

Justice: Ethics in an Age of Pandemic and Racial Reckoning

Michael Sandel

Gen Ed 1171

Fall 2020

Important links

[Paper 1 prompts](#)

[Paper 2 prompts](#)

[Paper 3 prompts](#)

[Podcast Assignment Instructions](#)

[Writing Guide and Grading Rubrics](#)

[Grading Scale](#)

[Course Zoom links](#)

[Section Zoom links and TF info](#)

[Lecture Video Archive](#)

[Weekly Discussion Prompts](#)

Library access to the [NYT](#), [WaPo](#), [WSJ](#)

Course Description

What is a just society? What do we owe one another as citizens? What is a good life? These questions, long debated by philosophers, arise with special urgency at a time of pandemic and racial reckoning. The course explores these questions by considering how philosophers have tried to answer them, and by debating contemporary issues—in politics and everyday life—that prompt us to ask: What’s the right thing to do? Topics include controversies about equality and inequality, individual rights and the common good, the role of government and markets, and competing conceptions of identity and community. Cases include ethical questions arising from the pandemic and recent debates about racial justice.

Course format and meeting times

Class meetings integrate video materials with live discussion—sometimes with the class as a whole, sometimes in small breakout sessions. Due to the participatory nature of the course, students are expected to attend all class meetings. **Those unable to attend in the morning (M and W, 10:30-11:45am) are welcome to attend the evening version of the course (M and W, 7:30-8:45pm).** This is not a recorded version of the morning class, but a live, participatory session covering the same material and led by [Dr. Sergio Imparato](#)[Links to an external site.](#). All students will also have a weekly, small group discussion section.

Course administration

The Head Teaching Fellow is Dr. Sergio Imparato (sergioimparato@fas.harvard.edu). The Asst. Head Teaching Fellows are Amy Chandran (atc683@g.harvard.edu) and William Tilleczek (tilleczek@g.harvard.edu).

Schedule of topics

Topic	Date
Introduction: Contending with Covid-19 The ethics of life and death	Sept. 2, 9
Utilitarianism: Should we maximize happiness?	Sept. 14, 16
Libertarianism What is freedom?	Sept. 21, 23
Markets and morals: Are there some things money can't buy	Sept. 30, Oct. 5
Immanuel Kant: What is the supreme principle of morality?	Oct. 7, 14, 19
John Rawls: Is inequality unjust?	Oct. 21
Meritocracy: Is Justice about giving people the rewards they deserve?	Oct. 26
Affirmative Action: Should race be a factor in admissions? Should legacy status?	Oct. 28
Debating discrimination: admissions and employment	Nov. 2
Aristotle: Should law cultivate virtue?	Nov. 4, 9
Ability and disability: Is discrimination always wrong?	Nov. 11
The ethics of AI: Can algorithms be fair?	Nov. 16
Justice, community, and membership - Part I Who owes what to whom?	Nov. 18

Reparations:	
Do we have a duty to redress historic wrongs?	Nov. 23
Justice, community, and membership - Part 2	Nov. 30
Moral argument and liberal toleration	
How should we contend with moral disagreement?	Dec. 2

Course requirements

<i>Requirements</i>	<i>Description</i>	<i>Deadline</i>	<i>% of the course grade</i>
Responding to Weekly Discussion Prompts	<i>You may reply to the discussion prompt directly or respond to an argument that another student has made in the discussion thread.</i>	Every Sunday by 5 PM	30%
Class Participation	<i>Regular attendance and participation in class break-out sessions and weekly discussion sections.</i>		40%
Three papers, or two papers and a podcast	<p><u>Option 1:</u></p> <p><i>Three papers (1,000 words) on a choice of topics to be assigned, offering a clear, persuasive argument on an ethical question.</i></p> <p><u>Option 2:</u></p> <p><i>Two papers (1,000 words) and a podcast that develops a clear, persuasive argument, or offers two competing perspectives on an ethical question.</i></p> <p><i>With regard to the podcast assignment, you may work individually or in collaboration with another student in your section.</i></p>	<p>PAPER 1</p> <p>Due Friday October 9 at 5 PM</p> <p>PAPER 2</p> <p>Posted Friday Oct. 23 at 5 PM</p> <p>Due Sunday Nov. 8 at 9 PM</p> <p>PAPER 3/PODCAST</p> <p>Posted Friday Nov. 20 at 5 PM</p> <p>Due Friday December 4 at 5 PM</p>	30%

