

Perspectives on the Individual, the Family and Social Institutions (Spring 2009)

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The vast majority of the readings for this course are chapters from over a dozen books (shown in italics). Given the expense of having you purchase them and the copyright difficulty of getting permission and paying for duplicating all these materials and the limited number of students in the class, I have chosen to place the books on Reserve in the library. All are available on 2 hour and overnight reserve.

The journal articles (shown in quotation marks) are *not* on Reserve. You should be able to get most of them from HeinOnline, Westlaw and/or Lexis; if they are not available on any of those, use E-Journal Finder from the Library homepage to see what database(s) include the journal in which the article appears. If you are having any difficulty finding any of these journal articles, please see a Reference Librarian in the Reference Office on the first floor of the library.

Your grade will be determined by three components: (1) a paper (50%); (2) class room performance including leading the discussion on specific topics (25%); final exam (25%).

I will lecture on and lead the discussion on the first topic heading below. After that each of you must choose one or more of the topic headings to lead the discussion. All readings listed in **boldface** are the responsibility of **everyone** to read. All other readings should be read by the presenter(s), and discussed if appropriate.

1. The Law and Economics of Marriage and Divorce

Read the third article as well as *either* of the first two articles.

Cohen, “Marriage: The Long Term Contract”, beginning on p. 10 in *The Law and Economics of Marriage and Divorce*, Anthony W. Dnes and Robert Rowthorn, eds. (Cambridge U. Press, 2002)

Cohen, “Marriage, Divorce, and Quasi Rents”, 16 *J. Legal Studies* 267 (1987)

Cohen, “Rhetoric, The Unnatural Family, and Women’s Work”, 81 *Va. L. Rev.* 2275 (1995)

Martha A. Fineman, “Masking Dependency: the Political Role of Family Rhetoric”, 81 *Va. L. Rev.* 2181-2215 (1995) (Do not read unless you wish to learn what I was responding to in the article above.)

2. Sexual Relations

George Gilder, *Men and Marriage*, pp. 19-28, 79-85, 187-199 (Pelican, 1992)

Maggie Gallagher, *Enemies of Eros*, pp. 3-54, 191-217 (Bonus Books, 1989)

Geoff Dench, *Transforming Men*, pp. xi-24 (Transaction, 1996)

Maggie Gallagher, *The Abolition of Marriage*, Chapters 1, 2, 10, 11, 13, 15, 18, 19, 20 (Regnery, 1996)

Linda Waite and Maggie Gallagher, *The Case for Marriage*, Chapters 1, 2, 3, 8, 13, 14 (Doubleday, 2000)

3. Modern Problems of Fatherhood

David Blackenhorn, *Fatherless America*, 1-65 (Basic Books, 1995)

Sanford Braver and Diane O’Connell, *Divorced Dads*, Chapters 1, 2, 4, 9, 10, 11, 12 (Tarcher-Putnam, 1998)

4. Family and Market

Gary Becker and Kevin M. Murphy, “The Family and the State”, 31 *J. Law and Econ.* 1 (1988)

Victor Fuchs, *Women’s Quest for Economic Equality*, pp. 58-74 (Harvard University Press, 1988)

5. Children

Richard McKenzie, *The Home*, (Basic Books, 1996)

Richard McKenzie, *Rethinking Orphanages for the 21st Century*, Chapters 1, 2, 5, 11, 13, 16 (Sage, 1999)

Christina Hoff Sommers, *The War Against Boys*, Preface, Chapters 1, 2, 4, 8, 9 (Simon and Schuster, 2000)

Judith Wallerstein, et. al., *The Unexpected Legacy of Divorce*, Introduction, Chapters 21, 22 (Hyperion, 2000)

6. Public Choice and Private Institutions (One week)

Allen Parkman, *No-Fault Divorce: What Went Wrong?* pp. 53-70 (Westview Press, 1992)

7. Women

Elizabeth Barber, *Women’s Work: The First 20,000 Years*, Introduction, Chapter 1, (Norton, 1994)

Wendy Shalit, *A Return To Modesty*, Introduction, Chapters 1, 2, 9, 12, Conclusion (Free Press, 1999)

8. Incentives for Investment

John N. Langbein, “The Twentieth-century Revolution in Family Wealth Transmission”, 86 *Mich. L. Rev.* 722 (1988)

Richard A. Epstein, “The Varieties of Self-Interest”, 8 *Social Philosophy & Policy* 102 (1990)
[PLEASE NOTE: This is available in print only, on the 3rd floor of the library in the bound journals.]

