

INTRODUCTORY HANDOUT PHILOSOPHY 167 SPRING, 2005
CONTEMPORARY POLITICAL PHILOSOPHY

Professor: Richard Arneson.

Course web page accessible at

<http://philosophy.ucsd.edu/Courses/>

Lecture MWF 11:00-11:50 a.m. in Warren Lecture Hall 2112.

The final exam for this course will take place on Monday, June 6, 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.

This course explores conflicting contemporary views on social justice. What set of institutional and political arrangements, in a modern society, is fair? The topics this question gathers 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, self-determination, local autonomy, and the like.

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.

Besides shedding light on the arguments and assumptions that underlie conflicting conceptions of justice, we will also more directly 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 protect 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? Theories of secession and the right of nations to self-determination try to answer this question. We examine some proposed answers.

A single state at a time might contain groups united by ethnicity, culture, language, religion, or some combination. Some of these groups might see themselves as nation-like, or even nations in their own right, and on this ground to possess special rights to autonomy, resources, or representation. How should we assess such claims?

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*; George Sher and Baruch Brody (eds.), *Social and Political Philosophy: Contemporary Readings*; plus a few essays that will be accessible at the course web page

<http://philosophy.ucsd.edu/Courses> then click spring 2005, then Philosophy 167.

All course handouts, assignments, study questions, advance information on the final exam, and similar material will be available on the course web page.

COURSE REQUIREMENTS: A midterm take-home exam (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 take-home 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 absence from the midterm exam, or to justify the assignment of an Incomplete course grade.

SCHEDULE OF LECTURES, DISCUSSIONS, AND READINGS

Week 1. March 28-April 3.

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: 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 4-10.

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. [Please note: This class may have to be rescheduled.]

Week 3. April 11-17.

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

WED: The family and equality of opportunity. Reading: James Fishkin, "Justice, Equal Opportunity, and the Family," and Susan Okin, "Justice and Gender," both in Sher and Brody reader, pp. 804-823.

FRI: Political liberalism. Reading: Rawls, "Justice as Fairness: Political Not Metaphysical," in Sher and Brody reader, pp. 306-325.

Week 4. April 18-24.

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

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*, section I, pp. 150-182.

Week 5. April 25-May 1.

MON: Against redistribution; freedom and markets. Reading: Nozick, *Anarchy, State, and Utopia*, chapter 8. Recommended reading: Margaret Radin, "Prostitution, Surrogacy, and Commodification," in Sher and Brody reader.

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

FRI: Amartya Sen, "Rights and Agency," sections 1-4, available at course web page. Also Amartya Sen, "Equality of Capacity," in Sher and Brody reader, pp. 604-611.

Week 6. May 2-8

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," available at course web page. Recommended reading: R. Arneson, "The Shape of Lockean Rights: Fairness, Pareto, Moderation, and Constraint," available at course web page.

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," available at course web page.

FRI: More on the principle of fairness and political obligation, Reading: Richard Arneson, "The Principle of fairness and Free-Rider Problems" and A.D.M. Walker, "Political Obligation and the Argument from Gratitude," both in Sher and Brody reader, pp. 173-196.

Week 7. May 9-15

MON: Ronald Dworkin versus "welfarism." Reading: Dworkin, *Sovereign Virtue*, "Introduction" and chapter 1, pp. 1-64; also Richard Arneson, "Equality of Opportunity for Welfare," in Sher and Brody reader, pp. 612-621. Recommended reading: Richard Arneson, "Welfare Should Be the Currency of Justice," available at course web page.

WED: **MIDTERM TAKE-HOME EXAM DUE IN CLASS.** Personal responsibility and distributive equality. Reading: Dworkin, *Sovereign Virtue*, chapter 2, pp. 65-119.

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

Week 8. May 16-22.

MON: Applications. Reading: Dworkin, *Sovereign Virtue*, chapters 8 and 9, pp. 307-350. Recommended reading: Dworkin, chapter 10, pp. 351-385.

WED: Anti-Dworkin; critique of luck egalitarianism. Reading: Elizabeth Anderson, "What Is the Point of Equality?"; available at course web page. Recommended reading: Richard Arneson, "Cracked Foundations of Liberal Equality" and "Luck Egalitarianism and Prioritarianism."; also Samuel Scheffler, "Choice, Circumstance, and the Value of Equality," all available at the course web page.

FRI: Why democracy? Reading: John Stuart Mill, "Representative Government," Peter Jones, "Political Equality and Majority Rule," both in Sher and Brody reader, pp. 219- 237. Recommended reading: Ronald Dworkin, *Sovereign Virtue*, chapter 4, "Political Equality."

Week 9. May 23-29.

MON: The deliberative democracy ideal. Reading: Jon Elster: "The Market and the Forum: Three Varieties of Political Theory"; also Amy Gutmann and Dennis Thompson, "Democracy and Disagreement," both in Sher and Brody reader, pp. 238- 259 and pp. 274-291.

WED: Constitutional limits on majority rule. Reading: John Hart Ely, "Judicial Review and the Representation of Interests," Ronald Dworkin, "Taking Rights Seriously," and Bruce Ackerman, "Dualist Democracy," all three in Sher and Brody reader, pp. 348-395.

FRI: Secession and the right of self-determination. Reading: Allen Buchanan, "Theories of Secession"; also Avishai Margalit and Joseph Raz, "National Self-Determination," both in Sher and Brody reader, pp. 402-427.

Week 10. May 30-June 5.

MON: NO CLASS. HOLIDAY.

WED: **WRITING ASSIGNMENT DUE IN CLASS.** Multiculturalism and liberal rights. Reading: Will Kymlicka, "Cultural Membership and Choice"; also Charles Taylor, "The Politics of Recognition," both in Sher and Brody reader, pp. 430-456.

FRI: Multiculturalism and cosmopolitanism. Reading: Jeremy Waldron, "Multiculturalism and the Cosmopolitan Alternative," in Sher and Brody reader, pp. 457-472.

**Arneson's office hours: Tuesdays 2-3 and Thursdays 1-3 in HSS 8057.
Office phone 534 6810. Email rarneson@ucsd.edu**