

INTRODUCTORY HANDOUT PHILOSOPHY 167
CONTEMPORARY POLITICAL PHILOSOPHY
 Professor: Richard Arneson.

SPRING, 2007

Lecture MWF 1:00-1:50 p.m. in Warren Lecture Hall 2113.

The final exam for this course will take place on Friday, June 15, from 11:30 a.m. to 2:30 p.m. If you enroll in this class, you must be free to take a regular final exam for this course at this time.

This is a course in normative political theory. Its aim is to discover moral principles suitable for the regulation of a modern, diverse, democratic society. Here "suitable" principles are taken to be those whose implications for policy best satisfy our considered moral judgments, after reflection, all things considered. The course is text-centered; we'll spend considerable time examining the view of the main course authors. Topics to be covered include the proper role of the state and the moral limits of state authority, economic justice, freedom versus equality, the welfare state, civil liberties, the nature and justification of political democracy, and rights of groups to secession and self-determination.

What set of institutional and political arrangements, in a modern society, is fair?

John Rawls argues that justice requires democratic equality--equal civil liberties and democratic citizenship rights for all, a strong equality of opportunity for positions of advantage, and the political economy to be set so that over time the worst off social group is as well off as possible.

Robert Nozick argues for a libertarian conception of justice. Individuals have rights not to be harmed in certain ways (force, theft, fraud) by others, and rights to live as they choose so long as they do not harm others in these certain ways. In Nozick's view, the egalitarian rights Rawls endorses are bogus, because they conflict with the basic rights to liberty.

Ronald Dworkin holds that justice requires equal consideration and respect for all members of society and that this equal consideration implies equality of resources. This last ideal must be interpreted in a way that is compatible with personal responsibility. Equality for responsible individuals demands compensation for unchosen bad luck but not for the outcomes of individual choice given fair initial conditions.

David Schmidtz asks whether in seeking a theory of justice we should be looking for timeless universal correct principles or rather a guide to practice that might be tailored to serve various purposes. He suggests that a suitable aim of a theory of justice is to help people live together peaceably, as good neighbors, and that neither the demands stimulated by egalitarian principles nor insistence on abstract rights advances this aim.

Besides shedding light on the arguments and assumptions that underlie conflicting conceptions of justice, we will also examine a variety of perspectives on the justification of democracy. What is political democracy? To qualify as morally legitimate, to what extent, if at all, must the process of government be democratic? Is political democracy intrinsically just, good or bad depending on its results, or what? Should democratic procedures be limited to protecting rights; if so which rights?

Discussions of the justification of democracy tend to presuppose a group of people living on a common territory who are to be members of a single state, which might be democratic or nondemocratic. A prior question is: How should people and territories be put together to form states? We look at theories of secession, which address part of this question.

The goals of the course are to improve our skills at interpreting difficult texts and assessing their arguments, to understand a variety of approaches to the theory of justice, and to gain a more reflective understanding of our own political values.

COURSE TEXTS: John Rawls, *A Theory of Justice*; Robert Nozick, *Anarchy, State, and Utopia*; Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*; David Schmidtz, *The Elements of Justice*; and a few essays that will be available on the course website.

COURSE REQUIREMENTS: A take-home midterm exam (due Friday of week 6), a short writing assignment, five to seven pages in length, topics to be assigned in class, and a regular comprehensive final examination. On your exams and the writing assignment you will be graded according to the clarity of your prose, the cogency of your arguments, and the soundness of the understanding of course materials that you exhibit. The final examination will comprehend all course materials including required readings, lectures, and handouts distributed in class. (This means that merely recommended readings will NOT be covered on exams.)

GRADING: If you are taking the course on a PASS/NOT PASS basis, you must get (1) a C- or better on the final examination as well as (2) an overall C- average on all course work in order to achieve a PASS grade, with one exception: If you have an A- or better average on the midterm exam, writing assignment, and adequate participation in class discussion and are enrolled on a PASS/NOT PASS basis, you need not take the final exam in order to earn a PASS grade.

The midterm exam and the writing assignment will each count for 30 percent and the final examination will count for 40 per cent of your overall course grade.

Only medical excuses certified by a note from your physician or a comparable certified excuse will be accepted for late submission of the writing assignment or the midterm exam, or to justify the assignment of an Incomplete course grade.

SCHEDULE OF LECTURES, DISCUSSIONS, AND READINGS

Week 1. April 2-8

MON: Introduction. Reading: none.

WED: Rawls versus utilitarianism; justice as fairness; the role of political philosophy. Reading: Rawls, *A Theory of Justice*, chapter 1.

FRI: **[Note—This class will have to be rescheduled.]** Two principles of justice: (1) equal basic liberty, and (2) fair equality of opportunity and the difference principle. Reading: Rawls, *A Theory of Justice*, chapter 2.

