Introduction to the Theory of Politics 2023/24

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Course Information

This course provides an introduction to the work of a key historical figure as well as some contemporary debates within liberal political theory. We will look at one influential text in the history of political thought (Mill's *On Liberty*), two related but more applied issues (free speech and paternalism), and a core concept within political theory (democracy). In examining these topics, we will also encounter several other ideas, arguments, and concepts within political and moral philosophy.

Introduction to the Theory of Politics: Course Overview

- 1. John S. Mill's *On Liberty*
- 2. Free Speech
- 3. State Paternalism
- 4. Democracy

Tutorials

You will be required to write four essays over the duration of this course. Essays should be around 1,500-1,800 words and emailed to me by 10:00am on the day before the tutorial. Please keep in mind that I am able to provide more detailed feedback if given sufficient time to grade and review essays. If applicable, please also email essays to your tutorial partner(s), so that they can read them before the tutorial. Doing so will help you cover more ground and is likely to improve the quality of your writing and our discussions. Please submit your essays in .doc or .docx format, and include your name and the essay question at the top of your document. Do the same when naming the file. Please avoid submitting via links to documents stored online and instead export the essay, then send the file to me. In addition, please justify the text and use a reasonable font style/size.

There is a choice of essay questions each week. Please write your essay on one of the two questions listed under 'essay questions' in the reading lists below. It is fine for tutorial partners to write essays on different questions. You are not expected to read all of the works that are listed! Instead, make a sincere attempt to complete the primary reading and then pick through the secondary readings based on whatever aspect of the topic you find most interesting. Note that the readings are not listed in order of priority or relevance unless noted. You can also consult the departmental syllabus for further suggestions.

We shall begin each tutorial by recalling the concepts, questions, or concerns raised by the primary reading to ensure a firm understanding of the topic that we are covering. Tutorials

will otherwise have a fairly loose structure and will largely be driven by your essays and responses in class. Tutorials are "student-led" in this respect and so you will get more out of the sessions with greater engagement. Finally, I have also included a number of previous exam questions which you may find helpful to consider when revising.

Contacting Me

If you have any problems or questions then please email me. If you are struggling with the workload at any point then please get in touch in advance of that week's tutorial. I am happy to make accommodations where possible, so please flag any issues with me in good time so as to avoid further complications.

Essay Tips

When writing essays in political philosophy, try to ensure that you do the following:

i. *Analyse* the question

Spend a few minutes analysing the terminology and framing of specific questions. What are the key terms and how might you interpret them? Are there any contentious assumptions in the way a question is framed?

ii. Plan your answer

Outline a clear response to a given question. As far as possible, you must avoid writing generic literature reviews and focus instead on formulating an identifiable argument composed of several interrelated points.

iii. Delimit your discussion

The introduction should narrow the scope of your essay by introducing the topic, identifying the issue that you will discuss, summarising your position, and delineating the overall direction of your argument.

iv. *Structure* the essay

It is crucial that you organise your thoughts in a well-structured manner. Be clear about your position and the claims by which it is established. You may find it helpful to highlight the distinct steps in your argument.

v. Conclude succinctly

Restate your position and summarise your essay briefly. There is no need to introduce any substantively new material, though you may gesture towards broader implications of your argument if necessary.

For further tips on reading and writing in philosophy, <u>Jim Pryor's guide</u> is an online resource which I think is helpful.

1. John S. Mill's On Liberty

Essay Questions:

• Is Mill's Harm Principle clear enough to serve as an adequate basis for the task of regulating freedom in the modern state?

• Is liberty, in Mill's On Liberty, an end or a means to an end?

