

Government 86.18
Contemporary Readings on Justice

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218 Silsby Hall
Office Hours: Tuesday, 4-6pm.

Overview:

This seminar covers some of the main contemporary readings on justice. Justice entails the justification of power. Readings include works from Ackerman, Nozick, Rawls, Singer, Young, and Walzer. Offering varying accounts of justice, each author attempts to justify power in a particular way. These approaches include utilitarianism, liberal egalitarianism, libertarianism, communitarianism, and multiculturalism. Active, sustained, and insightful participation is required.

Texts:

Bruce Ackerman, *Social Justice in the Liberal State*
Robert Nozick, *Anarchy, State, and Utopia*
John Rawls, *A Theory of Justice*
Peter Singer, *Animal Liberation*
Iris Marion Young, *Justice and the Politics of Difference*
Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality*

Requirements:

Attendance/Participation: 30%
Presentation/Short Response Paper: 20%
Final Paper: 50% (See grading policy below)

Attendance/Participation:

Sustained, reflective, and insightful participation is integral to a successful seminar. Below each reading on the syllabus is a set of questions I'd like you to consider. You should be able to answer or at least attempt an answer to these questions before class. I will be using the Monday X hour. We will meet once a week for 3 hours and on two select Thursdays. If you attend every class but fail to participate insightfully, you will earn a zero for part of your participation grade. Below each reading is a series of questions to consider. Come to class ready to disagree or agree with the author. I expect everyone to come to class having done the reading, ready to discuss to these questions. You are entitled to one class day off with no questions asked as long as you keep up with your course readings. Keep in mind that you should reserve this day in anticipation of exigencies. Beyond this day, your absence will adversely affect your grade.

Presentation:

I will assign two individuals to present for each session. I expect each individual to speak for about 10-15 minutes to introduce the material. You can divide up the material however you like. These presentations should not summarize the readings but situate them in a critical light in order to foster discussion. The day of your presentation each presenter should also turn in a 3 to 4 page response paper that responds to some part of the reading in a critical light. This paper should inform your portion of the presentation. I will present for the first session. I do not permit computers in class.

Final Paper:

The final paper will entail researching a contemporary problem or issue of your own choosing and then making an argument analyzing this issue. The paper should incorporate at least three theorists into your argument. The final paper will be due on November 25th by 3pm. I will not accept a late paper. Please see my grading policy below.

Reference Letters:

I aim to write reference letters that are thorough and meaningful. To do so, my general policy is that students complete two courses with me before I will consider writing such a letter.

Assignments:

Note: Each letter on the syllabus represents one day. We will meet every Monday for 3 hours. We will also meet on select Thursdays as noted on the syllabus.

Introduction. 9/16

Utilitarianism

1. Singer: Preface, Chs. 1, 3-6. 9/23

How does Singer understand equality? Why should animals be included within the boundary of moral concern? In what fundamental way are they “like us?” Why, then, is species-ism like racism or sexism? Said differently, why do we have to justify our treatment of and power over animals? Given that animals suffer, do we have justifiable reasons for treating them the way we do? Are we all to be vegetarians? Does justice demand that?

Liberal Egalitarianism

2. Rawls: Chs. I and II. 9/30

What is the difference b/w a concept of justice and a conception of justice? What does Rawls mean by the “basic structure?” Why does he limit his inquiry just to that? What is the “original position?” How does Rawls understand utilitarianism? What are the two principles of justice? What are primary goods? What is at stake in the various interpretations of the second principle of justice? What is the difference principle meant to accomplish? What is its role in justifying inequality?

3. Rawls: Chs. III, Sec. 31, 82. 10/7

What is the veil of ignorance? Consider it as a kind of justification. What is its relationship to justice, and, in particular, the two principles of justice? What, if anything, does the original position assume? According to Rawls, why would individuals under this veil of ignorance not select some kind of utilitarian conception of justice? What does Rawls mean by maximin? Why would those in the original position select it? Why is the first principle of justice prior to the second?

4. Ackerman: Chs. 1, 2, 5, 6. 10/14

What does Ackerman mean by “power?” Whereas Rawls sought to justify social and economic inequalities via the original position, how does Ackerman seek to do so? What are the liberal conversational constraints? How does Ackerman conceptualize liberal egalitarianism? What are the implications of Ackerman’s broad understanding of power for education and the family?