Week 2. April 9-15

MON: The original position argument for Rawls's principles. Reading: Rawls, *A Theory of Justice*, chapter 3.

WED: The original position argument. Reading: same as for Monday.

FRI: Rawls on liberty and the priority of liberty. Reading: Rawls, *A Theory of Justice*, chapter 4 and section 82 from chapter 9.

Week 3. April 16-22

MON: Distributive shares, justice between generations, and Rawls versus "desert" and "perfection." Reading: Rawls, *A Theory of Justice*, chapter 5.

WED: Political liberalism. Reading: Rawls, "Justice as Fairness: Political Not Metaphysical."

FRI: Global justice. Reading: Michael Blake, "Distributive Justice, State Coercion, and Autonomy."

Week 4. April 23-29

MON: A left-wing criticism of Rawls: Reading: G. A. Cohen, "Where the Action Is: On the Site of Distributive Justice."

WED: A right-wing criticism of Rawls. Reading: Robert Nozick, *Anarchy, State, and Utopia*, chapter 7, section II, pages 183-227.

FRI: Self-ownership and libertarian social justice. Reading: Nozick, *Anarchy, State, and Utopia*, chapter 7, section I, pp. 150-182. [Note—the lecturer for this class will be a guest lecturer, Mr. Dale Dorsey.]

Week 5. April 30-May 6

MON: Against redistribution; freedom and markets. Reading: Nozick, *Anarchy, State, and Utopia*, chapter 8.

WED: Lockean natural rights and the minimal state. Reading: Nozick, *Anarchy, State, and Utopia*, chapters 1-3.

FRI: Rights as constraints vs. rights as goals; rights to capabilities. Reading: Amartya Sen, "Rights and Agency," sections 1-4 (on course website); also Sen, "Equality of Capacity."

Week 6. May 7-13

MON: Property rights and liability rights in libertarian perspective. Reading: Nozick, *Anarchy, State, and Utopia*, chapter 4; also Peter Railton, "Locke, Stock, and Peril: Natural Property Rights, Pollution, and Risk."

WED: The principle of fairness; the argument for the minimal state. Reading: Nozick, *Anarchy, State, and Utopia*, chapter 5; also A. John Simmons, "The Principle of Fair Play." Recommended: R. Arneson, "The Principle of Fairness and Free-Rider Problems."

FRI: **Midterm take-home exam due in class.** Ronald Dworkin versus welfarism. Reading: Dworkin, *Sovereign Virtue*, "introduction" and chapter 1, pp. 1-64. Recommended: R. Arneson, "Equality and Equal Opportunity for Welfare."

Week 7. May 14-20

MON: Personal responsibility and distributive equality. Reading: Dworkin, *Sovereign Virtue*, chapter 2, pp. 65-119.

WED: Dworkin on the good and the right. Reading: Dworkin, *Sovereign Virtue*, chapter 6, pp. 237-284.

FRI: Applications. Reading: Dworkin, *Sovereign Virtue*, chapters 8 and 13, pp. 307-319 and 427-452. [Note—this class will probably have to be rescheduled.]

Week 8. May 21-27

MON: Democratic equality. Reading: Elizabeth Anderson, "What Is the Point of Equality?"; also Samuel Scheffler, "Choice, Circumstance, and the Value of Equality." Recommended: R. Arneson, "Luck Egalitarianism and Prioritarianism" and "Luck Egalitarianism Interpreted and Defended."

WED: Another conception of theories of justice. Reading: David Schmidtz, *The Elements of Justice*, Part 1, pp. 3-28, and sections 34 and 35, pp. 216-227

FRI: Desert and reciprocity. Reading: Schmidtz, *Elements*, Parts 2 and 3.

Week 9. May 28-June 3

MON: **Memorial Day Holiday. No class.**

WED: Against academic egalitarianism. Reading: Schmidtz, *Elements*, Parts 4 and 5.

FRI: **Writing assignment due in class.** Why democracy? Reading: Thomas Christiano, "The Authority of Democracy."

Week 10. June 4-10

MON: What type of democracy? Reading: Joshua Cohen, "Deliberation and Democratic Legitimacy"; also Jeremy Waldron, "The Constitutional Conception of Democracy."

WED: Judicial review constraints on majority will; are democratic procedures intrinsically fair or just instrumentally valuable? Reading: Dworkin, *Sovereign Virtue*, chapter 4; also Dworkin, "Taking Rights Seriously."

FRI: Rights to secession. Reading: A. Buchanan, "Theories of Secession"; also K. Wellman, "A Defense of Secession and Political Self-Determination" & "Liberalism, Samaritanism, and Political Legitimacy."

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