

PHIL 3074 Disobedience, Dissent, Resistance, and Rebellion

School of Philosophy
The Australian National University



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National
University

Course Description

“We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed... ‘Wait’ has almost always meant ‘Never’”
— Martin Luther King Jr

Oppression and injustice are difficult to tackle. If we choose not to “wait,” what are our options? This course is about disruption, defiance, disobedience, and dissent. We shall ask questions like “when is it justified to openly disobey the law?” “do we have an obligation to resist oppression?” “is violence ever an option?” Sometimes merely living up to one’s conscience can be extremely difficult. This course is also about the conflict between legal demands and the demands of one’s deeply held moral or religious convictions. May we reject complicity in what we see as wrongdoings, even if doing so imposes costs on others? Using the tools of political philosophy, together with consideration of real-world cases—many of them happening right now—we shall discuss the demands and limits of a number of different types of insubordinate political activities, including civil disobedience, conscientious objection, secession, and revolution.

Lecturer	Ten-Herng Lai
Office	Coombs Building 9, Rm 3218
Consultation	By appointment
Email	ten-herng.lai@anu.edu.au

School of Philosophy

The joint office of the School of History and School of Philosophy is located on the ground floor of Coombs Building.

Teaching Mode

Seminar Time: Fridays 11-2
Location: HAN 2.24

This course will be discussion based, and will presume that students have read the assigned material. I will single out “must reads,” but reading beyond “must reads” will benefit the student greatly when it comes to writing the essays, and will make discussions more fruitful.

Learning Outcomes

Upon successful completion of this course, students will have the knowledge and skills to:

1. Understand and articulate the material covered in the course.
2. Argue for a philosophical position related to the material covered in the course.
3. Display skill in writing research papers in philosophy.

Assessment Requirements

- Class participation (10%) [Learning Outcomes 1 and 2]
 - Contributing to the discussion will contribute to a good participation grade. Contributions include but are not limited to: asking questions, answering questions, and sharing thoughts.
 - Disrespectful behavior will be discouraged, and will reflect negatively on participation grades. Disrespectful behaviors include but are not limited to offensive behavior towards others, and being dismissive towards classmates' contributions.
- Two x 2,500 word essays (45% each) [Learning Outcomes 1-3]
 - Essays must demonstrate an engagement with the scheduled readings for the course by proper use of citations and references.
 - Although I will only provide written comments on the submitted version of the essays, students are encouraged to discuss the motivation, outline, structure, and main arguments of their assignments with me by appointment.

Assessment Submission

Online Submission

Essays are submitted using Turnitin in the course Wattle site. You will be required to electronically sign a declaration as part of the submission of your assignment. Please keep a copy of the assignment for your records.

Extension and Special Consideration Policy

Extensions will be granted only in extenuating circumstances. All requests must be made to the lecturer with supporting documentation.

Late Policy & Additional Penalties

There is a 5% per working day penalty for work that is late without an extension. Late essays will be accepted up to but not beyond 1 week after the due date. Students may be 10% over or under the specified word count(s) without penalty but will be penalized thereafter.

Referencing Requirements

Please learn any writing style from "Purdue Online Writing Lab."
<https://owl.english.purdue.edu/owl/resource/560/01/>

Gender Inclusive Language

Gender inclusive language is strongly encouraged.
<https://services.anu.edu.au/human-resources/respect-inclusion/gender-inclusive-language>

Academic Dishonesty (Plagiarism or Cheating)

ANU does not tolerate cheating or assisting others to cheat and views cheating on coursework as a serious academic offence. The work that you submit for grading must be your own work, reflecting your learning in the course. Any student found forging, plagiarising, cheating or assisting others to cheat on any assignment will receive a failing grade.

Plagiarism is taking and using as your own the work or thoughts of another person. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the internet. Acknowledgement is usually done by providing a reference (either in a footnote or in brackets in the text) to where the material can be found.