Zoom policies

In the Fall 2020 semester, we will be meeting by Zoom. For everyone's benefit, the following rules apply:

- Join the Zoom session in a quiet place.
- Arrive to the Zoom session on time and stay until the end.

- Turn on your video. Mute your microphone unless you are speaking. If you need to have your video off for some reason, please check with your teaching fellow first.
- Close browser tabs and apps not required for participating in class.

Classroom Policy

No Electronics, browsers, cell phones, or apps outside of Zoom. Our aim is to create a space where our attention can be focused on the themes with which we are engaged, and with one another. This depends on everyone joining in a spirit of mutual cooperation and respect, which includes listening and responding attentively to others without outside distractions. Please bring copies of the course texts with you to Zoom sessions.

Course Schedule

Lecture	Assigned Readings and Videos (should be completed <i>before</i> each class)	Assignments (due every Sunday <i>by</i> 5 PM)
Wednesday, Sept. 2 - The ethics of life and death (I) <i>Should we pursue a “herd immunity” strategy to end the Covid-19 pandemic?</i>	William Wan, “What is herd immunity, and why are Trump officials pursuing an idea WHO calls “dangerous”? , <i>The Washington Post</i>, August 31, 2020.	Archive Video Lecture 1 Discussion Prompt 1 (due Sun. Sept. 6 at 5 PM)
-- No class on Monday September 7, due to Labor Day --		
Wednesday, Sept. 9 - The ethics of life and death (II) <i>Is it ethical to infect volunteers with Covid-19 in “human challenge trials” designed to speed up testing of vaccines?</i>	Michael Rosenblatt, M.D., “Human challenge trials with live coronavirus aren’t the answer to a Covid-19 vaccine,” <i>STAT</i>, June 23, 2020. VIDEO: The risky way to speed up a coronavirus vaccine	
Monday, Sept. 14 - Utilitarianism (I) <i>What is Jeremy Bentham’s principle of</i>	Jeremy Bentham, <i>Principles of Morals and Legislation</i>, ch. I, IV	Discussion Prompt 2 (due Sun.

utility? Is it always right to do whatever maximizes utility?		Sept. 13 at 5 PM)
Wednesday, Sept. 16 - Utilitarianism (II) <i>How does John Stuart Mill's version of utilitarianism differ from Bentham's? Does Mill successfully defend utilitarianism against the strongest objections raised against it?</i>	John S. Mill, Utilitarianism	
Monday, Sept. 21 Libertarianism (I) - What is freedom?	Jessica Flanigan, "Pharmaceutical Freedom: Why Patients Have a Right to Self Medicate", Oxford University Press, 2017 (excerpt) Michael Sandel, Justice: What's the Right Thing to Do?, Farrar, Straus and Giroux, 2009 (chapter 3)	Discussion Prompt 3 (Due Sun. Sept. 20 at 5 PM)
Wednesday, Sept. 24 Libertarianism (II) - Do we own ourselves?	Robert Nozick, " Anarchy, State and Utopia ", in Michael Sandel, <i>Justice: A Reader</i> , Oxford University Press (2007): pp. 226-236.	
-- No class on Monday September 28, in observance of Yom Kippur --		
Wednesday, Sept. 30 - Markets and Morals (I): Are there some things money can't buy?	Price-gouging laws From Natural Disasters to the Coronavirus: Why Price Gouging Laws Hurt the Most Vulnerable Jack Nicas, "He has 17,700 bottles of hand sanitizer and nowhere to sell them," New York Times, March 3, 2020. Christian Hetrick, "Philly company charged \$75 for hand sanitizer bottles in illegal price gouging, AG Shapiro says," Philadelphia Inquirer, August 20, 2020. Gregory Mankiw, "I Paid \$2,500 for a Hamilton Ticket. I'm Happy About It," New York Times, Oct. 23, 2016. N. Gregory Mankiw, Should There Be a Market in Organs?	Discussion Prompt 4 (due Sun. Sept. 27 at 5 PM)

