Course Description:
This course aims to introduce students to some central topics and approaches in political philosophy through close reading of texts and with some attention to developing a toolkit for normative analysis of law and legal institutions. We will focus on the concepts of citizenship and rights as well as explore connections between the two. Some of the questions we will pursue include: How should we conceive of citizenship – as a formal political and legal status; entitlement to a set of rights; active participation in self-governance; an identity; or something else entirely? How have racial, ethnic, gender, and class identities and hierarchies shaped people’s access to rights? Which rights and protections have historically been attached to citizenship status? What difference should citizenship status make for the rights one is entitled to? Are there any human rights, and how might they be justified? Do we have special obligations to our fellow citizens to protect certain rights that we don’t have to the rest of humanity? What does it mean to have a right in the first place? Most of our readings are by political and legal theorists and philosophers; we will also read some work by historians, political scientists, and sociologists for historical context and background. The course presupposes no prior work in political theory or philosophy, but those unaccustomed to reading theory should be sure to allot sufficient time to complete the readings. While much of our seminar discussion will focus on the substantive ideas and arguments in the readings, we will also reflect on the methods and approaches of the theorists we read.

Course Requirements:
• Preparation and participation: You should come to class every week having read the assigned material carefully and prepared to discuss it. Please remember that quality is just as, if not more, important than quantity when it comes to class participation. Also keep in mind that the seminar includes PhD, JD, JSD, and LLM students, so if you refer to texts and sources we have not read together to make a point in class discussion, please be sure to provide some context and explanation.

• Attention and engagement: To minimize distractions and maximize engagement in class discussion, the use of laptops is discouraged. You may bring tablets (iPad, Kindle) to class in order to refer to the readings. Please purchase a paper notebook to take notes during class discussion. If the laptop is the only way for you to access the readings, then you may bring your laptop to class for this purpose.

• Two one-page reflection papers: I will circulate a sign-up sheet at the start of the semester; please sign up for two different weeks. Your one-page reflection paper might develop a question or a series of questions that emerges from your reading; it might provide observations about what you think is important or surprising about the readings; or you might identify points of connection or disagreement with the readings from previous weeks. Your aim should be to provide a carefully thought-out reaction to the readings. Please email me your reflection paper by 7pm on the Sunday prior to the day we meet. This will help me set the agenda for our discussion.

• Seminar paper: Your paper should be no more than 30 double-spaced pages, using 12-point font and 1-inch margins. Your paper should consider some of the questions and authors we will take up in the course, but it is not limited to those questions and authors. Your paper might take one of the following forms:
a) Select one of the weekly topics from the syllabus and delve into the further readings. How have different authors (select at least two authors; at least one should be a theorist) approached the topic? What questions do they raise and how well do they answer them? What questions do they fail to answer or fail to ask in the first place that you think are important?

OR

b) Select two theorists and bring them into conversation. What are the similarities and differences in the way each theorist conceptualizes citizenship and/or rights? How would you compare the methods or approaches they use? What would each say about the other? Which theorist gives us the better framework for thinking about citizenship and/or rights, and why?

OR

c) Select one theorist we are reading this semester and read their “canon.” Write an intellectual biography describing what you see as their central preoccupations, methodologies, and contributions. What are the questions their work raises and does not answer? What is the relationship between their earlier and later work? In order for this exercise to be successful, you will need to select someone who has written at least two books and several articles in the field.

OR

d) Select one of the theorists from the course and critically evaluate their theory in light of relevant legal cases, historical evidence, and other relevant empirical sources.

OR

e) A research proposal/prospectus on the topic of citizenship and/or rights.

Your 1-2 page paper proposal is due in class on Mon, April 7. Papers are due by 5pm on Thur, May 8.

Course Schedule and Readings:
All required readings will be made available at https://bcourses.berkeley.edu. Below the required readings for each week, I have listed further (optional) readings. I encourage you to read some of them, especially if you plan to write your seminar paper on the topic.

Jan 6. Introductions; central themes and requirements of the course
No reading.

CITIZENSHIP

Jan 13. What is citizenship? Why does it matter?

Further readings:

Jan 20. No class – Martin Luther King, Jr. holiday
Jan 27. Liberal conceptions of citizenship

Further readings:
Bonnie Honig, Democracy and the Foreigner (2003), ch. 4.

Feb 3. Citizenship and class

Further readings:

Feb 10. Citizenship, race, and gender

Further readings:
Feb 24. Citizenship, culture, and religion
Will Kymlicka, *Multicultural Citizenship* (1995), chs. 1-2, 5-6, 8 (pp. 1-33, 75-130, 152-172).

Further readings:

March 3. Citizenship and national identity

Further readings:

March 10. Postnational & denationalized citizenship and cosmopolitanism
Saskia Sassen, “Territory, Authority, and Rights in the Framing of the Nation” (ch 2) &

Further readings:
RIGHTS

March 17. Theorizing rights I

Further readings:
Duncan Ivison, Rights (2007).
Matthew Kramer, Nigel Simmonds, and Hillel Steiner, A Debate over Rights (1998).

March 24. No class – spring break

March 31. Theorizing rights II
Ronald Dworkin, Taking Rights Seriously (1977), chs. 7 & 12.
Patricia Williams, The Alchemy of Race and Rights (1991), chs. 1, 3-4, 8.

Further readings:

Apr 7. Human rights – *1-2 page paper proposal due in class*

Further readings:
Apr 14. Is there a human right to free movement across borders?

Further readings:

Apr 21. What difference does citizenship status make to the rights one is entitled to? What difference should it make?

Further readings:
Daniel Bell, “Justice for Migrant Workers? The Case of Migrant Domestic Workers in East Asia,” in Beyond Liberal Democracy (2006).

Apr 22. Workshop for final papers
[Apr 22nd is a Tuesday; this is a make-up session for missed class on Presidents Day. I realize those of you taking classes on the main campus calendar may have a conflict. For those of you who are available on this day, if a majority of you is available and interested, we can hold a workshop to discuss your seminar papers, at whatever stage they are at.]

May 8. Final papers due by 5:00pm