Contemporary theories of justice frequently suppose that a legitimate state does not coerce people to comply with values or principles that they could reasonably reject. This ideal of legitimacy is thought to imply neutrality on the good: The State should not coerce people to comply with controversial conceptions of the good (which people could reasonably reject). As Ronald Dworkin puts the point, the government's policies should "be neutral on the question of the good life, or of what gives value to life." Liberal neutrality is sometimes described as a generalization of policies of religious tolerance: Just as the state should be neutral with respect to religious questions, so too the state should be neutral with respect to questions about the good life."

Critics have challenged liberal neutrality. One strand of criticism raises doubts as to whether neutrality is a feasible or even possible policy for a government to follow. This criticism prompts clarification of what we might mean by "neutrality" and the attempt to specify a neutrality constraint that is at least feasible and perhaps attractive.

Another strand of criticism argues that the adherents of neutrality presume an asymmetry between the right and the good, such that whereas reasonable people cannot be expected to agree about what is good, they can agree about what is fair or right or just. The claim then goes that this asymmetry is unfounded, and the skepticism that would hold that reasonable agreement on the good is out of reach, applied to issues of justice, would hold that reasonable agreement on the right is equally beyond reach. We either get skepticism across the board or we rethink the considerations that prompted skepticism and allow agreement on the good and on the right to some extent to be available as a basis for state policy.

The question then arises, what conception of human good makes most sense, or makes most sense for purposes of a theory of justice. Does what we owe each other by way of just and fair treatment depend on what is good for people, and if so, how? Conceptions of the good divide into subjectivist (what is good for an individual is fixed by that very person's attitudes and opinions and desires) and objectivist (what is good for an individual is fixed objectively and independently of that very person's attitudes and opinions and desires).

A different question about the good is to what extent an individual’s freedom to lead her life as she chooses is properly constrained by requirements of justice. According to some views of what justice requires, its demands swallow up individual freedom. What do we really owe to each other?

Egalitarian, How Come You're So Rich?. Copies of required essays and suggested further readings will be placed in the Department Library,

Workload: Informed participation in weekly seminar discussions; one or more oral seminar presentations; and a term paper that explores a significant course reading and theme. (Auditors are welcome.)

For each week’s seminar, participants are expected to have read the required readings (listed in 12 point type), not the further recommended readings (listed in smaller type). The recommended readings suggest possibilities for further exploration for those especially interested in a particular topic or who might be thinking of doing a term paper in this area.

Weekly Topics.

1. Example: Neutrality and Prohibition of Dangerous Recreational Drugs.

Further recommended reading: Joel Feinberg, "Legal Paternalism."

3. Classical statements of neutrality.

4. Liberal neutrality attacked.
G. Sher, Beyond Neutrality: Perfectionism and Politics, chapters 3-4.
Perfectionists on the Good: Thomas Hurka, Perfectionism; Sher, Beyond Neutrality, chapter 9.
5. Fusion: A liberal theory of right married to a liberal account of ethics, value & good. Dworkin on equality of welfare and equality of resources.

6. Fusion, continued. Dworkin on the ethical foundations of liberal equality.

7. The capabilities approach to social justice.


10. Does justice demand too much personal sacrifice? Can a moral person lead the good life?