PHIL 6710: THE POLITICS AND ETHICS OF STATE MEMBERSHIP
MARQUETTE UNIVERSITY
Department of Philosophy
SPRING 2014, M&W
Time: 9:00am – 10:15am
Location: Johnston Hall 416

INSTRUCTOR: Dr. GRANT J. SILVA, Assistant Professor
OFFICE HOURS: Tues 12:00 pm -2:00 pm & Wed 11:30 am- 1:30 pm OR by appointment
OFFICE ROOM NUMBER: Coughlin 138
PHONE: 414-288-5653
EMAIL: grant.silva@marquette.edu

COURSE DESCRIPTION
What are the core concepts at the root of state membership, political representation and immigration policies throughout the world today? Many, if not all, mainstream theories of justice begin within a bounded political community or assume the category ‘citizen’ to be uncontested. How do these assumptions limit the range and scope of political justice and problematize the idea of immigrant rights? Should political borders, which depend upon contingencies of birth like where and to whom one is born, play a role in the determination of life expectancy and quality of life for human beings? In light of global economic crises, war and even climate change, how does the reality of human migration necessitate novel approaches to justice? Can an argument be made for economic refugees? What are the intersections of racism and immigration policy? How does “political realism” and exaggerated sovereignty-claims betray the interconnected nature of states and the need for international or transnational conceptions of justice? Can human rights function in a world of sovereign states?

This course explores the history of various “citizenship debates” in the context of liberal and republican states, nation-states and supranational organizations like the European Union. Students unfamiliar with the liberal or communitarian philosophical traditions will learn much about the nature of justice, rights and political membership within these traditions. After addressing the question of “differentiated citizenship” and the challenges that multiculturalism presents to political institutions today, our focus will shift towards immigration policies of admission and exclusion. Last, we will explore the nature and justification of state sovereignty as connected to international borders with the goal of normative solutions in mind. I view borders as the remnants and continuance of imperial aspirations and colonization, thus implicit to this course is the application of a decolonial method meant towards rethinking the practice of state membership in the 21st century.

In order to explore the full range of debate regarding questions related to immigration, refugees and citizenship this course will be more interdisciplinary than a regular philosophy seminar. We will venture into legal studies, political science, geography and history (in addition to other fields of study). In terms of approach, we will draw from analytic and continental philosophers, as well as philosopher of race, gender and ethnicity. As a graduate seminar, this course is primary discussion-based. Graduate students must come to class prepared with reading materials in hand (or at their fingertips) and ready to discuss. The expected level of preparation is coming to each class ready to lead discussion.

Key Terms: Citizenship (as practice and status), Nationalism, Multiculturalism, Exclusionary Practices, Positive and Negative Rights, Immigration, International Migration, Legal Status, Transnationalism, Refugee Status, Constitutional Rights, Human Rights
ASSIGNMENTS

There will be one take-home midterm essay (I will assign the questions—35%) and one final research paper (50%). You must submit a précis three weeks before the end of the term/semester. Emphasis will be placed on analytical writing and reading. You will also be expected to lead a seminar-style class (10%)—this will be graded and I expect a handout or notes of some kind. Students will also be expected to attend a community-building event connected to a local immigrant or refugee population in the greater Milwaukee or Chicago area (5% for a report on this event). If for some reason this is not possible please let me know as soon as possible.

REQUIRED TEXTS

PDFs and journal articles will supplement the books below.


