

# PH312: Liberty, Morality, and Law

**Professor:** Aaron Ancell

**Time:** W 11:00 – 1:50

**Office Hours:** W 2:00 – 3:20

**Email:** [aancell@bentley.edu](mailto:aancell@bentley.edu)

**Classroom:** Smith 201

**Office:** Adamian 119

## What is this course about?

It's a free country, or so they say. But the state places many constraints on our behavior. Which of these are justified, and which are not? Should you be able to say hateful things? Drive without wearing a seatbelt? Sell your organs? In general, what moral principles should guide rule-makers as they devise rules for a just society? Potential topics of discussion include the nature and value of human freedom, the significance of morality, justice, economic choice, freedom of thought and expression, paternalism and punishment.

## Course Objectives

This course aims to improve your ability to...

...recognize the moral principles and differing conceptions of freedom that underlie many moral and political debates.

...understand and critically evaluate different points of view on controversial issues like free speech, immigration, and drug policy.

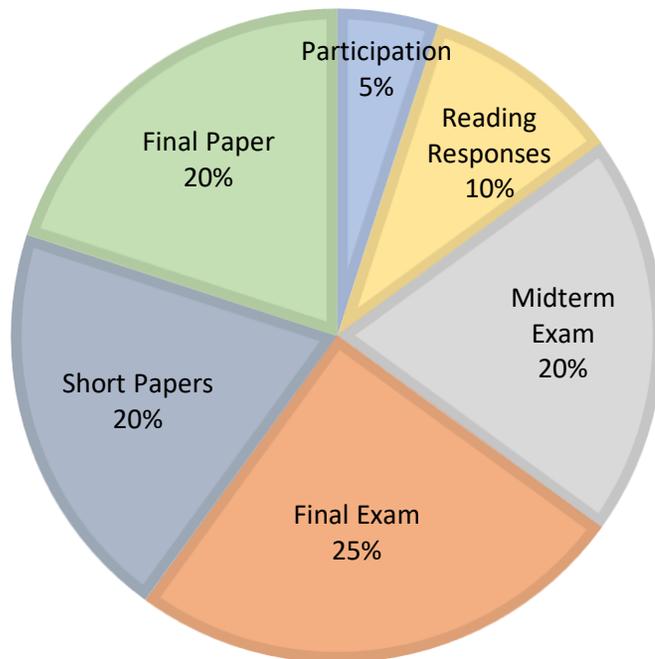
...develop an informed and coherent perspective on contemporary moral and political issues.

...construct and present arguments in defense of competing views about complex moral and political issues.

## Course Materials

You are not required to purchase any textbooks. All course materials will be available via Blackboard. If you have difficulty accessing any of the materials, please let me know and I will help you get access to them.

## Assignments and Grade Distribution



5% Participation

10% Reading Responses (10 x 1% each)

20% Take-Home Midterm Exam

25% Take-Home Final Exam

20% Short Papers (2 x 10% each)

20% Final Paper

## Class Rules

There are a lot of rules and policies you are expected to follow. Some of these are specific to this class, others are Bentley policies that apply everywhere. Many of those rules are set out in more detail in the subsequent sections of this syllabus, but here are a few of the most important rules, stated briefly:

1. **Show up for class.** In my experience, the single best predictor of doing poorly in my classes is failing to show up. This is not a class where you can simply learn all the material on your own and then take the tests. Much of the value of this class is in our in-class discussions. You are, however, allowed to miss *one* class, for any reason, without impacting your participation grade. Additional absences will require documentation.
2. **You cannot attend via Zoom just because you don't want to get out of bed.** University policy requires you to attend this class in-person unless you have a legitimate reason for attending remotely.
3. **If you are feeling ill, do not come to class.** If you are feeling sick, you should attend via Zoom until you are recovered. Please do not abuse this; I will request documentation if you are out for several classes.
4. **Do the readings.** Class is more interesting and interactive when people have done the reading and come ready to discuss it. You will be much better prepared for the exams and assignments if you keep up with the reading.
5. **Submit your work on time.** Assignments submitted after the deadline without a documented excuse will receive a 5% per day late penalty up to a maximum of a 50% penalty. I cannot accept any late work after May 10.
6. **Do not plagiarize, cheat, or engage in any other form of academic dishonesty.** The work you submit must be your own. Never use someone else's words without quotations and an appropriate citation. Always acknowledge your sources.
7. **Raise your hand and wait to be called on before speaking.** This will enable me to facilitate a more inclusive class discussion and ensure that people are not interrupting one another.
8. **Be respectful.** You are welcome to disagree with one another and with me, but you must do so respectfully. Harassment and disrespectful conduct of any kind, whether directed to me or another student, will not be tolerated.

## Participation and Attendance

**Participation:** This is intended to be an interactive class with lots of opportunities for discussion and engagement. For that to work, you need to attend class and actively participate. To incentivize attendance and participation, I have made it worth 5% of your final course grade.

Beyond regular attendance, receiving a high participation score requires actively participating in class. Actively participating does not mean you have to say something every class, and you certainly should not try to talk as much as possible. I'll also do my part to make participating easy by inviting you to answer questions, discuss things with each other in small groups, and so on. Ultimately, what I am looking for is evidence that you are actively engaged in the class.

**Class Conduct:** Class discussions will sometimes deal with controversial issues. Differing opinions and perspectives are encouraged, but everyone is expected to behave maturely and respectfully. Harassment and disrespectful conduct of any kind, whether directed to me or another student, will not be tolerated and may be subject to disciplinary action. Students are expected to adhere to Bentley's standards of appropriate conduct, known as the Bentley Core Values. In-class conduct that is disrespectful toward me or your fellow students may result in a reduction in your participation grade.

**Attendance:** Your participation grade will be based partly on your attendance. I expect you to attend class and be on time.

However, I also understand that things happen and you may need to miss class. So, I will allow you to miss one class, for any reason, without negatively impacting your participation grade.

If you need to miss more than one class, please email me to explain the situation and I will work with you to figure out an alternate form of participation. If you miss a class, it is your responsibility to catch up by reviewing the recorded class session and ensuring that you complete any related assignments on time. If you miss more than one class session without a valid excuse, you will lose 1 point out of the possible 5 points for participation for each additional absence.

**Attending via Zoom:** University policy requires you to attend class in-person unless you have a documented reason for attending remotely. Only students approved by the university will be permitted to attend remotely for the entire semester. If you are feeling ill, please email me and I will allow you to attend remotely until you are recovered. I will ask for documentation if you ask to attend remotely for a prolonged period.

## Assignments

**Reading Responses:** I would like our class discussions to be driven largely by your questions. To that end, you will be required to submit **ten** reading responses by the end of semester. Each reading response should be **at least 100 words**—but need not be much longer than that—and should show that you've done the reading and thought a bit about it. Since there are more than ten classes, you do not have to submit a response every class. However, it is your responsibility to ensure that you submit at least ten responses.

Each response will be graded pass/fail. Each passable response is worth 1% of your final course, so the 10 required reading responses comprise 10% of your final course grade

To receive credit for a response, ***you must submit it using the Journal feature on Blackboard by 10:00am on the day of the relevant class.*** That is to give me time to read the responses before class and to integrate them into our discussion.

**Exams:** There will be two take-home exams consisting of short-answer questions. The exams are open book and untimed. More details will be provided in advance of each exam. The midterm will be worth 20% of your final grade and the final exam will be worth 25%.

**Short Papers:** You will be required to write two very short (~500 word) papers setting out an argument for or against a particular viewpoint. Instructions and a rubric will be provided in advance of each assignment. Each short paper is worth 10% of your final course grade for a total of 20%.

**Final Paper:** You will be required to write a longer (~1200 word) paper that expands on one of your short papers. Instructions and a rubric will be provided in advance of each assignment. The final paper will be worth 20% of your final course grade.

