

Philosophy 325: Social and Political Philosophy Course Outline

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Subject Matter: This class will examine various theories and principles of justice, assess arguments for these theories and principles, and look at how they fare when implemented. Dimensions of assessment will include how they treat diverse and often unpopular minorities, the extent to which they treat people equally and in what ways, the implication of these theories for the distribution and conservation of resources, the extent to which they allow for diverse conceptions of the good for persons, the extent to which the proposed principles are appropriate cross-culturally, and others besides these as relevant.

Course Requirements: Three papers (one short paper of *exactly* 3 pages, another of 5 pages and a final longer paper of 6-8 pages), discussion board participation as outlined below, and class participation. The first paper will come relatively early in the semester, the next a reasonable time after I've returned that one with comments, and the final paper on the first day of finals week to replace a final exam.

Prerequisites: All upper level philosophy classes have a one course philosophy prerequisite. Be warned that if you have not written a philosophy paper before this class will likely be harder for you than it would otherwise be.

Grading: 20 % of the grade will be determined by the first shorter paper, 20% by the second shorter paper, 40% by the third and the remaining 20% will be based on class participation and discussion board participation of the sort that shows you have done the readings. Since this is a small class we may have presentations that will be part of this part of the grade.

Discussion Board: I'll be setting this up in Blackboard and giving you the link. I would like you to initiate at least 5 threads on a reading during the course of term and to respond to at least ten threads initiated by other students over the course of the term. As noted above, I'll use this, together with your class discussion to judge whether you did the reading and also give some credit for raising interesting issues. But the main point is to give you a place to try out ideas with one another so that you can feel ready to talk about the readings in class.

Class Format: The class will be a combined lecture and discussion format. I will generally come to class with some material to present, but I welcome questions and interruptions. And I will try to ask you all questions to stimulate discussion.

Information for Students with Disabilities: Students with disabilities are encouraged to contact the instructor for a confidential discussion of their individual needs for academic accommodation. It is the policy of the University of Nebraska-Lincoln to provide flexible and individualized accommodation to students with documented disabilities that may effect their ability to fully participate in course activities or meet course requirements. To receive accommodation services students can register with the Services for Students with Disabilities (SSD) office, 132 Canfield, 472-3787 for voice or TTY.

Books to Buy or Borrow:

John Stuart Mill, *Utilitarianism* and *Considerations on Representative Government* (but see info for getting from the web below),
John Rawls, *A Theory of Justice*,
Milton Friedman, *Capitalism and Freedom*,
Robert Nozick, *Anarchy, State, and Utopia*,

Martha Nussbaum, *Sex and Social Justice*,
Michael Walzer, *Spheres of Justice*.

The remaining readings will be available mostly on the web, though there may be a few we have to provide some other way later in the term. The links below all worked when I checked them on 8/20/016. You should probably download them immediately. If they don't work later you'll be responsible for finding your own copies, which should not be difficult. (This is an attempt to save you some money on readings. The other books should be widely available on the used market though they are still under copyright and hence I don't think you can find them online.)

SCHEDULE: Topics and readings are listed in the order we will be discuss them. I cannot say exactly which readings will be necessary for which days, and how many days we will spend on each topic. (I have put an *estimate* of the number of class sections for each topic in parentheses after the description of that topic.) Thus, it will be your responsibility to keep up with the class and to know what is coming next. As a general idea, it would be advisable to read as much as possible of the assignment with respect to each author as soon as we get to that author.

Topic I: **Introduction.** (1 session)

Topic II: **Utilitarianism:** Utilitarianism, the view that government should be organized so as to maximize happiness or utility, has long been somewhat of a default position in political philosophy. The most well known recent work, by Rawls, takes utilitarianism as it's main opponent. We'll look at two versions each of which use differing conceptions of happiness or pleasure. One issue on which we will focus is the rights of unpopular minorities and whether either version has the resources to defend certain rights using what is known as the "Harm Principle." We'll also read a selection from Mill's collaborator and wife, Harriet Taylor Mill. And then we will look at John Stuart Mill's defense of representative democracy and how it embodies a certain conception of class divisions. And (4 - 5 sessions)

Readings: Bentham, *Introduction to the Principles of Morals and Legislation*, available on the web <http://www.efm.bris.ac.uk/het/bentham/morals.pdf> as a pdf document. Read chapters I & IV.