	<p>Scott Sumner, â€œThe Moral Case for Paying Kidney Donors,â€ Washington Post, December 30, 2015.</p> <p>Scott Carney, â€œIf youâ€™re willing to buy a kidney, youâ€™re willing to exploit the poor,â€ Washington Post, January 1, 2016.</p> <p>Robert E. Litan, â€œWant herd immunity? Pay people to take the vaccine,â€ Aug. 18, 2020</p>	
<p>Monday, Oct. 5</p> <p>-</p> <p>Markets and Morals (II): Are there some things that money can't buy?</p>	<p>Peter Schuck, "Creating a Market for Refugees in Europe" <i>New York Times</i>, June 9, 2015.</p> <p>Paul Thompson, â€œInside the only village in Europe where immigrants are banned,â€ Daily Mail (UK), 27 May 2016.</p> <p>Gary Becker and Edward Lazear, â€œA Market Solution to Immigration Reform,â€ <i>Wall Street Journal</i>, Mar. 2, 2013.</p> <p>Richard Conniff, â€œA Rhino Trophy Hunt Thatâ€™s Good for Rhinos,â€ <i>New York Times</i>, Jan. 20, 2014.</p>	<p>Discussion Prompt 5</p> <p>(due Sun. Oct. 4 at 5 PM)</p>
<p>Wednesday Oct. 7 - Kant (I): The motive of duty</p>	<p>Kant, Groundwork of the metaphysics of morals, ch.1</p>	<p>Discussion Prompt 6</p> <p>(due Sun. Oct. 11 at 5 PM)</p>
<p>-- No class on Monday October 12, in observance of Indigenous People's Day --</p>		
<p>Wednesday Oct. 14 - Kant (II): What is freedom?</p>	<p>Kant, Groundwork of the Metaphysics of Morals, ch. II-III</p>	<p>Discussion Prompt 7</p> <p>(due Sun. Oct. 18 at 5 PM)</p>
<p>Monday Oct. 19 - Kant (III): Questions for Kant</p>	<p>Kant, Groundwork of the Metaphysics of Morals, ch. II-III</p>	
<p>Wednesday Oct. 21 - John Rawls: Is inequality unjust?</p> <p><i>Why, according to Rawls, should we reason about justice from behind a â€œveil of ignoranceâ€? What principles</i></p>	<p>John Rawls, <i>A Theory of Justice</i></p> <ol style="list-style-type: none"> 1. I (sec. 1, 3-6) 2. II (sec. 11-13, 17) 3. III (sec. 20, 24) 4. V (sec. 48) <p>[These sections are also reprinted in Justice: A Reader, pp. 203-226.]</p>	<p>Discussion Prompt 8</p> <p>(Due Sunday Oct. 25 at 5 PM)</p>

