Course Description

The family is a social and political institution profoundly shaped by the law. This course examines the family as a site of justice subject to normative evaluation, and asks how the state ought to regulate the family and how citizens ought to act within it. We will consider the ethics of marriage, the gender wage gap and work-life balance, procreation, children’s rights, and parents’ rights. Throughout, the focus of our theoretical inquires will be the implications for both public policy and individual practical ethics.

There are no prerequisites for the course. A previous course in political theory or philosophy is helpful, but not essential.

Course Requirements

There are four course requirements:
- Attendance and participation: 30% of final grade
- Short paper (3 pp.): 10% of final grade
- Presentation with paper (4 pp.): 20% of final grade
- Final paper (8-10 pages): 40% of final grade

Attendance and participation:

The class will generally meet once per week, using the x-hour, on Monday from 3:30pm-6:25pm. We will have class on Thursday in Week 1 and will hold additional classes on Thursday in Week 3 and Week 8 for writing workshops.

The success of a seminar depends on engaged, reflective, and collaborative discussion. For each week, I have provided discussion questions below. You should reflect on these questions before class and be prepared to discuss them. Whether this class is engaging and enjoyable for everyone depends largely on the extent and quality of your participation.

If you attend every class but do not participate productively, you will receive a zero for the participation component of your grade. Productive participation is regular, reflective, and well-informed by the readings. Meaningful discussions require listening and generously engaging with others’ contributions. The best way to participate is to take part in and facilitate clear exchanges that advance the conversation.
You are entitled to miss one day of class without an excuse and without it affecting your grade. You should reserve this day to use when necessary. If you miss any additional classes, for whatever reason, this will negatively affect your grade.

*Short paper:*

You are required to write a short paper in Week 3, due on Wednesday of that week by 5pm. We will discuss the papers in a writing workshop on Thursday.

*Presentations with summaries and papers:*

Each student will give a presentation over the course of the quarter, with 1-2 students presenting each week. The presentations should be 8-10 minutes and should pose and develop 3-4 questions for discussion. The presentations should not include any summary of the readings, and should only frame, pose, and develop questions.

The presentation is accompanied by two additional components: reading summaries and a paper. The presenter(s) will write 1-2 page summary of one of the readings for that week. The presenter(s) will also write a 4 page argumentative paper that responds to one of the discussion questions, either posed on the syllabus or by the presenter.

The discussion questions and summaries must be distributed to the class on Sunday evening before class by 6pm.

I will present discussion questions and provide a reading summary for demonstration in the first class.

*Final paper:*

Your final paper will be 8-10 pages on a topic of your choosing. We will discuss your paper topics in a writing workshop in Week 8. The paper must follow the Chicago Manual of Style. Without a valid excuse, late papers will be penalized a full letter grade for every day late. This will be strictly enforced.

*Readings*

All readings will be posted on Canvas. You are required to bring the assigned readings, in printed form, with you to class.

The readings will be limited to around 100 pages per week. The readings require close attention, so read thoroughly and carefully. It is to be expected that you may need to read some of the texts more than once to properly understand the arguments.

An excellent resource to supplement the course readings is the *Stanford Encyclopedia of Philosophy*, which has refereed articles by experts in their fields, at plato.stanford.edu. Among the most relevant entries are those on Marriage and Domestic Partnership, Parenthood and
Procreation, Children’s Rights, and Feminist Perspectives on Reproduction and the Family, as well as many others on general or related topics.

Class Policies

Office Hours: I will hold regular office hours on TBD. If you would like to meet another time, do not hesitate to email me and we can make an appointment. Even if you are coming during regular office hours, if you email me in advance to let me know you’re coming, that’s helpful, though not required.

Honor Policy: Students are required to abide by the Academic Honor Principle (http://www.dartmouth.edu/~uja/honor). Plagiarism will not be tolerated. If you are ever in doubt about what the honor code requires, or what citations are required or how much collaborating or paraphrasing is permissible, either ask me or err on the side of caution.

Email: I will reply promptly whenever possible, but am often away from email. If you have not heard back from me within 48 hours, send your message again.

Laptops and electronics: Laptops and other electronics are prohibited in class. You will remember more and be more present if you take notes by hand. If printing the readings poses any difficulties, let me know. See: www.newyorker.com/tech/elements/the-case-for-banning-laptops-in-the-classroom

Median Grade: The Government Department has a median grade policy, which is: “Except under extraordinary circumstances, median grades in GOV courses will not exceed A- in seminars, and B+ in all other courses.” See more at: https://govt.dartmouth.edu/undergraduate/courses#sthash.T3rZumAB.dpuf Accordingly, the median grade in this course is not expected to exceed an A-.

Learning disabilities: Students with disabilities who may need disability-related academic adjustments and services are encouraged to see me privately as early as possible in the term. Students requiring disability-related academic adjustments and services must consult the Student Accessibility Services office (205 Collis Student Center, 646-9900, Student.Accessibility.Services@Dartmouth.edu). Once SAS has authorized services, students must show the originally signed SAS Services and Consent Form and/or a letter on SAS letterhead to their professor. As a first step, if students have questions about whether they qualify to receive academic adjustments and services, they should contact the SAS office. All inquiries and discussions will remain confidential.

Religious observances: Some students may wish to take part in religious observances that occur during this academic term. If you have a religious observance that conflicts with your participation in the course, please meet with me before the end of the second week of the term to discuss appropriate accommodations.
Course Schedule
Subject to revision

Week 1
Monday – Course Overview

Thursday – Marriage (103 pp.)

Should marriage be a public institution, or should it be privatized? Is it justifiable to refuse to extend public recognition to polygamy?