Bowers v. Hardwick, 106 S. Ct. 2841, 478 US 186 (1986) - US Supreme Court Opinion and <http://supct.law.cornell.edu/supct/cases/478us186.htm> (The site divides the case into seven or eight separate pages which you have to click through, all of which need to be printed out and read to get the whole case.) If that link does not work, try http://www.law.cornell.edu/supct/html/historics/USSC_CR_0478_0186_ZS.html

Mill, *Utilitarianism* chapter II. & chapter V, available on the web as a download or an html page at <http://etext.library.adelaide.edu.au/m/m645u/>. *On Liberty* is also relevant but not required. A version of that is at <http://www.bartleby.com/130/>.

Harriet Taylor Mill, "The Enfranchisement of Women," *Westminster Review* (1851). There are versions you can find using Google all over the web. One such is at: <http://womhist.alexanderstreet.com/awrm/doc15.htm>.

John Stuart Mill, *Considerations on Representative Government*, Chapters 3, 5-8, 10 & 15. You can get a pdf version from McMaster University at: <http://socserv2.socsci.mcmaster.ca/~econ/ugcm/3ll3/mill/repgovt.pdf>.

It is also available on the web as a download or an html page at: <http://etext.library.adelaide.edu.au/m/m645r/>.

The whole Mill section is useful and contains links to other authors of interest. If you want to look it can be found at http://ebooks.adelaide.edu.au/m/mill/john_stuart/.

Topic III: Milton Friedman (Right-wing Libertarianism with an unmoralized conception of Liberty): Some theorists, Friedman among them, argue for a system of capitalism and against egalitarian systems for distribution on the basis that only such organization is compatible with a system of individual liberty. Friedman uses an analogy between inherited wealth and so-called natural talents to argue against government policies to provide equal opportunity to its citizens. He also argues that unregulated capitalist markets will decrease racial discrimination thereby making anti-discrimination laws unnecessary. We'll look closely at those arguments. (2 or 3 sessions)

Readings: Friedman, *Capitalism and Freedom*. Introduction, Chapters I, II, VII, & X.

Charles Mill, "White Ignorance," in Shannon Sullivan Nancy Tuana (ed.), (SUNY Press, 2007) 11--38 at:

<http://philpapers.org/go.pl?id=MILWI-3&proxyId=&u=http%3A%2F%2Faapf.org%2Fwp-content%2Fuploads%2F2009%2F05%2Fwhite-ignorance-vii.doc>).

Topic IV: Robert Nozick (Right-wing Libertarianism with a moralized conception of Liberty): Nozick derives his theory of justice from the idea that people have certain kinds of property rights which should never be violated. Starting from the rights he postulates, he defends a libertarian market society which allows great inequalities of wealth. He argues that such a society could originate in a manner which violates no one's rights, and that interfering with it's functioning would interfere with the rights of persons. In particular he argues that such a society would arise through a process of just appropriation of natural resources, coupled with just exchanges of such resources among persons.

We will look at both his positive argument that this is so, and at his criticisms of more egalitarian views (a bit of that follows the Rawls reading) as well as at a feminist view critical of his. (4 sessions)

Readings: Nozick, *Anarchy, State, and Utopia*, pages 1-35, 48-53, 149-189.

Recommended: G. A. Cohen "Self-Ownership and World Ownership" available from me.

Ta-Nehsi Coates, "The Case for Reparations," *The Atlantic Monthly*, (June 14, 2014) at: <http://www.theatlantic.com/features/archive/2014/05/the-case-for-reparations/361631/> .