**Recommended:**


READING LIST

The list below comprises a complete overview of the debates regarding citizenship, national representation and the ethics of inclusion/exclusion (immigration admission policies). I will assign particular readings as we move along and most will be built around a primary text (first will be Cole’s Philosophies of Exclusion). We will not discuss all of the readings below. For example, most “introductory” readings are meant to provide an overview of material we will delve into in more detail. There are also historical texts (HIST) that, if you are not familiar with, you should take a look at. Note that the order below isn’t indicative of our reading order; I will provide a separate document for that.
Introduction to the main problematic (to be done first week of class):

I. Historical Survey of Political Membership:

Introductory/Overview Readings


A. Citizenship as activity and status and political communities

1. Aristotle, Politics (Books I-III) (Please perform a cursory reading focused on “citizenship”). HIST
2. G.M.A. Pocock, “The Ideal of Citizenship since Classical Times” (Citizen Debates), pp. 31-42. D2L
4. Isaiah Berlin, “Two Concepts of Liberty.” (Please perform a cursory reading focused on “citizenship,” also focus on his concerns regarding what he calls “positive liberty.”) D2L HIST
8. Ernst Renan, “What is a Nation?” D2L HIS
12. Charles Taylor, “Democracy Exclusion (and Its Remedies?)” D2L

II. The Multicultural Challenge (and Response)

1. Taylor, “Politics of Recognition,” D2L
2. Kymlicka, “Multicultural Citizenship,” D2L

III. The Immigration Challenge: Ethical, Legal and Racial

Introductory/Overview Readings


A. The Open Borders Debate and The Right to Exclude

2. James L. Hudson, “The Philosophy of Immigration” D2L
5. David Miller, “Why Immigration Controls Are Not Coercive: A Reply…” pp. 111-120

B. The Question of Alienage, Rights and the Constitutionality of “Illegality”

6. Kymlicka, “Immigration, Citizenship and Multiculturalism: Exploring the Links” D2L

IV. Borders, Sovereignty and Transnational-Citizenship? Solutions & Further Questions

1. Rainer Bauböck, “Towards a Political Theory of Migrant Transnationalism” (International Migration Review, Vol. 37, No. 3 Fall 2003) D2L
2. Étienne Balibar, “Strangers as Enemies. Further Reflections on the Aporias of Transnational Citizenship” D2L
3. Balibar, “At The Borders of Europe” D2L
4. John Agnew, “Borders on the mind: re-framing border thinking,” Ethics and Global Politics (Vo. 1, No. 4., 2008), pp.176-. D2L
7. Wendy Brown, Walled States, Waning Sovereignty
8. Jacqueline Stevens, States without Nations (excerpts, pp. 1-103)

SUPPLEMENTAL INFORMATION

In terms of grading:
- “A” is excellent. You went above and beyond what is asked in the prompt. You answered the prompt directly, precisely with no fluff. Usually there is something unique and original in one’s exegesis or argument. This is not to make a fetish of novelty or originality but “A” papers reflect a qualitative, and even quantifiable (in terms of time), investment in your paper. Note: originality and creativity aren’t often provided ex nihilo; tying two different ideas together or using a concept in a way different from its original purpose. Your thesis is strong, clear and well argued for—the last is an important point since this implies the difference between positing a claim and arguing for one. The writing/syntax is flawless or almost flawless. 93% and above.
- “B” is above average. You answered the prompt in a precise and direct manner but did not contribute anything novel or original, e.g. you didn’t provide a unique take on the readings in question, you didn’t summarize the material in way that demonstrates your mastery of the literature/task, your thesis wasn’t as clear as it could be or argued for. The writing is
fine, but you could do better in being more concise—which would open space for more personal voice or the type of material that gets one into the next grade level. 83%-88%

- “C” is average. You did what was asked of you in an adequate way. You answered the prompt in a coherent fashion that met expectations but did not exceed them. You did the basic in terms of source material. You could afford more engagement with the text. Your thesis is in several places and unclear. Some minor writing problems. 72-78%

- “D” your work is below average. You did not satisfy the minimum required to pass. You either failed to answer the question completely, chose not to address a part of the prompt, misinterpreted material in a contrived way (i.e. to bolster your point of view), wrote in such a horrendous manner that I could not access your ideas, did not address the readings. 68-60%

- “F” you did not address the prompt at all. You didn’t use any source material. Your argument is contradictory or flawed. Your paper is incomplete. It is pure opinion and no argument or engagement with text. 59% and below.