Primary Reading:

• Mill, John Stuart, On Liberty, 1859 (Various editions available)

Secondary Reading:

- Annas, Julia, 'Mill and the Subjection of Women', *Philosophy* 52(200) (1977)
- Berlin, Isaiah, 'John Stuart Mill and the Ends of Life', in *Mill: Texts and Commentaries*, ed. Alan Ryan (London: Norton, 1997); also in Berlin, *Four Essays on Liberty* (London: Oxford University Press, 1969)
- Gray, John, Mill on Liberty: A Defence, 2nd edition (New York: Routledge, 1996), chapters 1 & 3
- Levine, Andrew, Engaging Political Philosophy: From Hobbes to Rawls (Malden, Mass.: Blackwell, 2002), chapter 4
- Mantena, Karuna, 'Mill and the Imperial Predicament', in J.S. Mill's Political Thought: A Bicentennial Reassessment, ed. Nadia Urbinati and Alex Zakaras (Cambridge: Cambridge University Press, 2007)
- Okin, Susan Moller, *Women in Western Political Thought* (Princeton, NJ: Princeton University Press, 2013), chapter 9
- Turner, Piers Norris. "Harm" and Mill's Harm Principle', Ethics 124, no.2 (2014): 299-326.
- Saunders, Ben. 'Reformulating Mill's Harm Principle', *Mind* 125, no. 500 (2016): 1005-032.

- Is Mill's defence of individual liberty compatible with his utilitarian beliefs? (PPE, 2013)
- How illuminating is it to describe Mill's justification of freedom of expression as utilitarian in character? (HPOL, 2013)
- Do Mill's views on voluntary slavery undermine his case for the Harm Principle? (PPE, 2014)
- Does Mill's argument in On Liberty rest upon a negative or a positive view of freedom? (HPOL, 2014)
- To what extent does Mill's argument in *On Liberty* succeed in differentiating harm and offence? (PPE, 2015)
- Is Mill right to argue against state paternalism? (HPOL, 2015)
- Can Mill's harm principle be reconciled with his remarks in *On Liberty* concerning 'offences against decency'? (PPE, 2016)
- Is Mill right to believe that the moral coercion of public opinion can limit individual liberty? (HPOL, 2016)
- Is Mill a theorist of negative liberty? (PPE, 2017)

- 'The major problem with *On Liberty* is that Mill does not acknowledge that all actions are 'other regarding'.' Discuss. (HPOL, 2017)
- On what grounds, if any, can Mill oppose voluntary slavery agreements while also holding the harm principle? (PPE, 2018)
- Is Mill's harm principle compatible with his utilitarianism? (HPOL, 2018)
- 'Mill says that On Liberty presents 'one very simple principle' for guiding collective interference with individual liberty, but the principle is in fact very hard to grasp.' Discuss. (PPE, 2019)
- Is Mill right to think that the harm principle defended in *On Liberty* can protect individuals from the 'tyranny of the majority'? (HPOL, 2019)
- Is Mill's defence of freedom of expression in *On Liberty* consistent with the Harm Principle that he advocates? (PPE 2021)
- 'Although critics claim that in *On Liberty* Mill makes a meaningless distinction between harms to self and to others, Mill in fact successfully answers this objection.' Do you agree? (HPOL 2021)

2. Free Speech

Essay Questions:

- Can restrictions on the speech of some ever promote the value of free speech overall?
- 'Speech which spreads hate should never be tolerated.' Discuss.

Primary Reading:

- Baker, C. Edwin, 'Autonomy and Hate Speech', in Ivan Hare, and James Weinstein (eds), Extreme Speech and Democracy (Oxford, 2009; online edn)
- Langton, Rae, 'Speech Acts and Unspeakable Acts', Philosophy and Public Affairs, 22(4) (1993): 293-330
- Srinivasan, Amia, and Robert Simpson, 'No Platforming', in *Academic Freedom*, ed. Jennifer Lackey (Oxford: Oxford University Press, 2018)
- Yong, Caleb, 2011. 'Does Freedom of Speech Include Hate Speech?', Res Publica (Liverpool, England), 17(4), pp.385–403

Secondary Reading:

- Dworkin, Ronald, 'Foreword', in Extreme Speech and Democracy, eds. Hare and Weinstein
- Feinberg, Joel, 'Harmless Wrongdoing and Offensive Nuisances', in his *Rights, Justice, and the Bounds of Liberty: Essays in Social Philosophy* (Princeton, Princeton University Press, 1980)
- Fiss, Owen M., *The Irony of Free Speech* (Cambridge, Mass.: Harvard University Press, 1996), chapter 1

- MacKinnon, Catharine A., Feminism Unmodified: Discourses on Life and Law (Cambridge, Mass.: Harvard University Press, 1987), pp. 127-213
- Parekh, Bhikhu, 'Is There a Case for Banning Hate Speech?', in *The Content and Context of Hate Speech*, eds. Michael Herz and Peter Molnar (Cambridge: Cambridge University Press, 2012)
- Waldron, Jeremy, 'Rushdie and Religion', in his Liberal Rights: Collected Papers, 1981-1991 (Cambridge: Cambridge University Press, 1993)
- Waldron, Jeremy, The Harm in Hate Speech (Cambridge, Mass: Harvard University Press, 2012), especially chapter 4. (Chapter 5 further develops Waldron's argument for hate speech restrictions; chapter 6 replies to Baker; chapter 7 replies to Dworkin.)
- Matsuda, Mari, 'Public Response to Racist Speech: Considering the Victim's Story', Michigan Law Review, 87:8 (1989): 2320-2381

- 'The real threat to freedom of expression comes not from the state but from the tyranny of prevailing opinion.' Discuss (PPE, 2014)
- Does freedom of speech mean that there should be no limits on political advertising? (HPOL, 2014)
- Can the state ever be justified in silencing the voices of some in order that the voices of others might be heard? (PPE, 2016)
- Where is the harm in hate speech? (HPOL, 2016)
- In what ways, if at all, is freedom of expression a special kind of freedom? (2016 long vac)
- 'The best test of truth is the power of the thought to get itself accepted in the competition of the market' (Oliver Wendell Holmes). Is this a good defence of a right to free speech? (PPE, 2017)
- Should 'assaultive' hate speech be censored? Why or why not? (HPOL, 2017)
- Can restrictions on the speech of some ever promote the value of free speech overall? (PPE, 2018)
- Should the state ever restrict speech on the grounds of its offensiveness? (HPOL, 2018)
- Given that freedom of speech guarantees the right to say stupid or wrong things, what has the value of truth got to do with the justification of free speech? (PPE, 2019)
- Do you agree that the strongest argument in favour of free speech is that in a democracy opposition to government, to established public policy, and to prevailing public norms, must be permissible? (HPOL, 2019)
- Is freedom of speech really just the freedom of those who shout the loudest? (PPE 2021)
- 'Free speech means the freedom to say things, not the freedom to do things.' Discuss. (HPOL 2021)

3. State Paternalism

Essay Questions:

- Should the state restrict people's freedom for their own good?
- To what extent is the paternalist justification of the prohibition of recreational drugs successful?

Primary Reading:

- Barry, Christian, and Lazar, Seth, 'Justifying Lockdown', Ethics & International Affairs, 2020: https://www.ethicsandinternationalaffairs.org/2020/justifying-lockdown/
- Begon, Jessica, 'Paternalism', *Analysis* (Oxford) 76, no. 3 (2016): 355-73 [**Recommended first reading**]
- Flanigan, Jessica, 'Public Bioethics', Public Health Ethics 6, no. 2 (2013): 170-84
- Husak, Dn, 'Recreational Drugs and Paternalism', *Law and Philosophy* 8, no. 3 (1989): 353-81 [**Necessary reading for question two**]
- Wilson, James, 'Why It's Time to Stop Worrying About Paternalism in Health Policy', *Public Health Ethics* 4, no. 3 (2011): 269-79

Secondary Reading:

