

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

SPRING, 2015
revised 5/29/2015

Lecture Tuesdays & Thursdays 11:00 to 12:20 in HSS 2305A.

The final exam for this course will take place on Tuesday, June 9, from 11:30 am 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 seek to identify 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, the obligation to obey the law, economic justice, freedom versus equality, the nature and justification of political democracy, the appropriate response of a democratic state to what are known as terrorist threats, and the justifiability of immigration restriction.

Some topics and questions:

1. Suppose the law in your community, applied to your circumstances, requires you to perform some action. Is there any moral obligation, at least in a decent society, to do what the law commands just in virtue of the fact that the law has commanded it? Christopher Wellman argues for a Yes answer; A. John Simmons for a No answer.
2. What set of institutional and political arrangements, in a modern society, is fair?
 - a. Do members of a modern nation state have a right to a democratic say in the governance of the state? Is democracy the uniquely justifiable mode of governance for a modern society; if so, why so? Some hold that instituting and maintaining a democratic order is justified if and only if doing so leads to morally better results than instituting and maintaining some form of elite rule. Others say democracy is a uniquely fair procedure for political decision making because it alone treats all members of society as equals.
 - b. 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.
 - c. 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.
 - d. Ronald Dworkin holds that justice requires equal consideration and respect for all members of society and that these norms dictate a version of equality that is compatible with personal responsibility. Dworkin suggests that equality for responsible individuals demands compensation for unchosen bad luck but not for the outcomes of individual choice given fair initial conditions. Others say similar things. These views might be seen as trying to discover an acceptable compromise between Rawls and Nozick. Elizabeth Anderson objects that these luck egalitarian views, as they have come to be called, are wrong-headed, partly in virtue of seriously misinterpreting the values of equality and responsibility.
 - e. Do members of a political society have a moral right to use state power to exclude outsiders from entry? Are immigration restrictions permissible; if so, of what sort? Christopher Wellman and Joseph Carens defend opposed views on these questions.
 - f. Is “terrorism” just a name for politically inspired violence that is disliked by the one who is using the term? Or is there a distinctive wrong or evil singled out by the term? Does threat of terrorism warrant actions by a democratic state that would be morally unacceptable in the absence of this threat?

COURSE GOALS: The goals of the course are to improve our skills at interpreting challenging 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. A secondary aim is to sharpen our analytical writing skills.

COURSE TEXTS: All course readings will be available at the course TED page.

COURSE REQUIREMENTS: (1) regular participation in class discussion, (2) nine short weekly discussion papers, each about one page in length, commenting on some aspect of the reading for that class that strikes you as significant, (3) a longer writing assignment, six to eight double-spaced pages in length, topics to be assigned in class, and (4) a regular comprehensive final examination. You will have some choice of topic on the writing assignment. On your discussion papers, writing assignment, and final exam 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.)

To encourage keeping up with the reading class by class and week by week, there will be a class participation component of your grade. At each class meeting, there will be class discussion for about half of the class, always on questions posed in advance of class (and relating to the readings assigned for that class). This class discussion usually will take place at the start of class, before the instructor's lecture starts, but sometimes will occur at the mid-way point. During lectures, you are always encouraged to interject questions and comment. I will take notes after every class on the class discussion, and the quality and frequency of your contributions to discussion will be the basis of your class participation grade.

The weekly discussion paper examines one line of thought or argument or claim made in a course reading for that day (the day you are turning in the paper). In the paper you can highlight something in the reading you think would be a good focus for class discussion. You can present a claim or argument advanced by the course author. You can raise an objection to what the author is saying, or defend a controversial claim in the reading against some possible objection. You have a lot of choice as to what to do in the short paper. Trying to summarize the entire reading in a one-page paper is probably not a good idea, but you might summarize and clarify an argument in the reading that seems complicated or pivotal or both. The weekly discussion paper is due at the start of class on either Tuesday or Thursday and should discuss some part of the assigned reading for that day's class.

If you turn in ten discussion papers I will count your nine best grades.

GRADING: The final exam counts for 40 % of your exam grade, the writing assignment for 30%, the nine discussion papers for 15%, and class participation for 15 %.

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. March 30-April 5 .

TUES: Introduction to course. Is there a duty to obey the law? Reading: C. Wellman, "Samaritanism and the Duty to Obey the Law," pages 3-54 of his contribution to *Is There a Duty to Obey the Law?*

THUR: Philosophical Anarchism. Reading: Robert Nozick, *Anarchy, State, and Utopia*, pp. 90-95; also John Simmons, "The Principle of Fair Play."

Week 2. April 6-12

TUES: Responses. Reading: R. Arneson, "Paternalism and the Principle of Fairness"; Jeremy Waldron "Special Ties and Natural Duties."

THUR: Why democracy? Reading: Thomas Christiano, "The Authority of Democracy."

Week 3. April 13-19.

TUES: "Why democracy? Reading: D. Estlund, "Beyond Fairness and Deliberation" and "Why Not Epistocracy?"

THUR: Why democracy? Arneson, "The Alleged Right to a Democratic say"; also J. Brennan, "The Right to a Competent Electorate."

Week 4. April 20-26

TUES: Why Democracy: Niko Kolodny, "Rule over None: What Justifies Democracy?"

THUR: Terrorism. Scheffler, "Is Terrorism Morally Distinctive?"; also David Luban, "The War on Terrorism and the End of Human Rights."

Week 5. April 27-May 3.

TUES: Reading: Philip Pettit: "Justice: Social and Political."

THUR: Two principles of justice: (1) equal basic liberty, and (2) equality of fair opportunity and the difference principle. Reading: Rawls, *A Theory of Justice*, chapter 2, excerpts.

Week 6. May 4-10.

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

THUR: Reading: G. A. Cohen, "Why Not Socialism?" Jason Brennan and Peter Jaworski, "Markets without Symbolic Limits."

Week 7. May 11-17

TUES: **[WRITING ASSIGNMENT DUE IN CLASS.]** Criticism of Rawls from a Lockean libertarian standpoint.

Reading: R. Nozick, *Anarchy, State, and Utopia*, chapter 7.

THUR: Lockean libertarianism; Nozick on individual moral rights. Reading: R. Nozick, *Anarchy, State and Utopia*, chapters 1-4.

Week 8. May 18-24.

TUES: Immigration. Reading: Christopher Wellman, "Immigration and Freedom of Association." Also: Joseph Carens, "Aliens and Citizens: The Case for Open Borders."

Week 6. May 4-10.

THUR: R. Dworkin, "What Is Equality? Part 1: Equality of Welfare."

Week 9. May 25-31..

TUES: Reading, R. Dworkin, "What Is Equality: Part 2: Equality of Resources."

THUR: Luck egalitarianism and objections against luck egalitarianism. Reading: R. Arneson, "Equality and Equal Opportunity for Welfare"; also E. Anderson, "What is the Point of Equality?". Merely recommended reading: R. Arneson, "Luck Egalitarianism and Prioritarianism."

Week 10. June 1-7.

TUES: Liberal neutrality on the good. Arneson, "Liberal Neutrality on the Good: An Autopsy"; Allen Patten, "Liberal Neutrality: a Reinterpretation and Defense"

THUR: Martha Nussbaum, "Political Perfectionism and Political Liberalism"; also Jonathan Quong, "Paternalism and Perfectionism."

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