

PHIL5308-001—CONTEMPORARY PHILOSOPHY: FORGERY, INFRINGEMENT, AND APPROPRIATION

M-F 2:00-3:50, Eng/Phil 264

Instructor

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Course Description

In this seminar, we will investigate a set of philosophical questions at the intersection of art and ethics. These will draw on several areas, including the ontology of art, the nature of authenticity, ownership and property, and the relation between ethics and the law.

Core Text

All readings will be available in PDF form on my website at www.typtoken.com, under “courses”.

Course Requirements

Students have the option of either writing two short (10-12-page) papers during the course of the term, or writing one longer (18-24-page) paper.

- Short Papers Option: Students must write one paper on the topic of forgery, due June 17, and one paper on the topic of infringement, due June 28. Each paper is worth 40% of your final grade.
- Long Paper Option: Students may write on any topic covered in the course of the term, due July 5. The paper is worth 80% of your final grade.

Due to the condensed session, late papers will not be accepted.

Participation

The final 20% of your grade is your participation grade. Participation includes doing the assigned readings *before* the class in which the reading shall be discussed, taking active part in class discussion, and putting serious effort into your papers. Participation also includes attendance. For every class you miss without authorized excuse, your participation grade will be deducted 1 point (that is, 1% of your final grade, up to the 10% encompassed by the participation grade). See also “Classroom Courtesy” below.

Special Accommodations

- Any student who, because of a disability, may require special arrangements in order to meet the course requirements should contact the instructor as soon as possible to make any necessary arrangements. Students should present appropriate verification from Student Disability Services during the instructor’s office hours. Please note instructors are not allowed to provide classroom accommodations to a student until appropriate verification from Student Disability Services has been provided. For additional information, you may contact the Student Disability Services office in 335 West Hall or 806-742-2405.
- You will not be penalized for any absences due to religious observances. However, it is your responsibility to inform me in advance of any intended absences for religious observance *as soon as possible* so that we can make other arrangements. As well, it remains your responsibility to have read the material assigned for that day and to obtain any notes from one of your classmates for classes missed.

Classroom Courtesy

Please be courteous to your fellow students and avoid unnecessary disruptions. Arrive on time, leave on time, and *turn off your cell phone during class*. Note that if your cell phone rings during class, *I will answer it*. Laptops are permitted in class, but please do not abuse this privilege. Text-messaging is *not* permitted during my class. If I see you text-messaging during class-time, your participation grade will be deducted 1 point. This is your only warning.

Academic Integrity and Irresponsibility

I take incidents of academic misconduct *very seriously*. These include but are not restricted to cheating, plagiarism, collusion, and fabrication. Penalties are dependent on the nature of the misconduct, and may involve disciplinary proceedings with the Student Judicial Programs. Knowing what constitutes academic misconduct is *your responsibility*. If you have a concern about what constitutes academic dishonesty *prior to turning in an assignment*, please see me, and I will be happy to help you. For more information, see <http://www.depts.ttu.edu/studentjudicialprograms/academicinteg.php>.

Course Schedule (Subject to Change)

Date	Topic	Readings
Wed June 1	Introduction	
Thurs June 2	Forgery	Meyer, "Forgery and the Anthropology of Art" (1967); Goodman, <i>Languages of Art</i> , Chapter 3 (1976)
Fri June 3		Levinson, "Autographic and Allographic Arts Revisited" (1980); Wreen, Michael. "Goodman on Forgery" (1983)
Mon June 6		Kivy, "How to Forge a Musical Work" (2000); Pillow, "Versions and Forgeries: A Response to Kivy" (2002); Kivy, "Versions and 'Versions,' Forgeries and 'Forgeries': A Response to Kirk Pillow" (2002)
Tue June 7		Sagoff, "The Aesthetic Status of Forgeries" (1976); Beardsley, "Notes on Forgery" (1983)
Wed June 8		Meiland, "Originals, Copies, and Aesthetic Value" (1983); Margolis, "Art, Forgery, and Authenticity" (1983)
Thurs June 9		Lessing, "What Is Wrong with a Forgery?" (1965); Dutton, "Artistic Crimes" (1983)
Fri June 10		Sparshott, "The Disappointed Art Lover" (1983); Irvin, "Forgery and the Corruption of Aesthetic Understanding" (2007)
Mon June 13	Infringement	Locke, <i>Two Treatises of Government</i> , Book II, Chapter 5 (1690); Hughes, "The Philosophy of Intellectual Property" (1988)
Tue June 14		Hettinger, "Deserving to Own Intellectual Property" (1989); Gordon, "A Property Right in Self-Expression" (1993)
Wed June 15		Diefenbach, "The Constitutional and Moral Justification for Private Intellectual Property" (1994); Hick, "Finding a Foundation: Copyright and the Creative Act" (2009)
Thurs June 16		Michael Wreen, "The Ontology of Intellectual Property" (2010); Wilson, "Ontology and the Regulation of Intellectual Property" (2010)
Fri June 17		Hick, "Toward an Ontology of Authored Works" (2011)
Mon June 20		Okediji, "Givers, Takers, and Other Kinds of Users: A Fair Use Doctrine for Cyberspace" (2001); Damstedt, "Limiting Locke: A Natural Law Justification for the Fair Use Doctrine" (2003)
Tue June 21		Sag, "God in the Machine: A New Structural Analysis of Copyright's Fair Use Doctrine" (2003); Hick, "Mystery and Misdirection: Some Problems of Fair Use and Users' Rights" (2009)
Wed June 22	Appropriation	Irvin, "Appropriation and Authorship in Contemporary Art" (2005)

Thurs June 23		Rudinow, "Race, Ethnicity, Expressive Authenticity: Can White People Sing the Blues?" (1994); Taylor, "...So Black and Blue: Response to Rudinow" (1995)
Fri June 24		Young, <i>Cultural Appropriation and the Arts</i> , Chapters 1-2 (2008)
Mon June 27		Young, <i>Cultural Appropriation and the Arts</i> , Chapters 3-4 (2008)
Tue June 28		Young, <i>Cultural Appropriation and the Arts</i> , Chapter 5 and Conclusion(2008)
Wed June 29		Coleman and Coombe, "A Broken Record: Subjecting 'Music' to Cultural Rights" (2009)
Thurs June 30		Walsh and Lopes, "Objects of Appropriation" (2009); Eaton and Gaskell, "Do Subaltern Artifacts Belong in Art Museums?" (2009)