- Arneson, Richard, 'Mill versus Paternalism', Ethics, 90 (1980): 470-489
- Blumenthal-Barby, J.S, 'Choice Architecture: A Mechanism for Improving Decisions while Preserving Liberty?', in *Paternalism: Theory and Practice*, ed. C. Coons and M. Weber, Cambridge: Cambridge University Press
- Dworkin, Gerald, 'Organ Sales and Paternalism', *Journal of Medical Ethics* 40, no. 3 (2014): 151-52
- Dworkin, Gerald, 'Paternalism', in Wasserstrom, Richard A., ed., *Morality and the Law*, (1971) [on paternalism as a basis for restricting freedom]
- Flanigan, Jessica, *Pharmaceutical Freedom*. New York: Oxford University Press, 2017. [especially ch1; 5]
- Husak, Douglas, 'Paternalism and Autonomy', *Philosophy and Public Affairs* 10 (1981): 27-46
- Scoccia, Danny, 'The Right to Autonomy and the Justification of Hard Paternalism', in *Paternalism: Theory and Practice*, ed. C. Coons and M. Weber, Cambridge: Cambridge University Press
- Sunstein, Cass R., and Thaler, Richard H, 'Libertarian Paternalism Is Not an Oxymoron.' *The University of Chicago Law Review* 70, no. 4 (2003): 1159-202
- Walker, Tom, 'Paternalism and Populations', *Public Health Ethics* 9, no. 1 (2016): 46-54

- Are there good paternalistic grounds for restricting access to harmful and addictive drugs? (HPOL, 2016)
- Are state paternalism and individual freedom always incompatible? Why or why not? (PPE, 2012)

- 'It is always wrong to interfere with a person's self-regarding decisions with the aim of benefiting her.' Discuss. (HPOL, 2018)
- 'Libertarians are correct to object that even 'soft paternalism' is unacceptable because it permits individuals to abdicate responsibility.' Do you agree? (HPOL 2019)
- 'If we take into account the social costs (negative externalities) of individuals' actions of self-harm, then the case against 'paternalist state legislation' seems much weaker.' Do you agree? (PPE, 2019)
- What is right about paternalism? (HPOL, 2021)
- What is wrong with paternalism? (PPE, 2021)
- Do paternalist laws fail to respect the autonomy of citizens? (HPOL, 2022)
- How far do Mill's anti-paternalist arguments rely on a naive view of persons' ability to act autonomously? (PPE, 2022)

4. Democracy

Essay Questions:

- Is democracy is the best way to secure political equality?
- Is democracy justified by its intrinsic fairness or by its consequences?

Primary Reading:

- Brennan, Jason, 'The Right to a Competent Electorate', The Philosophical Quarterly 61, no. 245 (2011): 700-24
- Christiano, Thomas, 'Democracy as Equality', in *Democracy*, ed. David Estlund (Oxford: Blackwell, 2002)
- Saunders, Ben, 'Democracy, Political Equality, and Majority Rule', *Ethics* 121, no. 1 (2010): 148-77
- Young, Iris Marion, Inclusion and Democracy (Oxford: Oxford University Press, 2000), chapter 1

Secondary Reading:

- Brennan, Jason, 'The Right to a Competent Government' in Against Democracy, (Princeton, 2017)
- Cohen, Joshua, 'Deliberation and Democratic Legitimacy', in *Democracy*, ed. Estlund; also in *The Good Polity: Normative Analysis of the State*, eds. Alan Hamlin and Philip Pettit (Oxford: Basil Blackwell, 1989)
- Estlund, David, 'Political Quality', in Democracy, ed. Estlund
- Fishkin, James S., *Democracy and Deliberation: New Directions for Democratic Reform* (London: Yale University Press, 1991), chapters 1-6, 8
- Guerrero, Alexander A, 'Against Elections: The Lottocratic Alternative,' *Philosophy & Public Affairs* 42, no. 2 (2014): 135-78
- Jones, Peter, 'Political Equality and Majority Rule', in Miller, David, and Larry Siedentop (eds.), *The Nature of Political Theory* (Oxford: Clarendon Press, 1983)
- Landemore, Hélène, 'Deliberative Democracy as Open, Not (Just) Representative Democracy', *Daedalus* 146(3) (2017)

