

PHILOSOPHY 224 SOCIAL AND POLITICAL PHILOSOPHY

Fall, 1997. Richard Arneson

Distributive Justice and Consequentialist Morality.

This seminar explores two connected themes. The first topic (weeks 1-6) is contemporary theories of distributive justice—justice in the distribution of benefits and burdens among persons. Two versions of liberalism are canvassed. Lockean liberalism is process-oriented, and holds the just distribution to be whatever distribution comes about when individuals respect one another's individual rights as they interact with each other. Egalitarian liberalism is outcome-oriented, and holds that social justice requires the compensation of individuals and the regulation of institutions to bring about (what the theory specifies to be) a fair distribution of prospects for a good life for all. We shall be concerned to assess the different ways that outcome-oriented theories blend social and individual responsibility for the individual's life prospects.

The outcome-oriented theories of justice are broadly speaking consequentialist in the sense that according to them institutions, policies, and acts are judged according to their expected consequences. Consequentialist moralities attract deontological criticisms. Weeks 7-10 of the seminar examine contemporary discussions of deontology.

Seminar discussions will be self-contained; no prior background knowledge is presupposed. The deontology section of the seminar focuses on writers working in the Kantian tradition, but our interest is in the merits of the philosophical ideas being proposed, not their degree of fidelity to Kant's texts.

Course texts: Samuel Scheffler, *Consequentialism and Its Critics*; Christine Korsgaard, *Creating the Kingdom of Ends*; Robert Nozick, *Anarchy, State, and Utopia*; and John Roemer, *Theories of Distributive Justice*. Other required readings will be in a course packet available from Cal Copy. Copies of recommended readings will be collected in the Philosophy Department Library.

Course requirements: regular participation in seminar discussions, a seminar presentation; and a term essay.

(The readings listed as "recommended readings" below suggest further avenues of thought for anyone who might be writing an essay on some aspect of that week's topic. Seminar discussions will concentrate on the required readings.)

SCHEDULE OF TOPICS AND READINGS

Week 1. Contemporary Liberal Egalitarian Theories of justice and the Critique of Utilitarianism: John Rawls and Ronald Dworkin.

Reading: none required..

Recommended: Roemer, *Theories of Distributive Justice*, chapter 5, is useful background. See also Will Kymlicka, *Contemporary Political Philosophy: An Introduction*, chapter 3, "Liberal Equality"; Allen Buchanan, "A Critical Introduction to Rawls' Theory of Justice." In Gene Blocker and Elizabeth Smith, eds., *John Rawls' Theory of Social Justice: An Introduction*; and Stephen Darwall, "Is There a Kantian Foundation for Rawlsian Justice?", also in Blocker and Smith.

Week 2. Resourcism and Welfarism.

Reading: "Ronald Dworkin, "What Is Equality? Part 1: Equality of Welfare," *Philosophy & Public Affairs*, summer, 1981; Dworkin, "What Is Equality? Part 2: Equality of Resources," *Philosophy & Public Affairs*, fall, 1981.

Recommended: Roemer, *Theories of Distributive Justice*, chapter 7; also Philippe Van Parijs, *Real Freedom for All*, chapter on Dworkin.

Week 3. Responsibilities of Individual and Society in Social Justice.

Reading: John Roemer and nine critics, "Equality of Opportunity," *Boston Review*, vol. 20, 1995; G. A. Cohen, "Where the Action Is: on the Site of Distributive Justice," *Philosophy and Public Affairs*, winter, 1997.

Recommended: Roemer. *Theories of Distributive Justice*, chapter 8; Richard Arneson, "Equality and Equal Opportunity for Welfare," in L. Pojman and R. Westmoreland, *Equality: Contemporary Readings*; Eric Rakowski, *Equal Justice*, chapters 2 and 6; Marc Fleurbaey, "Equal Opportunity or Equal Social Outcome?," *Economics and Philosophy* (1995); John Rawls, "Social Unity and Primary Goods," in Sen and Williams, eds., *Utilitarianism and Beyond*; T.M. Scanlon, "The Significance of Choice," Lecture 2; Amartya Sen, "Equality of What?," reprinted in Sen; R. Arneson, "Rawls, Responsibility, and Distributive Justice," typescript; Liam Murphy, "Justice, Institutions, and Nonideal Theory," typescript.

Week 4. Clarifying the Idea of Egalitarianism.

Reading: Derek Parfit, "Equality or Priority?," Lindley Lecture; Larry Temkin, chapter 9 of his *Inequality*; and Shelly Kagan, "Equality and Desert," typescript.

Recommended: Harry Frankfurt, "Equality as a Moral Ideal," in his *The Importance of What we Care About*. also Frankfurt, "Equality and Respect," typescript.

Week 5. Lockean Theories of Justice. Reading: Robert Nozick, "Distributive Justice," chapter 7 in *Anarchy, State, and Utopia*.

Recommended: Roemer, chapter 6; also A. John Simmons, *The Lockean Theory of Rights*, chapter 5, "Property Rights."

Week 6. The structure of Lockean Theories: Infringement, Violation, Boundary Crossing.

Reading: Robert Nozick, "Prohibition, Compensation, and Risk," chapter 4 in *Anarchy, State, and Utopia*.

Recommended: Gijs Van Donselaar, chapter 3 of *The Benefit of Another's Pains*.

Week 7. Rights. Reading: Robert Nozick, "Side Constraints," in Scheffler, *Consequentialism and Its Critics*; Amartya Sen, "Rights and Agency," in Scheffler.

Week 8. Rights and Deontology. Reading: Frances Kamm, "Non-consequentialism, the Person as an End-in-Itself, and the Significance of Status" *Philosophy & Public Affairs*, fall, 1992; Thomas Nagel, "Autonomy and Deontology," in Scheffler, *Consequentialism and Its Critics*.

Recommended: Elizabeth Anderson, *Value in Ethics and Economics*, chapters 2-4; Shelly Kagan, *The Limits of Morality*, chapters 3-4, Thomas Nagel, "Personal Rights and Public Space," *Philosophy & Public Affairs* (1995), K. Lippert-Rasmussen, "Moral Status and the Impermissibility of Minimizing Violations," *Philosophy & Public Affairs* (1996).

Week 9. Contemporary Kantian Deontology.

Reading: Christine Korsgaard, *Creating the Kingdom of Ends*, chapters 2-4.

Recommended: Barbara Herman, "Leaving Deontology Behind"; also Thomas Hill, "Humanity as an End in Itself," reprinted in Hill, *Dignity and Practical Reason*.

Week 10. "Kantsequentialism."

Reading: David Cummiskey, *Kantian Consequentialism*.

Recommended: Christine Korsgaard, "The Right to Lie: Kant on Dealing with Evil," chapter 5 in *Creating the Kingdom of Ends*.