- Mary Lyndon Shanley, “Just Marriage: On the Public Importance of Private Unions” (25 pp.)
- Tamara Metz, “Why We Should Disestablish Marriage” (5 pp.)
- Cass Sunstein and Richard Thaler, “Privatizing Marriage” (11 pp.)
- Stephen Macedo, Just Married, Chs. 7 and 8 (35 pp.)
- Andrew March, “Is there a Right to Polygamy?” (27 pp.)
  Optional:
  - Justice Kennedy’s majority opinion, Obergefell v. Hodges (15 pp.)

Week 2
Monday – The Value and Status of Caregiving Labor (83 pp.)

How should a just society organize its paid and unpaid caregiving labor? Do men and women alike have an entitlement to work-family balance? Should caregiving be publicly subsidized? Is there anything morally objectionable about hiring private nannies or commercial surrogacy?

- Nancy Fraser, “After the Family Wage: Gender Equity and the Welfare State” (22 pp.)
- Lisa Belkin, “The Opt-Out Revolution” (5 pp.)
- Pamela Stone, “Getting to Equal” (8 pp.)
- Joan Tronto, “The ‘Nanny’ Question in Feminism” (15 pp.)
- Arlie Hochschild, “The Nanny Chain” (4 pp.)
- Elizabeth Anderson, “Is Women’s Labor a Commodity?” in Ethics in Practice (10 pp.)

Week 3
Monday – Procreation: Abortion and Population Growth (103 pp.)

First, should there be a legal right to abortion? If yes, on what grounds? Does taking a position on the legal permissibility of abortion depend on taking a position on the moral status of the fetus? Second, is there a fundamental right to procreate? Are one-child policies morally permissible? Given the problems of environmental degradation, is it morally wrong to reproduce? Should there be legal limits on how many children one can permissibly create?
Thursday – Writing Workshop on Short Papers

Week 4
Monday – Genetic Selection & the Significance of Biological Relations (110 pp.)

Should we welcome or resist genetic selection and enhancement? Should it be prohibited, permitted, or obligatory for parents to select against children with severe disabilities? Should parents select the child who will have the best chance of the best life? Would genetic selection change the relationship between parents and children? What are the third-party effects of genetic selection, and are they on balance positive or negative?

Do children have an interest in, or a right to, knowledge of their biological relations? Does this interest provide a reason for parents not to engage in, or for the state to prohibit, the bearing and rearing children who will not know their biological relations? What information should donor-created or adopted children have access to?

• Michael Sandel, “The Case Against Perfection,” The Atlantic Monthly, April 2004 (13 pp.)
• Julian Savulescu, “Procreative Beneficence: Why We Should Select the Best Children,” Bioethics (2001), pp. 413-426 (13 pp.)
• David Velleman, "Family History," Philosophical Papers, 34 (2005), pp. 357-378 (21 pp.)
• Sally Haslanger, “Family, Ancestry and Self: What is the Moral Significance of Biological Ties?” (35 pp.)

Week 5
Monday – The Moral Status and Goods of Childhood (51 pp.)
Why is it permissible for adults to treat a child “like a child”? Are there intrinsic goods of childhood, and if so, how should these be weighed against childhood’s developmental aims?

- James Bernard Murphy, “In Defense of Being a Kid,” Wall Street Journal
- Anca Gheaus, “‘The Intrinsic Goods of Childhood’ and the Just Society” (2015)

Week 6
Monday – Responsibility for the Costs of Raising Children

Who should bear the costs of raising children – the parents, society, or the child? Is sharing the costs of childrearing across society unfair to those who choose not to have children? Are parents entitled to public support, in the form of income subsidies, publicly provided caregiving, or workplace accommodations, and if so, why?


Week 7
Monday – The Right to Parent and the Rights of Parents

Should the state require potential parents to obtain licenses? Do parents have rights to determine their children’s moral and religious educations?

- Harry Brighouse and Adam Swift, “Parents’ Rights and the Value of the Family” Ethics

Optional:
- Lisa Miller, “How Smart Do You Have to Be to Parent,” New York Magazine

Week 8
Monday – Equality of Opportunity and Familial Advantages (44 pp.)

Is it permissible for parents to give advantages to their own children, at the cost of equality of opportunity? What, if any, are the limits to how partial parents may be to the interests of their own children over those of strangers?
Thursday – Writing Workshop on Final Papers

Week 9
Monday - Obligations of Children to Parents

What, if anything, do grown children owe their parents?

- Jane English, “What do Grown Children Owe their Parents?” in Aging and Ethics
- Simon Keller, “Four Theories of Filial Duty,” The Philosophical Quarterly
- Norm Daniels, “Family Responsibility Initiatives and Justice Between Age Groups” Law, Medicine & Health Care
Relevant Philosophy and Ethics Bites podcasts

These podcasts are optional, but you may find them helpful for understanding the arguments and stakes of some of the issues we’re covering in class.

- *Les Green on Same Sex Marriage*, http://philosophybites.com/2013/05/les-green-on-same-sex-marriage.html
- *Brenda Almond on the Family*, http://www.open.edu/openlearn/history-the-arts/culture/philosophy/the-family
- *Sarah Franklin on the Sociology of Reproductive Technologies*, http://www.socialsciencespace.com/2013/03/sarah-franklin-on-the-sociology-of-reproductive-technology/
- *Tom Douglas on Should We Allow Genetic Engineering on Embryos?*, http://podcasts.ox.ac.uk/should-we-allow-genetic-engineering-embryos
- *Julian Savulescu on Choosing the Sex of Your Child*, http://podcasts.ox.ac.uk/choosing-sex-your-child