of justice does he think we would choose if we reasoned in this way?		
Monday Oct. 26 - Meritocracy: Is justice about giving people the rewards they deserve?	Reread John Rawls, <i>A Theory of Justice</i> , sect. 12 , 17 , 48 .	
Wednesday Oct. 28 - Affirmative Action Should race be a factor in admissions? If so, on what grounds? Should legacy status be a factor in admissions?	<u>Lawsuit challenging Harvard's admissions policy</u> Anemona Hartocollis, "Lopping Tips and the Z-List: Bias Lawsuit Explores Harvard's Admissions Secrets," <i>New York Times</i> , July 29, 2018. Anemona Hartocollis, "Harvard Does Not Discriminate Against Asian-Americans in Admissions, Judge Rules," <i>New York Times</i> , October 1, 2019. Adeel Hassan, "5 Takeaways From the Harvard Admissions Ruling," <i>New York Times</i> , Oct. 2, 2019. Anemona Hartocollis, "Lead Counsel for Harvard in Bias Trial Recalls His Run-Ins With Discrimination," <i>New York Times</i> , Oct. 16, 2018. <u>Legacy preference</u> Douglas Belkin, "Legacy Preference Gets Fresh Look Following College-Admissions Scandal," <i>Wall Street Journal</i> , Feb. 22, 2020. Nicholas Kristof, "Liberal Hypocrisy in College Admissions?," <i>New York Times</i> , Oct. 28, 2018. <u>Rationales for affirmative action: Diversity or compensation?</u> Kimberly Reyes, "Affirmative Action Shouldn't Be About Diversity," <i>The Atlantic</i> , Dec. 27, 2018. <u>Cheryl J. Hopwood v. State of Texas (1996), excerpt</u> <i>(Justice: A Reader, pp. 240-243)</i> <u>Barbara Grutter v. Lee Bollinger (2003), excerpt</u> <i>(Justice: A Reader, pp. 243-249)</i> <u>Ronald Dworkin, "Bakke's Case: Are Quotas Unfair?"</u> <i>(Justice: A Reader, pp. 249-255)</i>	
Monday Nov. 2	Anthony Tommasini, "To Make Orchestras More Diverse, End Blind Auditions," <i>New York Times</i> , July 16, 2020. Zachary Woolfe and Joshua Barone, "Black Artists on How to Change Classical Music," <i>New York Times</i> , July 16, 2020. Zachary Woolfe and Joshua Barone, "Musicians on How to	

<p>- Debating discrimination: Admissions and Employment</p>	<p>Bring Racial Equity to Auditions, <i>â€œ New York Times</i>, Sept. 10, 2020.</p> <p>Daisuke Wakabayashi and Sheera Frenkel, <i>â€œ</i>Parents Got More Time Off. Then the Backlash Started<i>â€œ New York Times</i>, Sept. 5, 2020.</p> <p>Michael J. Sandel, <i>â€œ</i>A Lottery of the Qualified<i>â€œ</i> excerpt from Sandel, <i>The Tyranny of Merit: Whatâ€™s Become of the Common Good?</i> (2020)</p> <p>Glenn Loury, Evan Goldstein, "Affirmative Action is Not About Equality," <i>The Chronicle of Higher Education</i>, June 17, 2019.</p>	<p>Discussion Prompt 9</p> <p>(Due Sunday November 1 at 5 PM)</p>
<p>Wednesday Nov. 4 - Aristotle (I): Teleological Reasoning</p> <p>Why, according to Aristotle, does reasoning about justice require reasoning about the <i>telos</i>, or purpose, of social practices and institutions?</p>	<p>Aristotle, The Politics, Book I, ch. 1-2 (<i>Justice: A Reader</i>, pp. 264-266); Book III, ch. 9-13 (<i>Reader</i>, pp. 287-295)</p> <p>Michael Sandel, <i>â€œ</i>Honor and Resentment<i>â€œ</i> (<i>Reader</i>, pp. 303-305)</p>	
<p>Monday Nov 9 - Aristotle (II): Justice, virtue and the good life</p>	<p>Video: Sandel on Aristotle, from <i>â€œJustice: A Citizenâ€™s Guide to the 21st Centuryâ€œ</i> (BBC)</p> <p>Aristotle, The Politics, Books I, III (<i>Reader</i>, pp. 263-295)</p> <p>Aristotle, Nicomachean Ethics, Book II, ch. 1-3, and Book X, ch. 1-3 (<i>Reader</i>, pp. 295-299)</p>	<p>Discussion Prompt 10</p> <p>(Due Sunday November 8 at 5 PM)</p>
<p>Wednesday Nov. 11 - Ability and disability</p> <p><i>Should a golfer with a disability be allowed to use a golf cart in professional tournaments? What light does this case shed on Aristotleâ€™s way of thinking about justice?</i></p>	<p>Bob Ryan, <i>â€œ</i>Sorry, Free Rides Not Right<i>â€œ</i> <i>Reader</i>, pp. 305-306.</p> <p>Tom Kite, <i>â€œ</i>Keep the PGA on Foot<i>â€œ</i> <i>Reader</i>, pp. 306-307.</p> <p>PGA Tour, Inc., v. Casey Martin (2001), <i>Reader</i>, pp. 307-313.</p>	
	<p>Video: Michael Sandel and panel, The ethics of apps and smart machines</p> <p>Anna Maria Barry-Jester, Ben Casselman and Dana</p>	