James Buchanan, “Rent Seeking, Noncompensated Transfers and Law of Succession”, 26 *J. Law & Econ.* 71 (1983)

9. Aging and Old Age

Richard A. Posner, *Aging and Old Age*, pp. 202-31 (University of Chicago Press, 1996)

10. Human Capital, Sociology, and Evolutionary Changes

Robert Wright, *The Moral Animal*, Introduction, Chapters 2, 3, 4, 7, 9, 16 (Vintage, 1994)

Dugatkin, *Cheating Monkeys and Citizen Bees*, Introduction (Free Press, 1999)

Robert Wright, *NonZero: The Logic of Human Destiny*, Introduction, Chapters 1, 2, 3, 8, 9, 16, 21, 22 (Vintage, 2000)

Matt Ridley, *The Red Queen: Sex and the Evolution of Human Nature*, Chapters 1, 6, 7, Epilogue (Macmillan, 1994)

David Buss, *The Evolution of Desire*, pp 19-72 (Basic Books, 1994)

David Buss, *The Dangerous Passion*, Chapters 1, 3, 7 (Free Press, 2000)

Daniel Dennett, *Darwin’s Dangerous Idea*, chapters 16, 17 (Touchstone, 1996)

Franz de Waal, *Chimpanzee Politics* (Johns Hopkins, 1998)

11. Social Structure and Cognitive Power

Herrnstein and Murray, *The Bell Curve*, pp. 1-267 (Free Press, 1994)

12. Social Structure and Dignity in the Modern Welfare State

Charles Murray, *Losing Ground: American Social Policy, 1950-1980*, Prologue, Chapters 2, 3, 10, 15, 16 (Basic Books, 1984)

Charles Murray, *In Pursuit: Of Happiness and Good Government* (Foreword, Prologue, pp. 1-37, Chapters 6, 12, 13 (ICS Press, 1994)

Theodore Dalrymple, *Life at the Bottom*, Introduction, pp. 5-14, 26-47, 68-88, 114-154 (Ivan R. Dee, 2001)

Theodore Dalrymple, *Our Culture: What's Left of It*, pp. 5-16, 77-89, 103-115, 155-179, 260-272 (Ivan R. Dee, 2005)

Scott Davis, *The World of Patience Gromes* (University Press of Kentucky, 1988)

13. Plural Marriage

Matt Ridley, *The Red Queen*, Chapters 6, 7, Epilogue (Macmillan, 1994)

Mary Batchelor, Marianne Watson & Anne Wilde, *Voices In Harmony*, Chapters 1, 2, 7 (Principle Voices, 2000)

14. Genes and Homosexuality

Dean Hamer, *The Science of Desire*, pp. 17-38, 180-206 (Simon & Schuster, 1994)

15. Eugenics and Dysgenics

Richard Lynn, *Dysgenics*, pp. 1-49, 197-210 (Praeger, 1996)

16. Race, Genes, and Difference

J. Philippe Rushton, *Race, Evolution and Behavior*, Chapters 1, 2, 5, 6, 10, 11 (Transaction Publishers, 2000)

17. Formation of Preferences

Margaret F. Brinig and F.H. Buckley, “Parental Rights and the Ugly Duckling”, 1 *J. L. and Family Studies* 43 (1999)

18. Social Capital

George A. Akerlof, Janet L. Yellin & Michael L. Katz, “An Analysis of Out-of-Wedlock Childbearing in the United States”, 111 *Q. J. Econ.* 277 (1996)

Dorothy Roberts, “The Genetic Tie”, 62 *U. Chi. L. Rev.* 209 (1995)

19. Comparative and Historical Institutions

Mary Ann Glendon, *The New Family and the New Property*, pp. 1-46 (Butterworths, 1995)

William J. Goode, *World Changes in Divorce Patterns*, pp. 1-24, 318-45 (Yale University Press, 1993)