If you prepare for essays by copying out sentences or passages from texts and lectures, make sure to keep a clear record for yourself of where the material comes from, and of what is quotation and what is your own summary or comment. Anything that is quoted should be indented or appear within quotation marks. Simply pasting together passages, or close summaries of passages, from things you have been reading (whether these are texts, suggested reading, lecture handouts or internet sources) can amount to plagiarism. Even if you give references in footnotes and in your Bibliography, and are not intending to deceive the lecturer into thinking that you have thought and said these things yourself, you will be penalized for this sort of essay preparation. The lecturer cannot give you a grade for your ability in the course unless you can put things into your own words, to show your own understanding of what is being said. Please familiarise yourself with, and follow, the University's Academic Honesty Policy:

<http://academichonesty.anu.edu.au/index.html>

<http://cass.anu.edu.au/current-students/coursework-policy-and-procedures>

Topic and readings

All the material in this course is accessible online via Oxford Online Scholarship, ANU Library Access, Google Scholar, or simply Googling (in cases where there are no noticeable copyrights issue). Materials marked with a * are "must reads."

Though not required, it will be extremely beneficial for the students to read, before or during the course, the following online resources:

- Pryor, J. (2012). Guidelines on writing a philosophy paper.
<http://www.jimpryor.net/teaching/guidelines/writing.html>
- Brownlee, K. (2013). Civil Disobedience. *Stanford Encyclopedia of Philosophy*.
<https://plato.stanford.edu/entries/civil-disobedience/>
- Guidelines for respectful, constructive, and inclusive philosophical discussion
Compiled by David Chalmers.
<http://consc.net/guidelines/>

1 (23 Feb) Introduction and House Keeping

- King Jr, M. L. (1963). Letter from Birmingham city jail.*
- 198 Methods of Nonviolent Action.*
- Plato's *Crito*. From 49c.*
- Other housekeeping stuff (course requirements, how to write, how to cite, how to SEP/philpapers/google scholar, how to legally access course material).

2 (2 Mar) Civil disobedience

- Rawls, J. (1991). Definition and justification of civil disobedience. *Civil disobedience in focus*, 103-121.*
- Brownlee, K. (2004). Features of a paradigm case of civil disobedience. *Res Publica*, 10(4), 337-351.*
- Sabl, A. (2001). Looking Forward to Justice: Rawlsian Civil Disobedience and its Non-Rawlsian Lessons. *Journal of Political Philosophy*, 9(3), 307-330.

3 (9 Mar) Democracy and civil disobedience

- Smith, W. (2011). Civil disobedience and the public sphere. *Journal of Political Philosophy*, 19(2), 145-166.*
- Celikates, R. (2016). Rethinking civil disobedience as a practice of contestation—beyond the liberal paradigm. *Constellations*, 23(1), 37-45.*
- Markovits, D. (2004). Democratic disobedience. *Yale LJ*, 114, 1897.

4 (16 Mar) Civility

- Estlund, D. M. (2005). *Deliberation Down and Dirty: Must Political Expression Be Civil?*. Poynter Center for the Study of Ethics and American Institutions, Indiana University. *
- Zerilli, L. M. (2014). Against civility: A feminist perspective. *Civility, legality, and justice in America*, 107-131.*
- Young, I. M. (2001). Activist challenges to deliberative democracy. *Political theory*, 29(5), 670-690.
- Harcourt, B. E. (2012). The Politics of Incivility. *Arizona Law Review*, 54, 345.

5 (23 Mar) Conscientious Objection

- Savulescu, J. (2006). Ethics: Conscientious objection in medicine. *BMJ: British Medical Journal*, 332(7536), 294.*
- Berg, T. C. (2010). What Same-Sex Marriage and Religious-Liberty Claims Have in Common. *Nw. JL & Soc. Pol'y*, 5, 206.*
- Sepper, E. (2014). Doctoring Discrimination in the Same-Sex Marriage Debates. *Ind. LJ*, 89, 703.