- Machin, Dean J, 'The Irrelevance of Democracy to the Public Justification of Political Authority,' *Res Publica* (Liverpool, England) 15, no. 2 (2009): 103-20
- Miller, David, 'Deliberative Democracy and Social Choice', in *Democracy*, ed. Estlund
- Sanders, Lynn M., 'Against Deliberation', Political Theory 25(3) (1997)
- Schumpeter, Joseph, *Capitalism, Socialism and Democracy* (London: George Allen & Unwin, 1943), chapters 21-22
- Swift, Adam, *Political Philosophy: A Beginners' Guide for Students and Politicians*, 2nd or 3rd or 4th edition (Cambridge: Polity, 2006 or 2013 or 2019), [good overview chapter on democracy]

- 'Deliberative democracy is a nice idea in principle, but infeasible in practice'. Discuss (PPE, 2013)
- Are the benefits of democratic decision-making entirely consequentialist? (HPOL, 2013)
- Can representation improve democratic decision-making? (HPOL, 2013)
- Is democracy a uniquely fair way of reaching political decisions? (PPE, 2014)
- Does true democracy require high levels of popular participation? (HPOL, 2014)
- Does democracy require that there is widespread deliberation relating to public policy? (PPE, 2015)
- Is there any role for direct democracy within modern political systems? (HPOL, 2015)
- Does the value of democracy lie in the facility it offers citizens to remove corrupt rulers? (PPE, 2016)
- Is representative democracy a compromise away from a more ideal direct democracy? (HPOL, 2016)
- 'Democracy is about deliberation, not majority-rule.' Discuss. (PPE, 2017)
- Is democracy the only legitimate form of government? Why or why not? (HPOL, 2017)
- Is majority rule the best decision-making procedure for democracies? (PPE, 2018)
- Is democracy morally justified as a system of government? (HPOL, 2018)
- How can a democrat answer the proposition that, if a good despot could be ensured, despotic monarchy would be the best form of government? (PPE, 2019)
- Is the best argument for democratic government that 'each must count for one and none for more than one'? (HPOL, 2019)
- 'Since having power to rule over others should be a privilege reserved for those who respect others, 'one person one vote' is not a good principle.' Discuss. (2019 long vac)
- Is democracy best thought of as a system for selecting governments? (PPE 2021)
- Must a democratic government advance the interests of its citizens to be legitimate? (HPOL 2021)

TOPICS:

Week 4: (for discussion) Rousseau's The Social Contract and Marx's Communist Manifesto

Essay Questions (choose one):

1 Is it fair to say that while both Rousseau and Marx aim for freedom, the political orders that they envision are in fact highly repressive?

OR

2. Are Rousseau's "general will" and Marx's 'dictatorship of the proletariat' compatible with democracy?

Readings:

*** Rousseau, Jean-Jacques, The Social Contract, 1762, especially Book 1, chapters 6-8, Book 2, Book 3, chapters 10-18, Book 4 (for example, the Oxford Classics edition, edited by C. Betts, 1994, or the

Penguin edition edited by M. Cranston, 1968).

- ***Jones, W. T., "Rousseau's General Will and the Problem of Consent," *Journal of the History of Philosophy*, Vol. 45, No. 173 (Jul., 1970), pp. 177-192 [Project MUSE]
- *** Karl Marx, selections from McLellan, David, ed., *Karl Marx: selected writings*, 2000: number 14 (The German Ideology), number 18 (The Communist Manifesto), number 25 (The Eighteenth Brumaire of Louis Bonaparte), number 30 (Preface to A Critique of Political Economy), number 37 (The Civil War in France), number 39 (on Bakunin's Statism and Anarchy), number 40 (Critique of the Gotha Program).
- **** Feigan (2015) Marx's "Dictatorship of the Proletariat", *Contemporary Chinese Thought*, 46:2, 22-36, https://doi.org/10.1080/10971467.2015.1003018
- * Lukes, Steven, Power: A Radical View, (2004) 2nd edition.
- *Russo, Alessandro. "How Did the Cultural Revolution End? The Last Dispute between Mao Zedong and Deng Xiaoping, 1975." *Modern China* 39.3 (2013): 239-279. https://doi.org/10.1177/0097700412454528
- *State Council Information Office, "China: Democracy That Works" (2021), http://www.news.cn/english/2021-12/04/c 1310351231.htm