A comment on grading philosophical writing: Faculty regularly discusses grading criteria. The standards applied to college courses reflect these discussions and the conclusions reached through them. Remember that the professor’s job is a bit more objective than you may have previously thought. While we realize the effort writers have put into an essay, our job is ultimately to examine the written product and measure its success according to the criteria or rubric (see material below pertaining to writing philosophy papers). I am not here to grade grammar but if I cannot read you paper (because of errors, poor wording/syntax) it makes grading the content of your ideas difficult, if not impossible. The important point is to think and write in a clear, focused and precise manner. I invite any opinion you may have but it is how you support your views that matter the most, i.e. your argument. In your writing I am looking for critical thought that is original. Feel free to use the first person, e.g. “I think… My thesis is….” However, unless specified, writing assignments are not personal reflection essays. If you are having trouble come see me! I can help with outlines and possibly read a draft. You can also visit the writing center [http://www.marquette.edu/english/writingcenter/](http://www.marquette.edu/english/writingcenter/).

PAPER WRITING GUIDE

Note: When you get your papers back, there will be comments. The letters in parentheses indicate what aspect of your writing might need improvement. You may see the comments the second or third time this aspect still needs work.

1. CLARITY (CL) Since this is a philosophy paper, make sure that you define your terms and give reasons for claims. All of your ideas should be explicitly stated and not left for the reader to infer. One difference between philosophy and literature is that philosophers spell everything out, while creative writers depend on the imagination of the reader. Also, philosophy papers are argumentative in nature. There is no right or wrong answer, and yes, everything is about opinion. However, there are better or worse interpretations of texts and better or worse arguments backing your opinion. Be clear about what you are arguing for and remember that writing philosophy papers is like the persuasive essays you wrote in high school—make sure your point is well articulated.

2. PRECISION (P) Try not to make vague claims or general statements about the ideas in the readings. Be accurate in reporting the views of others and exact in stating your own.

3. ORGANIZATION (O) Organize the ideas in the paper into a few coherent paragraphs. Summarize the main claims of your paper in 2 or 3 sentences that you write after you write the paper, but put at the very
beginning of the paper. This is an appropriate introductory paragraph for a philosophy paper, not a “filler” or “fluffy” beginning (see below #8).

4. WRITING MECHANICS (WR) The mechanics include spelling, punctuation, syntax and complete sentence structure. Make sure that you already have these down or consult a source if you don’t. Highly recommended is Strunk and White’s *The Elements of Style*. This is available online at [www.bartleby.com/141/](http://www.bartleby.com/141/)

5. ANALYSIS (A) Analyze claims. This means breaking your ideas down into their simpler components, and defining them. Do not start with or rely on dictionary definitions, but use your own words and cite the dictionary only if necessary. Dictionary definitions report usage, whereas a philosophical definition may be critical of current usage or find it vague. Examine the logical consequences of your claims and the claims of others.

6. CITATION (C) Cite the required readings this way in your text: (author’s last name, page #.) As well, provide a list of citations at the end of the paper. It is important to do this to show you have done the required reading and are not just recycling notes from class or discussion group lectures. If you do use material from lecture, please make sure to cite that as well.

7. QUOTATIONS (Q) Quotations should be used to illustrate a claim that you are making about an author. They are not a substitute for explaining the author’s thought in your own words. A good strategy is to state the author’s ideas in your own words first and then “prove” your interpretation with a short quote.

8. DIRECT (D) Be direct! No fluff! No stuff like: “Since the beginning of time people have thought about philosophy…” Make sure that you give a direct and focused answer to the question for the paper.

**CLASSROOM CONDUCT**

**TIPS:** Successful students conduct themselves in a professional manner because going to the university is a professional environment. Treat it like a job. You are incredibly lucky to spend four years or so studying so as to better your life. You made a choice to do this—at least I hope *you* did and not mom or dad or the legal system—if you don’t want to be in school or in my class please leave. Don’t waste your time, money and energy—either you or someone else (parents, taxes, scholarship is paying for you to read this).