5. Ackerman Chs. 3, 4, 7. 10/17 [Thurs. 4-5:50pm]

What are the necessary conditions for citizenship? Why are they important to his argument? What is the difference between ideal and non-ideal theory? What is genetic domination? Is inheritance justifiable under Ackerman’s conversational constraints? How does Ackerman deal with inter-generational justice?

Libertarianism

6. Nozick: Chs. 1-5. 10/21

Why does Nozick begin his argument from the state of nature? What does he mean by state of nature theory? Why is it important? How does Nozick contend that we move from the state of nature to the minimal state? What is a dominant protective agency? Why is such an agency not a state? How does Nozick justify his moral constraints? Why does he reject utilitarianism? How does he respond to Singer’s argument? If you would not choose to “plug into” the experience machine, why is this crucial for Nozick’s account? Why may we not compensate individuals for acts that are fear

producing? How are the ideas of a monopoly and an “invisible hand” integral to Nozick’s four-stage sequence to a minimal state?

7. Nozick: Ch. 7. 10/28

What is the difference between an historical principle and an end result one? Nozick characterizes Rawls’ account as an end result principle. What is the relationship between Nozick’s entitlement theory and an historical principle of justice? How would Nozick seek to justify economic inequalities? Why does Nozick contend that liberty will upset any pattern?

Communitarianism

8. Walzer: Chs. 1-4. 11/4

What is the difference between simple and complex equality? Why does Walzer favor the latter? What is his definition of tyranny? How does Walzer seek to justify differences in distribution or, said differently, distributions of various goods? Why is deciding who is a member of a political community prior to justifying the distribution of other goods? Why are social meanings crucial to Walzer’s argument? What is the relationship between this and sphere violation? How do we determine how much security and welfare a political community owes its members? Why are there certain “things” money cannot buy?

9. Walzer: Chs. 5, 8, 9, 12. 11/7 [Thurs. 4-5:50pm]

What is the difference between desert and qualification? How do we conceptualize meritocracy under Walzer’s argument? How does complex equality understand the good of education? Is the public/private distinction important to Walzer’s argument? How do we justify (if at all) the distribution of love and affection?

Multiculturalism

10. Young: Chs. 1-3, 6. 11/11

According to Young, what is wrong with the distributive paradigm? What kinds of power does it fail to notice? What does she mean by “oppression” and “domination”? Why is “cultural imperialism” problematic? How does her account turn our attention to disparities among certain kinds of groups? How do conventional welfare redistribution schemes fail to address structural inequality? Why does Young criticize the ideal of assimilation? What is a politics of difference? How does it justify power? That is, what is her positive account of difference-based representation?

11. Young: Chs. 4, 7. 11/18

What is problematic about the ideal of impartiality? Is justice inconceivable without a commitment to impartiality? What does she mean by a heterogeneous public? Why is affirmative action not unjust? Why does she reject the principle of non-discrimination? What does she favor instead? Why is merit a myth?

Grading Policy for Final Paper

Your final paper will be graded on three criteria. First, how well written, clear, and coherent is your paper? Second, how interesting is the contemporary problem or issue you've decided to explore in light of the theorists we've read? Third, how nuanced and sophisticated is your analysis of this problem or issue? Keep in mind that a paper is not like taking a driving test in which you start with 100 points and lose points for errors. Rather, you start with zero points. The burden, then, is on you to write a paper that will meet these three criteria.

Below is a general rubric for grading:

A: This is a superb answer that is extremely clear and well written. It not only analyzes the issue or problem in a creative and insightful way but also offers a new or fresh perspective on the theorists that was not obvious from the readings. It represents a deep, thorough, and complete understanding of the material.

A-: This is an excellent answer that is extremely clear and well written. It not only analyzes the issue or problem by drawing on the relevant theorists but also offers a creative or insightful synthesis of them. It represents a very strong grasp of the material.

B+: This is a good answer that is relatively clear and well written. It analyzes the issue by drawing on the relevant theorists. It represents a good grasp of the material.

B: This answer makes some good points but may be unclear or may not analyze the issue completely or may improperly draw on a theorist. It represents a good but in certain respects deficient grasp of the material.

B- and below: These answers are weaker than a B answer with regards to one or more of the three outlined criteria.