

**POLS 1823T – Democracy and Crisis in Political Theory:
Freedom, Order and Emergency Politics**
Research Seminar (WRIT), Spring 2015

Instructor: Matthew J. Lyddon¹
Class Time: Tuesday, 4-6:20pm
Class Room: ROCK 205

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Office Hours: Weds 1:30-3:30pm
Office: Blistein House 336

Course Summary

What becomes of individual freedom, political equality, and the accountability of government to its citizens when a crisis breaks? What pressures are these core political values, and the institutions built to uphold them, placed under when our leaders have to tackle extraordinary circumstances where the security, integrity and perhaps survival of our societies are at stake? Can our representatives act outside the rules when protecting liberal democracy, without fatally undermining it? How can (and should) we think about and shape our political institutions and public debate to ensure our best chance of staying both free *and* safe?

We will use these questions to explore how liberal democratic values hold up when crises magnify the ever-present need for strong, decisive leadership to potentially destabilizing proportions. We will also scrutinize challenges to the default framing of the 'law and order vs. emergency' dichotomy, and the normative expectations to which we hold our leaders. In addition to readings drawn from historical and contemporary political theory, we will consider a number of recent real-world cases to concretize our study. Students will be mentored in developing their research, analytical, and writing skills.

Participation and Assignments

Students are expected to attend all classes and to actively participate in discussions.

Weekly Responses:² Each week, students are responsible for selecting an excerpt from one of the readings (between 1-2 sentences and 1 paragraph maximum), which they find interesting, compelling or puzzling. Excerpts are to be posted to the class blog with c. 3-5 sentences of reflection by the student, which they will then be expected to elaborate upon during the class discussion.

Papers: There are two papers for the class, due by the deadlines indicated below. The first, 7-8pp paper will involve responding to a prompt provided by the instructor, and will receive detailed feedback on argument, content engagement, and writing style/quality. Depending on first paper performance, students may be permitted to develop an appropriate research question for their final paper in conjunction with the instructor. Students will produce a draft of their final paper and circulate among the group for a mini-conference during the last class, during which students will be expected to provide their peers with constructive feedback. The final paper will be 15-20pp. For further expectations see end of document.

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² The Weekly Response assignment may be substituted by student-led class presentations depending on final class size.

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Grading

The class grade will be compiled as follows:

- 20% Participation (*including weekly responses, attending required office hours and when needed, and active engagement in class*)
- 35% First Paper
- 45% Final Paper

Class Texts

Students must either purchase, or loan from the library, the following titles. Those marked with an asterisk (*) are highly recommended for purchase and will be available at the Brown Bookstore, along with more limited supplies of the remaining titles. (The Amazon.com Marketplace also has numerous used titles available for cheaper purchase.) The use of electronic versions of these titles is also acceptable.

Alexander, Michelle, The New Jim Crow: Mass Incarceration in the Age of Colorblindness, New Press (paperback, 2012) * **WILL ARRIVE LATER TO BOOKSTORE**

Freeman, Michael, Freedom or Security: The Consequences for Democracies Using Emergency Powers to Fight Terror, Praeger (May 2003) *

Grayling, A.C., Liberty in the Age of Terror: A Defence of Civil Liberties and Enlightenment Values, Bloomsbury USA (May 2011)

Honig, Bonnie, Emergency Politics: Paradox, Law, Democracy, Princeton University Press; Reprint edition (August 2011) *

Ignatieff, Michael, The Lesser Evil: Political Ethics in an Age of Terror (Gifford Lectures), Princeton University Press (September 2005)

Lazar, Nomi Claire, States of Emergency in Liberal Democracies, Cambridge University Press (June 2013) *

Rossiter, Clinton, Constitutional Dictatorship: Crisis Government in the Modern Democracies, Transaction Publisher, Revised edition (September 2002)

Schmitt, Carl:

Political Theology: Four Chapters on the Concept of Sovereignty, University Of Chicago Press; First Edition (January 2006) *

The Concept of the Political, University Of Chicago Press; Expanded edition (May 2007) *

OCRA AND LIBRARY RESERVES: To avoid undue expense, some additional readings will be made available via Online Course Reserves Access (OCRA), available directly through the Canvas site, or directly online if freely available. (If you use the OCRA website, the password you need is 'emergency.') These readings are marked [OCRA]. Readings marked [RESERVE] will be on in-library reserve. **Students are strongly advised to access and print/download readings to their devices (if required) at least a week in advance.**