## Late Work and Extensions

**Late Policy:** Assignments submitted after the deadline without an extension or documented excuse are subject to a penalty of 5% per day up to a maximum of 50% after 10 days lateness. For example, if an assignment is graded out of 20 points, you will lose 1 point per day that the assignment is late, and receive a maximum of 10/20 after 10 days. All work must be submitted by the end of the day on May 10.

**Extensions:** If you want an extension, you should request it as soon as possible. Do not email me the night before an assignment is due asking for an extension unless you have a very good reason for suddenly being unable to complete it on time. The farther in advance of the deadline you request an extension, the more likely I am to grant your request.

## Plagiarism and Academic Misconduct

Do not cheat or plagiarize. Your work must be your own. I will report any cases of suspected academic misconduct—*even minor ones*—to the Director of Academic Integrity.

Plagiarism is representing another person's work or ideas as your own. It's fraud. And it's a serious academic offense. Note that plagiarism can be inadvertent. Something as simple as copying or paraphrasing from Wikipedia without citation is plagiarism. Good intentions or misunderstanding do not excuse plagiarism.

If you use the words of another person, those words must be enclosed in quotation marks and you must include an appropriate citation. If you use someone else's ideas, you must indicate it using an appropriate citation. Failing to do those things, whether negligently or intentionally, is plagiarism. In this course, you may either use parenthetical citations, e.g. (Author 2021), with a works cited section at the end, or footnotes that contain complete citation information. Either is acceptable. For more information on how to cite sources properly, please see the Bentley Library website (<http://libguides.bentley.edu/citingsources>). You will not be penalized for making small errors in the formatting of citations, but serious penalties may be imposed if you forget or intentionally omit needed citations.

Collaboration with other students inside or outside of class is encouraged. However, directly copying, or even paraphrasing, another student's answers or work is prohibited. You can and should discuss course materials and the assignments with your classmates, but the work you submit must be your own.

Students are permitted to seek tutoring help when they are struggling to understand course material. However, you must not ask or allow a tutor to complete any part of any assignment for you. Doing so constitutes a violation of Bentley's academic integrity policy.

Note that all course materials, including material uploaded to Blackboard, are for teaching purposes for this course during this term only. It is a violation of Bentley's academic integrity policy to reproduce or distribute these materials outside of class without the instructor's express written consent. Lectures and course materials, including presentations slides, outlines, tests, and similar materials are protected by copyright even if there is no copyright notice on the material. You may take notes and make copies of course materials for your own use.

**Failure to adhere to Bentley's Academic Integrity policy can have serious consequences, including course failure, suspension, or even expulsion from the university.**

## Bentley Resources

**Library:** The Bentley Library supports the research and learning needs of the Bentley community through our spaces, technology, collections, teaching, and expertise. Open 99 hours per week during the semester, we provide spaces for quiet study and group collaboration, as well as computers, printers and other equipment. Research assistance is available until 9:00 p.m. most nights in-person at the Reference Desk and via:

- email ([refdesk@bentley.edu](mailto:refdesk@bentley.edu)),
- phone (781.891.2300),
- text (781.728.0511), and
- chat (<https://libguides.bentley.edu/reference-chat>)

Reference Librarians can help you develop research questions and topics, select databases and other resources, evaluate information, and properly cite sources. Research consultations for individuals and small groups are available in-person and via Zoom by appointment. For more information about the Library's hours, services, and resources visit our website [library.bentley.edu](http://library.bentley.edu).

**Writing Center:** The Writing Center offers one-on-one tutoring to students of all years and skill levels. Located on the lower level of the Bentley library (room 023), the Writing Center provides a welcoming and supportive environment in which students can work on writing from any class or discipline. Writers are encouraged to visit at all stages of the writing process; they can come with a draft, an outline, or just some initial thoughts and questions. Staffed by highly skilled student tutors, the Writing Center is open six days a week. Most conferences will be conducted online, but limited in-person hours will be held by appointment only. Appointments can be made at <https://bentley.mywconline.net/>.