6 (30 Mar) Good Friday take a break, *ad hoc* lecture scheduled 16 Apr, please read:

- Pasternak, A. (2017). Fair Play and Wrongful Benefits. *Journal of Moral Philosophy*, 14(5), 515-534.*
- Hay, C. (2013). The obligation to resist oppression. In *Kantianism, Liberalism, and Feminism* (pp. 117-157). Palgrave Macmillan UK.*
- Boxill, B. R. (1976). Self-respect and protest. *Philosophy & Public Affairs*, 58-69
- Hill, T. E. (1979). Symbolic protest and calculated silence. *Philosophy & Public Affairs*, 83-102.

Mid Semester Break (2 Weeks)

Super important: deadline of first paper 9 April at noon.
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7 (20 Apr) Duty to disobey and resist

- Delmas, C. (2014). Samaritanism and civil disobedience. *Res Publica*, 20(3), 295-313.*
- Cudd, A. E. (2006). *Analyzing oppression*. Oxford University Press. Chapter 7 “Resistance and Responsibility.”*
- Delmas, C. (2014). Political resistance: A matter of fairness. *Law and Philosophy*, 33(4), 465-488.

8 (27 Apr) Social movements

- Anderson, E. (2014). *Social movements, experiments in living, and moral progress: Case studies from Britain’s abolition of slavery*.*
- Haines, H. H. (1984). Black radicalization and the funding of civil rights: 1957-1970. *Social Problems*, 32(1), 31-43.*
- Mackie, G. (1996). Ending footbinding and infibulation: A convention account. *American sociological review*, 999-1017.
- Haslanger, S. (2008). Changing the ideology and culture of philosophy: Not by reason (alone). *Hypatia*, 23(2), 210-223.

9 (4 May) Beyond civil disobedience

- Delmas, C. (2018). Is hacktivism the new civil disobedience?. *Raisons Politiques* 69, 1, 63-81.*
- Vanderheiden, S. (2005). Eco-terrorism or justified resistance? Radical environmentalism and the “War on Terror”. *Politics & society*, 33(3), 425-447.*
- Lyons, D. (1998). Moral judgment, historical reality, and civil disobedience. *Philosophy & public affairs*, 27(1), 31-49.
- Delmas, C. (2015). The ethics of government whistleblowing. *Social Theory and Practice*, 77-105.

10 (11 May) Terrorism

- Held, V. (2004). Terrorism and war. *The Journal of Ethics*, 8(1), 59-75.*
- Waldron, J. (2004). Terrorism and the Uses of Terror. *The Journal of Ethics*, 8(1), 5-35.*
- Manion, M., & Goodrum, A. (2000). Terrorism or civil disobedience: toward a hacktivist ethic. *ACM SIGCAS Computers and Society*, 30(2), 14-19.

11 (18 May) Secession

- Wellman, C. H. (1995). A Defense of Secession and Political Self-Determination. *Philosophy & public affairs*, 24(2), 142-171.*
- Hendrix, B. (2010). Political Authority and Indigenous Sovereignty. *The Good Society*, 19(2), 47-52.*
- Buchanan, A. (1997). Theories of secession. *Philosophy & public affairs*, 26(1), 31-61.

12 (25 May) Revolution

- Buchanan, A. (2013). The Ethics of Revolution and its Implications for the Ethics of Intervention. *Philosophy & Public Affairs*, 41(4), 291.*
- Stephan, M. J., & Chenoweth, E. (2008). Why civil resistance works: The strategic logic of nonviolent conflict. *International security*, 33(1), 7-44.
- Locke, J. (1690). *Second treatise of government*. secs. 224–226

End of Teaching

Super important: deadline of second paper 6 June at noon.

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Workload

130 hours of total student learning time made up from:

- a) 36 hours of contact: 24 hours of lectures and 12 hours of workshop and workshop-like activities.
- b) 94 hours of independent student research, reading and writing

Requisite and Incompatibility

To enrol in this course you must have completed 12 Units of 2000 or 3000 level Philosophy (PHIL) Courses, or with permission of the convenor.

Majors

Philosophy

Minors

Philosophy