Class and Assignment Schedule

- Jan-27 **Introduction**
- Feb-3 **Liberal Democratic Values I:
Liberty, Tyranny and Limited Government**
Locke, *Second Treatise on Government*, Chs VIII, IX
(<http://www.constitution.org/jl/2ndtreat.htm>, Constitution Society,
Accessed Sept 2014)
Jefferson, Thomas, *Declaration of Independence of the United States of
America* (http://www.constitution.org/us_doi.htm, Constitution Society,
Accessed Sept 2014)
Mill, *On Liberty* (selections TBC, will refer to chapter and page numbers for
Project Gutenberg online edition)
<http://www.gutenberg.org/files/34901/34901-h/34901-h.htm>
- Feb-10 **Liberal Democratic Values II: Democratic Tensions**
Rousseau, *On the Social Contract* [Selections TBC]
(<http://www.constitution.org/jjr/socon.htm>, Constitution Society, Accessed
Sept 2014)
Madison, *Federalist 10* (<http://www.constitution.org/fed/federa10.htm>,
Constitution Society, Accessed Sept 2014)
Mill, *On Liberty* (selections TBC)
<http://www.gutenberg.org/files/34901/34901-h/34901-h.htm>
Tocqueville, *Democracy in America* (brief selections TBC)
<http://www.gutenberg.org/files/815/815-h/815-h.htm>
- [Feb-17 LONG WEEKEND – no class]**
- Feb-24 **Liberal Democratic Values III: Protecting Rights and ‘Core Values’**
Brettschneider, Corey, ‘The Value Theory of Democracy,’ Ch1 in Democratic
Rights: The Substance of Self Government, Princeton, 2007 [RESERVE, e-
book]
Lazar, Ch1
- Mar-3 **Order and Decisionism**
Hobbes Thomas: *Leviathan*, 1660, online edition, Oregon State University:
[http://oregonstate.edu/instruction/phl302/texts/hobbes/leviathan-
contents.html](http://oregonstate.edu/instruction/phl302/texts/hobbes/leviathan-contents.html)
- If you are not familiar with Hobbes, please start with this for background:
- Ch XIII Of The Natural Condition Of Mankind As Concerning Their Felicity And Misery (<http://oregonstate.edu/instruct/phl302/texts/hobbes/leviathan-c.html#CHAPTERXIII>)

Read the Following Sections:

- Ch XVII, Of the Causes, Generation, and Definition of a Commonwealth (<http://oregonstate.edu/instruction/phl302/texts/hobbes/leviathan-c.html#CHAPTERXVII>)
- Ch XVIII, Of the Rights of Sovereigns by Institution (<http://oregonstate.edu/instruct/phl302/texts/hobbes/leviathan-c.html#CHAPTERXVIII>)
- Of the Things that Weaken or Tend to the Dissolution of a Commonwealth (<http://oregonstate.edu/instruct/phl302/texts/hobbes/leviathan-e.html#CHAPTERXXIX>)
- Ch XXX, Of the Office of the Sovereign Representative (<http://oregonstate.edu/instruction/phl302/texts/hobbes/leviathan-f.html#CHAPTERXXX>)
- Ch XXI, Of the Liberty of Subjects (<http://oregonstate.edu/instruction/phl302/texts/hobbes/leviathan-d.html#CHAPTERXXI>)

Also read: Schmitt, Carl, *The Crisis of Parliamentary Democracy*, Preface, Ch1 [RESERVE].

Mar-10 **Problems of Emergency and Unity**
Lazar, Chs 2-3
Schmitt, *Political Theology*, Chs 1&2.
Schmitt, *The Concept of the Political* (essay within the book)

*****Mar-14 FIRST PAPER DUE AT MIDNIGHT (7-8 pages)*****

Mar-17 **Prerogative Power and the idea of Dictatorship**
Locke, Second Treatise, Ch XIV 'Of Prerogative'
Rossiter, *Constitutional Dictatorship*
Lazar, Ch5

[Mar-24 SPRING RECESS – no class]

Mar-31 **'Dirty Hands,' dilemmas of leadership and response**
Walzer, Michael, 'The Problem of Dirty Hands', *Philosophy & Public Affairs*, Vol. 2, No. 2 (Winter, 1973), pp. 160-180 [CANVAS]
Feldman, Leonard C., 'Judging Necessity: Democracy and Extra-Legalism', *Political Theory*, Vol. 36, No. 4 (Aug., 2008), pp. 550-577 [CANVAS]

Apr-7 **Students MUST attend office hours this week to discuss potential Final Paper questions.**