**ESOL Center:** The ESOL Center offers online appointments for helping undergraduate and graduate students strengthen their writing and English language skills. Our ESOL faculty tutors specialize in working with international and multilingual students to provide one-on-one support for all courses writing at any stage in the writing process. Along with individualized help for writing, the ESOL tutors provide guidance and feedback for documenting sources, oral presentation practice, and pronunciation/fluency enrichment.

The ESOL Center offers real-time video appointments Monday through Friday between 7:30 a.m. and 10:00 p.m. These can be reserved through our website: <https://bentley.mywconline.net/>. The complete information about booking appointments and uploading papers is clarified on the website's announcement page.

**Counseling Center:** The Counseling Center is available for all students who are struggling and seeking mental health support. The Counseling Center staff are available for an initial consultation, which will be used to assess and determine the best course of action to help a student. If appropriate, staff can schedule students for short-term therapy. Should it be determined that more long-term, intensive, specialized or local support is necessary, Counseling Center staff will assist with connecting students with those resources. Please call our main number ([781-891-2274](tel:781-891-2274)) to make an appointment.

For students in crisis, we also offer mental health support outside of regular business hours. Should you need to connect with one of our afterhours clinicians, please call our main number and follow the prompts.

## Bentley Policies

**Attendance:** Students are expected to attend every class session. For full semester courses, students (whether currently registered in the course or not) must start attending classes by the first class meeting after the add/swap period ends.

Only students approved by the University for remote course attendance should attend course remotely. All other students are expected to attend class in person, unless University policy changes or they provide to the Professor a legitimate health or other reason to attend a particular class or classes (not the entire semester) remotely.

**Face Masks:** Beginning Monday, August 30, face coverings will be required in all classrooms and in academic and administrative buildings on the upper campus, except when in a private office. This requirement will apply to all students, faculty and staff, vaccinated and unvaccinated. This policy will be reevaluated by the end of September, once our campus ease-in period has passed.

**Religious Accommodations:** Bentley University is committed to supporting a diverse and inclusive campus culture. We recognize the diversity of religious traditions represented in the campus community and affirm the rights of students to receive accommodations for academic absences due to religious observances in accord with Massachusetts state law and Bentley core values.

### **Non-Discrimination and the Bias Incident Report Team:**

Bentley University does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity and/or expression, marital status, age, national origin, citizenship status, disability, genetic information, military or veteran status. Bentley University's policies and practices reflect the university's commitment to nondiscrimination in all areas of employment. The university complies with Title VI of the Civil Rights Act, Title IX of the Education Amendments, Section 504 of the Rehabilitation Act and Revenue Procedure 75-50 prohibiting such discrimination. The Bias Incident Response Team (BIRT) provides students affected by bias or bias-related incidents with access to appropriate resources. More information about BIRT and how to file a bias incident report can be found at <http://www.bentley.edu/offices/student-affairs/birt>.

**Disability Services:** Bentley University abides by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 which stipulate no student shall be denied the benefits of an education solely by reason of a disability. If you have a hidden or visible disability which may require classroom accommodations, please call Disability Services within the first 4 weeks of the semester to schedule an appointment (781.891.2004) Jennison 336. Disability Services is responsible for managing accommodations and services for all students with disabilities.