<p>Monday Nov. 16 - The ethics of AI</p>	<p>Goldstein, “The New Science of Sentencing,” The Marshall Project, Aug. 4, 2015.</p> <p>Jeffrey Dastin, “Amazon scraps secret AI recruiting tool that showed bias against women,” Reuters, Oct. 9, 2018.</p> <p>Rebecca Heilweil, “Why algorithms can be racist and sexist,” Vox, Feb. 18, 2020.</p> <p>Sendhil Mullainathan, “Biased Algorithms Are Easier to Fix Than Biased People,” <i>New York Times</i>, Dec. 6, 2019.</p>	<p>Discussion Prompt 11</p> <p>(Due Sunday November 15 at 5 PM)</p>
<p>Wed., Nov. 18 - Justice, community, and membership, Part I</p> <p><i>Do you agree or disagree with the following passage from Alasdair MacIntyre?</i></p> <p><i>What are the implications for justice of agreeing or disagreeing?</i></p> <p><i>“I am never able to seek the good or exercise the virtues only qua individual; I inherit from the past of my family, my city, my tribe, my nation, a variety of debts, inheritances, rightful expectations and obligations. These constitute the given of my life, my moral starting point. This is in part what gives my own life its moral particularity.”</i></p>	<p>Alasdair MacIntyre, After Virtue (excerpt) “Justice: A Reader,” pp. 315-328</p> <p>Michael Sandel, “What Do We Owe One Another?” from Sandel, <i>Justice: What’s the Right Thing to Do?</i>, pp. 208-235.</p>	
	<p>VIDEO: Senate Majority Leader Mitch McConnell on reparations, 2019</p> <p>VIDEO: Ta-Nehisi Coates’s full opening statement on reparations at House hearing</p> <p>Lance Morrow, “The Danger of Debating Reparations for</p>	<p>Discussion</p>

Mon. Nov. 23 - Reparations <i>Do we have a duty to redress historic wrongs?</i>	Slavery , <i>Wall Street Journal</i> , May 2, 2019. Nikole Hannah-Jones, What is Owed , <i>New York Times Magazine</i> , June 30, 2020. Richard A. Epstein, Black Reparations Parsed , Hoover Institution, July 6, 2020. William A. Darity Jr. and A. Kirsten Mullen, From Here to Equality: Reparations for Black Americans in the Twenty-First Century , pp. 239-255.	Prompt 12 (due Sunday November 22 at 5 PM)
-- No class on Wednesday Nov. 25, in observance of Thanksgiving --		
Mon. Nov. 30 “ Justice, community, and membership ” Part II	Janna Thompson, Apology, historical obligations and the ethics of memory , <i>Memory Studies</i> , 2009. Alasdair MacIntyre, Is Patriotism a Virtue? Lindley Lecture, University of Kansas, 1984. Martin Luther King, Jr., Why I am Opposed to the War in Vietnam , April 30, 1967. Audio recording Text: https://original.antiwar.com/martin_luther_king/2017/01/15/why-i-am-opposed-to-the-war-in-vietnam/	Discussion Prompt 13 (Due Sunday November 29 at 5 PM)
Wed. Dec. 2 - Moral argument and liberal toleration <i>How should we contend with moral disagreement?</i>	No readings	Discussion Prompt 14 (Optional and Ungraded)