusion and Democracy*. Oxford University Press, 2000. Chapter 2, "Representation and Social Perspective".
*Mansbridge, Jane. "Rethinking Representation." *American Political Science Review* 97 (2003): 515–28.
Pitkin, Hanna. *The Concept of Representation*. Los Angeles University Press, 1967.
Hardin, Russell. "Representing Ignorance." *Social Philosophy and Policy* 21 (2004).

Week 9. Political Competence (19 October)

- QUESTIONS Given the wide-spread degree of political ignorance, why should we bother with democracy?
Is the democratic crowd wise, even if its individual members aren't?
Can the Condorcet Jury Theorem tell us anything about actual democracy?
- READINGS *Brennan, Jason. *Against Democracy*. Princeton University Press, 2016. Chapter 2, "Ignorant, Irrational, Misinformed Nationalists". [22pgs]
*Landemore, Hélène. "Democratic Reason: The Mechanisms of Collective Intelligence in Politics." In H. Landemore and J. Elster (eds.), *Collective Wisdom: Principles and Mechanisms*. Cambridge University Press, 2012. [39pgs]
Anderson, Elizabeth. "The Epistemology of Democracy." *Episteme: A Journal of Social Epistemology* 3 (2006): 8–22.
Christiano, Thomas. "Voter Ignorance Is Not Necessarily a Problem." *Critical Review* 27 (2015): 253–69.
Caplan, Bryan. *The Myth of the Rational Voter: Why Democracies Choose Bad Policies*. Princeton University Press, 2008.
Grofman, Bernard, and Scott Feld. "Rousseau's General Will: A Condorcetian Perspective." *American Political Science Review* 82 (1988): 567–576. [10pgs]

6. Voting

Week 10. The Rationality of Voting (26 October)

This date is the first paper deadline. Send me your paper by the time the seminar starts, or bring a written copy to it.

QUESTIONS Is voting like cheering on your favourite sports club—it makes you feel good, but it doesn't make a difference?
If your vote doesn't make a difference, why vote?
What is the best argument for the claim that there is a duty to vote?

READINGS *Dowding, Keith. "Is It Rational to Vote? Five Types of Answer and a Suggestion." *British Journal of Politics & International Relations* 7 (2005): 442–459. [18pgs]
*Lomasky, Loren, and Geoffrey Brennan. "Is There a Duty to Vote?" *Social Philosophy and Policy* 17 (2000): 62–86. [25pgs]
Guerrero, Alexander. "The Paradox of Voting and the Ethics of Political Representation." *Philosophy and Public Affairs* 38 (2010): 272–306. [35pgs]
Tuck, Richard. *Free riding*. Harvard University Press, 2008. Chapter 2. [34pgs]

Week 11. Expanding Voting (2 November)

QUESTIONS Can we defend the claim that *only* American citizens should have a say in decisions made by the American government?
Should everyone who is affected by a democratic decision have a say in it?
Should the number of votes we have be proportional to the degree to which a decision affects us?

READINGS *Whelan, F. G. "Democratic Theory and the Boundary Problem." In *Liberal Democracy*. New York University Press, 1983.
*Näsström, Sofia. "The Challenge of the All-Affected Principle." *Political Studies* 59 (2011): 116–34. [19pgs]
Miller, David. "Democracy's Domain." *Philosophy & Public Affairs* 37 (2009): 201–228.
Saunders, Ben. "Defining the Demos." *Politics, Philosophy & Economics* 11 (2012): 280–301. [22pgs]
Brighouse, Harry, and Marc Fleurbaey. "Democracy and Proportionality." *Journal of Political Philosophy* 18 (2010): 137–55. [19pgs]
Goodin, Robert. "Enfranchising All Affected Interests, and Its Alternatives." *Philosophy & Public Affairs* 35 (2007): 40–68. [29pgs]

Week 12. Restricting Voting (9 November)

You will present your second chosen essay topic this week.

QUESTIONS What is the best argument against the claim that "incompetent" citizens shouldn't have the right to vote?
Should we prefer epistocracy over democracy?
Can felon disenfranchisement be philosophically justified?

READINGS *Brennan, Jason. "The Right to a Competent Electorate." *Philosophical Quarterly* 61 (2011): 700–724. [25pgs]
*Cholbi, Michael. "A Felon's Right to Vote." *Law and Philosophy* 21 (2002): 543–65. [23pgs]
Bennett, Christopher. "Penal Disenfranchisement." *Criminal Law and Philosophy* 10 (2016): 411–25. [15pgs]

Robinson, Nathan. "Democracy: Probably a Good Thing." *Current Affairs*, June 27, 2017. <https://www.currentaffairs.org/2017/06/democracy-probably-a-good-thing>
Estlund, David. *Democratic Authority: A Philosophical Framework*. Princeton University Press, 2008. Chapters 2, 3, 11.

7. Outcomes

Week 13. Instrumentalism (16 November)

I'm particularly open to change this week's topic based on student interests. You can refer to Additional Topics, listed below, for possible alternatives (or suggest one yourself).