Schedule				
Week	Day	Topic	Reading & Pre-Class Work	Deadlines
1	Wed. Jan. 26	Laws and Liberties	<ol style="list-style-type: none"> <li>1. Complete the Pre-Class Survey (link on Blackboard)</li> <li>2. Read: "COVID-19 and Human Freedom," by Joseph Stiglitz</li> <li>3. Read: "Tools for Thinking: Isaiah Berlin's Two Concepts of Freedom," by Maria Kasmirli</li> </ol>	
2	Wed. Feb. 2	Anarchism and the Problem of Political Authority	<ol style="list-style-type: none"> <li>1. Read: "The Problem of Political Authority," by Michael Huemer</li> <li>2. Read: "Authority is Not the (Only) Problem," by Nicole Hassoun</li> </ol>	
3	Wed. Feb. 9	The State and the State of Nature	<ol style="list-style-type: none"> <li>1. Read: Excerpt from <i>Leviathan</i> by Thomas Hobbes</li> <li>2. Read: "Why I am not an Anarchist," by Christopher Wellman</li> </ol>	
4	Wed. Feb. 16	Civil and Uncivil Disobedience	<ol style="list-style-type: none"> <li>1. Read: "Letter from a Birmingham Jail," by Martin Luther King Jr.</li> <li>2. Read: "In Defense of Destroying Property," by R.H. Lossin</li> <li>3. Read: "When the State is Unjust, Citizens May Use Justifiable Violence," by Jason Brennan</li> </ol>	
5	Wed. Feb. 23	Free Speech, Hate Speech, and the Harm Principle	<ol style="list-style-type: none"> <li>1. Read: "Liberalism and Truth," by Aaron Ancell</li> <li>2. Read: "Hate Speech: Is there a Case for Banning?" by Bhikhu Parekh</li> <li>3. Read: "The Case for Restricting Hate Speech," by Laura Beth Nielsen</li> </ol>	
6	Wed. Mar. 2	Regulating Speech in the Attention Economy	<ol style="list-style-type: none"> <li>1. Read: "Is the first amendment obsolete?" by Tim Wu</li> </ol>	
7	Wed. Mar. 9	Religious Exemptions	<ol style="list-style-type: none"> <li>1. Read: "Drawing a line in the 'Gay Wedding Cake' case," by John Corvino</li> <li>2. Read: "The Moral Basis of Religious Exemptions," by Kevin Vallier</li> </ol>	Short Writing 1 Due
SPRING BREAK				
8	Wed. Mar. 23	Libertarian Paternalism	<ol style="list-style-type: none"> <li>1. Read: Excerpts from <i>Nudge</i> by Richard Thaler and Cass Sunstein</li> </ol>	Midterm Exam Due

9	Wed. Mar. 30	Coercive Paternalism	<ol style="list-style-type: none"> <li>1. Read: Excerpts from <i>Against Autonomy: Justifying Coercive Paternalism</i> by Sarah Conly</li> <li>2. Read: "How One Massachusetts Town Could Shape the Future of Tobacco," by Jamie Ducharme</li> </ol>	
10	Wed. Apr. 6	Drug Prohibition	<ol style="list-style-type: none"> <li>1. Read: "America's Unjust Drug War," by Michael Huemer</li> <li>2. Read: "The Public Health Case for Legalizing Marijuana," by Mark Kleiman</li> <li>2. Read: "I Used to Support Legalizing All Drugs. Then the Opioid Epidemic Happened," by German Lopez</li> </ol>	
11	Wed. Apr. 13	Markets and their Limits	<ol style="list-style-type: none"> <li>1. Read: "What Isn't For Sale?" by Michael Sandel</li> <li>2. Read: "Markets in Life and Death," by Michael Sandel</li> <li>3. Read: "Brother Can You Spare a Kidney?" by Debra Satz</li> <li>4. Read: Excerpts from <i>Markets Without Limits</i> by Peter Jaworski and Jason Brennan</li> </ol>	Short Writing 2 Due
12	Wed. Apr. 20	Immigration	<ol style="list-style-type: none"> <li>1. Read: "The Case for Open Immigration," by Chandran Kukathas</li> <li>2. Read: "Immigration: The Case for Limits," by David Miller</li> </ol>	
13	Wed. Apr. 27	Course Wrap-Up		Final Exam Due
Exam Week	Tue. May 10		NO CLASS: You must submit your final paper via Blackboard by the end of the day.	Final Paper Due