Apr-7 **Theme Discussion I:
Conflict, Terrorism, and Emergency Powers**
Grayling, *Liberty in the Age of Terror*
Freeman, *Freedom or Security*
Ignatieff, *The Lesser Evil*
(I may move one of the above book titles to the following week—TBC)

Recommended case reading:

Korematsu vs. United States, 323 U.S. 214 (1944)

(<http://laws.findlaw.com/us/323/214.html>;

[http://en.wikipedia.org/wiki/Korematsu v. United States](http://en.wikipedia.org/wiki/Korematsu_v._United_States))

Youngstown Co. v. Sawyer, 343 U.S. 579 (1952)

(<http://laws.findlaw.com/us/343/579.html>;

[http://en.wikipedia.org/wiki/Youngstown Sheet & Tube Co. v. Sawyer](http://en.wikipedia.org/wiki/Youngstown_Sheet_%26_Tube_Co._v._Sawyer))

Boumediene v. Bush, 553 U.S. 723 (2008)

([http://en.wikisource.org/wiki/Boumediene v. Bush](http://en.wikisource.org/wiki/Boumediene_v._Bush);

[http://en.wikipedia.org/wiki/Boumediene v. Bush](http://en.wikipedia.org/wiki/Boumediene_v._Bush))

Apr-14

Theme Discussion II:

**Contemporary Policing Concerns (profiling and militarization)
and the value of 'Equality Before the Law'**

Alexander, *The New Jim Crow* (selections TBC)

Additional Readings TBC

Apr-21

Theme Discussion III:

Privacy and Surveillance in the Digital Age

Solove, *The Digital Person* (selections TBC)

Additional Readings TBC

Apr-28

Problematizing/Challenging ideas of 'emergency' and 'regular law-and-order' and their relationship

Honig, Bonnie, *Emergency Politics*

Lazar, Chs 4&6

Neocleous, Mark, 'The Problem with Normality: Taking Exception to "Permanent Emergency,"' *Alternatives, Global, Local, Political*, Vol. 31, No. 2 (Apr-Jun 2006), pp191-213 [CANVAS]

*****May-01 CIRCULATE DRAFTS OF FINAL PAPERS BY MIDNIGHT*****

May-05

Paper Conference / Conclusion

Depending on class size, Students will either read all papers or will each sign up to be a discussant for another person's paper. Students are expected to have read their assigned papers and prepared some constructive comments before the class.

*****MAY 10 FINAL PAPERS DUE AT MIDNIGHT (15-20 pages)*****

Additional Class Expectations:

ACADEMIC HONESTY: Students are expected to abide by University policies on academic honesty. Papers will not be accepted without appropriate citations and a complete bibliography. Incidents of plagiarism will be referred to the Dean's Office, and may separately result in a grade of N/C for the class.

CLASS ETTIQUETTE: Class discussions will abide by mutual respect among members, and shall accommodate intellectual diversity and respectful disagreement concerning the subject matter.

PAPER SUBMISSION: Papers should be submitted via Canvas by the due date. In the event of a technical problem with Canvas uploading, papers may instead be submitted to mattlyddon@brown.edu.

Extensions will ordinarily be considered only in circumstances of family or medical emergency. Students should plan to allocate adequate time to complete their assignments by the assigned deadline(s).

Late Penalties: papers submitted after the due-date will be subject to a penalty of one third of a grade per day or part-day late.

PAPER FORMATTING

- **FILE TYPE:** Papers should be submitted as Microsoft Word (or compatible) editable documents (no PDFs please).
- **DOCUMENT FORMATTING:** Papers should be formatted as follows: Times New Roman 12pt, double-spaced, 1" margins, with the student's name and the class number (POLS 1823T) clearly displayed in the header. No cover pages please.
- **CITATIONS:** All evidence used is to be completely cited—no preference as to method but use one consistently. Full bibliographic information for each source must either be appended as a works cited list, or recorded at first footnote citation, depending on the citation method used. An introduction to the MLA format can be found at [Purdue University's Online Writing Lab](http://www.purdue.edu/writinglab) site.

TECHNOLOGY USE: Phones should be turned off/silent/ to airplane mode during class and should not be used, out of respect to the instructor and other students. Laptops must be used strictly for note-taking, Canvas use, and pertinent research. Laptops are to be powered down at the instructor's request for class discussions. **Students should avoid social media use or recreational web browsing (words with friends, sports games, news sites etc.) during class.**

ACCOMMODATIONS: Students requiring special accommodations should talk with the instructor privately and are expected to have identified and discussed their needs with SEAS staff. Details: <http://www.brown.edu/campus-life/support/accessibility-services/>