QUESTIONS

Does democracy have purely instrumental value?
What are the instrumental advantages of democracy?
"Democracy is the worst form of government except for all those other forms that have been tried" (CHURCHILL). Is this true?

READINGS

*Arneson, Richard. "The Supposed Right to a Democratic Say." In *Contemporary Debates in Political Philosophy*. Wiley-Blackwell, 2009. [16pgs]
*Sen, Amartya. "Democracy as a Universal Value." *Journal of Democracy* 10 (1999): 3–17. [15pgs]
Buck, Richard. "Democratic Legitimacy: The Limits of Instrumentalist Accounts." *Journal of Value Inquiry* 46 (2012): 223–36. [14pgs]

EMPIRICAL LITERATURE

Knutsen, Carl Henrik. "Democracy and Economic Growth: A Survey of Arguments and Results." *International Area Studies Review* 15 (2012): 393–415.
Acemoglu, Daron, Suresh Naidu, Pascual Restrepo, and James Robinson. "Democracy, Redistribution, and Inequality." In A. Atkinson and F. Bourguignon (eds.), *Handbook of Income Distribution*, vol. 2, 1885–1966. Elsevier, 2015.
Gerring, John, Philip Bond, William Barndt, and Carola Moreno. "Democracy and Economic Growth: A Historical Perspective." *World Politics* 57 (2005): 323–64.

Week 14. Thanksgiving Recess (NO CLASS)

8. Students' Choice

Week 15. Open Session (30 November)

We will discuss your second paper draft this week (if you want feedback earlier, week 13 is also an option). Send your draft to everyone by email 48hrs before the seminar starts.

This session will be given over either to a final discussion of the themes of the seminar, or, depending on student preferences, another topic in the philosophy of democracy.

Second Paper Deadline: 13 December

Send me your finished paper by email.

ADDITIONAL TOPICS

This seminar only covers a small part of the philosophy of democracy. If you are looking for additional topics, either for an essay or just out of general intellectual curiosity, here are some further reading suggestions. For finding even more topics, have a look at the books suggested for week 1, or talk to me.

Judicial Review

Waldron, Jeremy. "The Core of the Case against Judicial Review." *Yale Law Journal* 115 (2006): 1346–1406.

Lever, Annabelle. "Democracy and Judicial Review: Are They Really Incompatible?" *Perspectives on Politics* 7 (2009): 805–22.

Freeman, Samuel. "Constitutional Democracy and the Legitimacy of Judicial Review." *Law and Philosophy* 9 (1990): 327–70.

Populism

Müller, Jan-Werner. *What Is Populism?* University of Pennsylvania Press, 2016.

Mudde, Cas, and Cristóbal Rovira Kaltwasser. *Populism: A Very Short Introduction*. Oxford University Press, 2017.

Wolkenstein, Fabio. "What Can We Hold against Populism?" *Philosophy & Social Criticism* 41 (2015): 111–29.

Minimalism

Olson, Mancur. "Dictatorship, Democracy, and Development." *American Political Science Review* 87 (1993): 567–76.

Przeworski, Adam. "The Minimalist Conception of Democracy: A Defense." In I. Shapiro and C. Hacker-Cordón, *Democracy's Value*. Cambridge University Press, 1999.

Somin, Ilya. *Democracy and Political Ignorance: Why Smaller Government Is Smarter*. Stanford University Press, 2013.

Schumpeter, Joseph. *Capitalism, Socialism and Democracy*. Routledge, 2006.

Diagnosing Democracy's Ills

Brown, Wendy. *Undoing the Demos: Neoliberalism's Stealth Revolution*. Zone Books, 2015.

Przeworski, Adam. *Democracy and the Limits of Self-Government*. Cambridge University Press, 2010.

Oppenheimer, Danny, and Mike Edwards. *Democracy despite Itself: Why a System That Shouldn't Work at All Works so Well*. MIT Press, 2012.

Visions for Democracy

Young, Iris Marion. *Inclusion and Democracy*. Oxford University Press, 2000.

Pateman, Carole. *Participation and Democratic Theory*. Cambridge University Press, 1970.

Mouffe, Chantal. *The Democratic Paradox*. Verso, 2000.

Democracy & Social Choice

- List, Christian. "The Logical Space of Democracy." *Philosophy & Public Affairs* 39 (2011): 262–297. Only Sections I–V (up to p. 290). [29pgs]
- Riker, William. *Liberalism against populism*. W. H. Freeman, 1982. Excerpts (parts 1.D–1.E, 5, 10.A–10.C).
- List, Christian. "The Discursive Dilemma and Public Reason." *Ethics* 116 (2006): 362–402. [41pgs]
- Elster, Jon. "The Market and the Forum: Three Varieties of Political Theory." In D. Matravers and J. Pike (eds.), *Debates in Contemporary Political Philosophy: An Anthology*. Routledge, 2003.