Topic V: John Rawls (Liberal Democratic Egalitarianism): Just about all current political philosophy takes Rawls as a point of reference, either by extending or opposing Rawls' view. The central normative idea is that the basic structure of a just society should extend certain fundamental liberties, and be organized so that inequalities of other economic and social goods be to the greatest benefit of the least well off. It thus has a decidedly egalitarian cast. Another central idea is that the justification of central governmental institutions must be made on the basis of arguments that don't turn on controversial moral views, conceptions of the good, or religious doctrines. We will spend some time familiarizing ourselves with the view, and the arguments for it. (5 sessions)

Readings: Rawls, *Theory of Justice*, Sections 1-6, 11-15, 17, 24-29, 33, 36, 37, 39, 43, 49, 69, 76, 82.

Nozick, pp. 213-231.

Gillens and Page, "Testing Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens," forthcoming in *Perspectives on Politics*, Fall 2014. <https://www.princeton.edu/~mgilens/Gilens%20homepage%20materials/Gilens%20and%20Page/Gilens%20and%20Page%202014-Testing%20Theories%203-7-14.pdf>

Topic VI: **Ronald Dworkin (Liberal Neutrality):** Dworkin argues for a conception of distributive justice where the distributions are ambition sensitive, but not endowment dependent. Thus, he opts for equality of resources as the correct measure of distributive justice. A key idea for Dworkin is that governmental activities should be neutral between differing conceptions of human good. Dworkin uses this idea to defend permissive policies with respect to pornography, but we'll look at a feminist critique of that position which argues that his argument fails to properly account for resulting harms to women. (1 or 2 sessions)

Readings: Dworkin, "Liberalism," & "Do We Have a Right to Pornography?"

Also Rae Langton, "Whose Right? Ronald Dworkin, Women and Pornographers," *Philosophy and Public Affairs*, (Autumn 1990) pp. 311-359. You can get this one from JSTOR if you are using the campus network at:

<http://links.jstor.org/sici?sici=00483915%28199023%2919%3A4%3C311%3AWRRDWA%3E2.0.CO%3B2-X>

Topic VII: **Michael Walzer (A communitarian theory):** Walzer presents a view of justice in which social practices should be limited by the communally shared understandings regarding the importance of the goods provided by those practices. This means that the theory would seem to generate different principles of justice for different societies with different shared understandings. The upshot seems to be that diverse cultural traditions would and should generate different legitimate principles of justice. (3 sessions)

Readings: Walzer, *Spheres of Justice*, pp. xi - xvi, 3-20, 64-94 & 281-311.

Topic VIII: **Martha Nussbaum (A liberal feminist book about justice and gender):** Nussbaum's book looks at how mutual respect and dignity can be used to suggest answers to difficult questions about the relations between diverse people both within and across different societies. In particular she proposes that a "capabilities" approach to the assessment of human well being is well suited to judging the level of well-being across diverse cultures and social positions in such a way as not to impose illegitimately foreign values on cultures different from our own. (4 sessions)

Readings: From *Sex and Social Justice*, TBA.

Topic IX: Summing Up: (1 session)

ACE program credit: Successful completion of this course will meet either Student Learning Outcome #8 (Explain ethical principles, civics and stewardship, and their importance to society) or Student Learning Outcome #9 (Exhibit global awareness or knowledge of human diversity through analysis of an issue). The topic of the course is squarely in ethics, insofar it is about how a society should constitute and govern itself. All of the class thus involves students in meeting SLO #8 and this outcome will be assessed by one of the papers. One of the main themes of the course concerns how principles for the just regulation of society can deal with diversity both within society and across societies; Different readings will focus on different sorts of diversity, including differences in gender, sexual orientation, race, cultural identification, class and ideology including religion. Thus the course also meets the requirements of SLO #9. One of the papers will involve students in analyzing the adequacy of some candidate principle of justice by discussing how it handles relevant diversity, and that paper will be used to assess this outcome.