PHIL 166: Promises and Contracts Syllabus
Summer A Session 2020
(draft syllabus, current as of February 21, 2020, readings are subject to change)

Logistics

Lecture Location and Time:
Tuesdays and Thursdays, 10:45am-12:50pm, Bunche 2160

Discussion Sections:
Discussion 1A: Tuesdays 9:30am-10:20am, Bunche 2156
Discussion 1B: Thursdays 1:30pm-2:20pm, Bunche 3123

Instructor: Alexi Patsaouras
alexi8877@gmail.com
Office Hours: TBD in Lu Valle or my office, Dodd 363 (I will let you know when we have determined the times).

Teaching Assistant: TBD

Graded Assignments

4-6 page paper: 40% of grade, Assigned Friday July 8 (end of third week) and due Monday July 19 (beginning of fifth week)
5-7 page paper: 50% of grade, Assigned Friday July 22 (end of fifth week) and due Friday July 29 (end of sixth week)
Class participation: 10% of grade

Class participation metric: I will grade class participation on a 10-point scale.
-- You get 6 points for coming to every class, with one absence excused. Minus one point for every additional class you miss (i.e. you get 5 points if you miss two classes).
-- You get 1 point every time you talk in class or section.
-- You get 2 points every time you come to office hours and talk.
-- “Talking” requires a thoughtful question or response. But as long as you speak up, I can help you develop a line of thought.
-- In sum, you can make up for lectures that you miss by coming to sections and office hours and participating. But you also cannot get full credit unless you participate.
Course Description

Contracts and promises each play central roles in both social life and Western legal and political theory. We will spend the first half of the course studying promises and then the second half of the course studying contracts and their relationship to promises. Questions we will address include the following. What is the function of promises and what is their paradigmatic setting? Is the function of a promise to enable strangers to rely on each other? Or do we understand promises better if we take their paradigmatic function to be the maintenance of equal relations among colleagues, friends, or participants in other close relationships? Are contracts legally enforceable promises? Or do they perform a function distinct from promises? What role does the state play in contractual relationships? And what does this role tell us about the relationship between the state and citizens more generally?

Reading Assignments (I will post most of the readings, if not all, on the course website.)

Part One: Promises

Week One (June 21-25)

First class: Introduction to the course, no reading.

Second class: Promises in the social contract tradition
Reading: Excerpts from Hobbes (Leviathan), Hume (A Treatise on Human Nature) and Gauthier

Week Two (June 28-July 2)

Third class: Rule utilitarian theories of promising
Reading: John Rawls “Two Concepts of Rules”

Fourth class: Expectations theories of promises
Reading: T.M. Scanlon What We Owe to Each Other Chapter 7

Week Three (July 5-July 9)

Fifth Class: Criticism of Scanlon
Reading: Niko Kolodny and R. Jay Wallace “Promises and Practices Revisited”

Sixth Class: Promises and intimate relationships
Reading: Seana Shiffrin “Promising, Intimate Relationships, and Conventionalism”
First paper assigned (Friday July 8)
Part Two: Contracts and Promises

Week Four (July 12-July 16)

Seventh class: Contracts as Promises
Reading: Charles Fried, *Contract as Promise* excerpts

Eight class: The value of promises and contracts compared
Joseph Raz “Promises and Obligations”
Optional: Joseph Raz “Promises in Morality and Law”

Week Five (July 19-July 23)
First paper due (Monday July 19)

Ninth class: Promises and contracts distinguished
Dori Kimel *From Promise to Contract* excerpts

Tenth class: Promises and contracts distinguished part II.
Seana Shiffrin “The Divergence of Contract and Promise”

Second paper assigned (Friday July 23)

Week Six (July 26-July 30)

Eleventh class: Promises, contracts, and the theory of efficient breach
Dan Markovitz and Alan Schwartz “The Expectation Remedy and the Promissory Basis of Contract”

Twelfth class: A Kantian Theory of Contract
Immanuel Kant *Metaphysics of Morals* excerpts
Arthur Ripstein *Force and Freedom* excerpts

Second paper due (Friday July 30)
Policy on late or missed assignments:

Late assignments may be turned in for a third of a grade reduction per day late (e.g. from an A- to a B+ if you turn in a paper one day late, from an A- to a B if you turn it in two days late, etc.), up to one week after the due date. Assignments turned in after this time will not receive credit. If you have a medical or other issue and are going to have to hand in an assignment late, please let me know as soon as you are able to so that I can try to accommodate you (and please get a doctor’s note or other appropriate documentation if you can). I can usually help you manage and overcome foreseen and unforeseen obstacles but I can only do that if you keep me informed.

Students with disabilities:

I want to make sure to make this course as accessible as possible to all students. Please contact me as soon as possible to discuss what accommodations can improve your access to the course. In particular, if you have a disability that will affect your ability to hand in papers for this course, please let me know as soon as you can so that I can do my best to accommodate you. Please also make arrangements with the Office for Students with Disabilities (contact details below).

Some helpful campus resources:

Office for Students with Disabilities: (310) 825-1501; A255 Murphy Hall

Counseling and Psychological Services (CAPS): (310) 825-0768; in Wooden Center West. High-quality counseling and stress-management services. Drop-in and by appointment. Also offers 24-hours crisis management over the phone.

Undergraduate Writing Center: (310) 206-1320; wcenter@ucla.edu; A61 Humanities (Mon-Thurs 10am-6pm, Fri 10am-3pm; 50-minute appointments).

115 Rieber Hall (for on-campus residents only; Sun-Thurs 7-9pm; 50- and 25-minute appointments). Provides free writing assistance to students in one-on-one sessions. Make an appointment by either dropping in during scheduled hours or visiting www.wp.ucla.edu and clicking on UCLA Writing Center / Schedule an Appointment.
Academic Integrity and Plagiarism

Honesty and integrity are essential to any cooperative endeavor and are especially important to an academic community. This means that you must be honest, fair, trustworthy, and mindful in all of your actions. Any attempt to get, or to help another student get, a better grade by lying, cheating, or engaging in any other form of deception will not be tolerated and will be reported to the Dean’s Office and subject to sanctions. Always think carefully before you act and, if you are unsure, ask me or your T.A..

Academic dishonesty includes, but is not limited to, plagiarism, i.e. passing off others’ work as your own. It is important for you to learn the difference between cooperation and plagiarism. The best way to develop philosophical ideas is to discuss them with other people and to revise your ideas and papers in light of others’ feedback. You are thus encouraged to discuss your thoughts and paper drafts with me, your T.A., and your friends and fellow students. We can help you mark grammatical errors and awkwardly written sentences, identify flawed or unpersuasive arguments, and brainstorm more persuasive and insightful arguments. That said, your ideas and writing must ultimately be your own. You may not have other students or anyone else write, revise, or edit your papers for you. And you may not copy or rephrase arguments from other students or sources and pass them off as your own. If you do get help from other people or sources, you must cite them to acknowledge their assistance.

A simple rule to keep in mind is: When in doubt, cite.

If you have any questions about what constitutes plagiarism, please ask me or your T.A. You can also consult the Dean of Students’ website, https://www.deanofstudents.ucla.edu/Academic-Integrity, for more information about cheating, multiple submissions of assignments, and plagiarism.