Successful students are ready to start class at the appropriate time and have their notebooks open and their pens/keyboards ready to take notes; diligently taking notes and being attentive during class shows a professor that the student is a serious and wants to learn. When I evaluate your in-class participation grade this will be important. In addition, most students need to move the material from their ears and eyes through their brain and hand or recording device in order to absorb it more effectively. Notes also serve as a reminder of what was discussed and can help flag material that is unclear to you. If you get home or to the library, read your notes, and can’t remember or understand what you wrote, ask about it at the next class meeting or via e-mail or during office hours.

Successful students ask questions about anything in class they do not understand. They do not engage in side conversations and whispering because this is disruptive and distracting to others around them. Many students have made huge personal sacrifices to come to college; don’t disrupt their class. I may ask students who are engaging in side conversations to leave the class if they persist in annoying those around them.

Successful students are attentive during class; they do not doze off, do homework for other classes, organize their bags or purses, or compose letters to friends. They are also aware of those around them and are sensitive to what might offend, so they choose language that will not be considered offensive.
Also, please **turn off all cell phones, alarms, I-whathaveyou** that make noise before coming into class; they are a serious distraction and will not be tolerated. Please instruct relatives or friends to call campus security in case of an emergency. Security will look up the class in the system and then send someone to the class.

**Online/Class Discussion Courtesy Policy:** Extreme consideration for the feelings of others is expected. People can’t see you smile and won’t know that you are joking those times that you are and someone is offended. Do not tell people they are stupid or wrong. Do explain why you believe differently from someone else or disagree. If someone has the facts wrong, direct them to the source of accurate information or politely offer your alternative facts. Use of profanity or direct insults that defame a person’s character, race, ethnicity, religion, sexuality, age, profession, etc., are inappropriate and will not be tolerated and in fact grounds for harassment/lawsuit.

The Office of Disability Services serves as the college's advocate for students with disabilities and it responsible for arranging necessary support. Any student who needs academic accommodations should contact the office at (414) 288-1645. If you have a disability for which accommodations are necessary, please also inform the instructor.

<table>
<thead>
<tr>
<th>Department of Philosophy Academic Dishonesty and Misconduct Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>The instructor must determine whether a penalty of less than a grade of F for the course is warranted. If the instructor judges that a penalty less than a grade of F for the course is warranted, the instructor, the student, and the department chair should meet as soon as possible after the alleged dishonesty. After that meeting, in light of the student's explanation and motives, the instructor and chair set an appropriate penalty. Again, the penalty can range up to, but not include, an F for the course. The Chair then notifies the student by letter of the penalty and sends a copy of the letter to the Associate Dean for Academic Affairs. If, in light of the meeting with the student, the instructor and chair determine that an F for the course is warranted, then all materials are forwarded to the College's Associate Dean for Academic Affairs.</td>
</tr>
</tbody>
</table>

If the instructor believes from the beginning that a grade of F for the course is warranted, the Chair will arrange a separate and thorough review of the evidence. If, after the review, the chair decides that an F for the course is warranted, the chair will submit to the Associate Dean for Academic Affairs all relevant materials along with a report of the investigation and the department's recommendation signed by both the instructor and chair. The chair will also notify the student in writing of the department's recommendation. After that, the matter is left to the Associate Dean for Academic Affairs, who can investigate further and impose a penalty in keeping with her or his investigation.

Of course, in either case, the student can appeal the penalty within 15 days of receiving the letter.

**Note:** Instructors may not assign any penalty for academic dishonesty without following these procedures.

**Personal Statement on academic dishonesty:** I do not tolerate academic dishonesty. Plagiarism of any kind will result in a failing grade for the assignment and/or the class (see above). All it takes to catch plagiarism is for me to Google four (4) words from your paper. I will be using [www.turnitin.com](http://www.turnitin.com). This website provides a statistical percentage as to what amount of your paper is plagiarized or poorly referenced. The program is so good that it thinks that all of your
quotes are plagiarized and even provides sources on the net where I can find the “referenced” material.