

## Assignment 1: The Constitution of Utopia

**Literature:** Fabre, Cecile, *Justice in a Changing World*, Cambridge Polity Press, 2007.

### Write YOUR Constitution of Utopia (maximum 2500 words)

Note: Utopia is a country between other countries. Borders exist. You create the constitution of your own Utopia; within the context of other countries. Some other countries are liberal democracies and friendly, others might be more totalitarian regimes and –at times- unfriendly. Some countries are richer, healthier and more educated than your Utopia and others are countries are poor and less educated. Some countries allow dual or multiple citizenship, whereas others insist on single citizenship.

In this course you will be creating the constitution of your own Utopia: Your country that is based and governed by your ideas and principles on justice and fairness.

You may design your constitution as an essay, as a formal constitution, or by just answer the questions below. **Use footnotes to incorporate literature or references.** Look at least at two examples of constitutions in the real world that you would support and two examples of constitutions that you would not support. Which one do you support and why? And which one do you not support?

The questions below are **guiding** questions. You don't need to answer them all. You can make your own selection.

In fact, you may create your own constitution that is different from any other constitution.

#### 1. Citizenship and Migration

How is citizenship granted in Utopia? Can citizenship be revoked? Are Utopians free to migrate, if they wish? Or are there conditions for migration. If so, which one? Does Utopia accept migrants? Will there be citizens/aliens with different rights? Why? Can migrants play a role in the civil service? Police force? Military? Vote for or against a constitution? Explain your position.

#### 2. Who is allowed to vote?

What are the criteria for the right to vote? What is the age for voting? Is voting mandatory or voluntary? Is there a literacy test or some other qualification (intelligent test) required for voting? Can migrants vote? What about people with multiple nationalities/passports and/or loyalties? Can people with dual nationality become president? Are the leaders of Utopia chosen through voting? Are there hereditary positions? What are the elected positions? Does the strongest rule? Explain your position

#### 3. What basic rights do people have?

What rights are guaranteed by the government (freedom of speech, freedom of religion, right to private property, right to own oneself. etc.)? Name at least nine unalienable rights in Utopia, and place them in order of importance (hierarchical). For example, Freedom of Speech and Freedom of Religion do not work well together. Is the right to criticize religion (A) more important than the religious right to be offended (B), e.g. by cartoons? What fundamental right is most important (A) and then (B), etc.?

In addition, what happens to the rights of those convicted of crimes? Do they lose some of these rights? Why or why not? Do they lose their citizenship?

4. What property rights do people have?

Can people own homes, businesses, land, etc.? Can people have their own rights within their own properties? In other words, can they create their own individual Utopia within Utopia as a whole? Explain your answer.

5. What provisions are there for changing the constitution?

Can the constitution of Utopia be amended? If so, how? Do you have to scrap the whole thing and start over from scratch? And who decides on constitutional changes?

6. How are international treaties decided with other countries/Utopias decided?

Is a majority rule enough? Can you think of international treaties where minority rule is sufficient?

7. Should people be able to marry/live together with whomever they choose to?

Yes or No? Explain! If you choose yes; can they marry anyone, for example a migrant? Why or why not? Do spouses need to become citizens of Utopia? Why or why not?

8. Do all people have the right to medical help if they need it?

Yes or No? Explain! If you say yes, who is paying for this? And what if people can't afford to pay for the medical help they need?

9. Do all people have the right to education?

Do parents have the right to choose the kind of education that will be given to their children? Yes or no? Explain! Is, in example, homeschooling allowed? Again, who will pay for the educational system in place? And what about the people who cannot afford to pay for the education they wish to follow?

10. How will the taxing system in your Utopia work?

Flat Tax? Progressive Tax? Any other way of taxation? Do you opt for minimal taxing, like libertarians do? Why or why not? Explain why the taxing system you consider in your Utopia is, according to you, a fair way of taxation.

11. Constitutions in the real world.

What are two constitutions in the real world that you would support? Why?

What are two examples of constitutions in the real world that you would not support? Why not? Be as explicit as possible in your explanations.

Week 2

### **Week 1: John Locke - Second Treatise of Government - Chapter 4: Property Rights**

Close read some parts (indicated below - NOT THE ONE'S INDICATED IN THE DOCUMENT!) of John Locke's 'Second Treatise of Government'. Take a critical stance towards the texts you read and try to capture the meaning of each of the parts *in your own words*. In addition, answer the questions stated below.

During the tutorial, we will debate and historically contextualise John Locke's 'Second Treatise of Government' based on the original text and your own wordings. Further, we will debate the answers to the questions.

**Read** the following parts of [John Locke's 'Second Treatise of Government' \(1869\) \(Links to an external site.\)](#) closely, and give meaning to them *using your own words*:

- Introduction (p.83)
- Chapter II: State of Nature – 4, 6, and 7 (p.84-85)
- Chapter III: Of the State of War – 16, 17, 18, 19, 20, 21 (p.87-89)
- Chapter IV: Of Property – 26 and 27 (p.90)
- Chapter XI: Of the Extent of the Legislative Power – 134,135, and 136 (p. 111-112)
- Chapter XIX: Of the Dissolution of Government – 213, 214, 215, 216, 217, 218, 219, 220 and 243 (p. 118-119, 126).

Answer the following questions on the work of John Locke:

- What does John Locke mean by 'state of nature'? And what is the role of government in this 'state of nature'?
- Why do people leave the 'state of nature' and join a political society by establishing a government?
- How does Locke define property?
- What are unalienable (natural) rights according to Locke, and why is it important, according to Locke, to define *unalienable* rights?
- Under what conditions can a government be dissolved?
- Do you agree with Locke's general ideas/concepts regarding individuals and government? Why?
- If Locke were alive today, what would he say regarding the expectations and demands we have for our government? Are we asking our government to do too much OR not enough? Explain your answer.
- Are the expectations placed on the government by the people unfair and unrealistic, so much so that the government is in a no-win situation? If possible, provide an example or two to support your stance and opinion.