(These are supplementary readings for Rousseua)

- * Held, David, Models of Democracy, 1996, chapter 2.
- *Cohen, Joshua, "Reflections on Rousseau: Autonomy and Democracy," *Philosophy and Public Affairs*, Vol. 15, No. 3 (Summer, 1986), pp. 275-297 [JSTOR]

(These are supplementary readings on the subject of democracy more generally)

- * Barry, Brian, 'Is Democracy Special?', in Barry, B., Democracy and Power: Essays in Political Theory Vol 1 1989.
- * Przeworski, Adam, 'Minimalist Conception of Democracy: A Defense', in Ian Shapiro and Casiano Hacker-Cordon, eds., Democracy's Value , 1999.
- * Schumpeter, Joseph, 'Two Concepts of Democracy', in Anthony Quinton, ed., Political Philosophy, 1985. Or in Capitalism Socialism and Democracy 1943 new ed 1996 chs XXI and XXII
- *Study questions (to consider as you read *The Social Contract*)
- · What problem is Rousseau seeking to solve in *The Social Contract*?

- · What does Rousseau mean by the 'General Will'? Is it necessary that there is consensus among citizens if the 'General Will' is to prevail?
- · In what senses are individual citizens in Rousseau's state 'free'?
- · Is liberty necessary for democracy?
- · Can a plausible case be made for direct or participatory democracy?

(These are supplementary readings on Marx)

- * Miliband, Ralph, The State in Capitalist Society, (1969)
- * Cohen, Gerald A., 'Forces and Relations of Production', in his *History, Labour and Freedom: Themes from Marx*, 1988.
- *Cohen, Joshua, 'Review of Karl Marx's Theory of History', Journal of Philosophy, 79, 1980, pp. 253-273.
- * Elster, Jon, An Introduction to Karl Marx, 1986.

Study questions (to consider as you read Marx)

- · Assess Marx's claim that the capitalist state is 'but a committee for managing the common affairs of the whole bourgeoisie'.
- · Explain Marx's account of the relationship between technological and political change.
- · Why should the capitalist state give way to communist society, according to Marx?
- · Is Marx right to think that the state could wither away?
- · Explain and evaluate Marx's theory of the 'dictatorship of the proletariat'.

Week 6: Race, Empire, and Political Theory

Essay Questions (choose one)*:

1. Political philosophy has produced such absurdities as John Rawls's recommendation (in the opening pages of his seminal *A Theory of Justice*) that we should think of society as "a cooperative venture for mutual advantage" whose rules are "designed to advance the good of those taking part in it." Why is it dangerous for us to do so?

OR

2. The "social contract" is not literal but a "story" or a "thought-experiment" that makes consent and equal inclusion foundational. But if we agree that this task is tantamount only to erasure, should political philosophy abandon normative thought experiments in favour of another aim? If so, what should that be?

*Please note: this unit is still so new to The Introduction to Theory of Politics that there are not enough related prelims exam questions to guess how it might come up; if you want to reply to a different question, or make one up, you are more than welcome to do so!

Readings:

- ****Charles Mills, *The Racial Contract*, Introduction (1997).
- ****Uday Mehta, 'Liberal Strategies of Exclusion,' Politics and Society (1990).
- ****Herman Lebovics, "John Locke, Imperialism, and the First Stage of Capitalism," in Imperialism and the Corruption of Democracy (2004)
- ***Jennifer Pitts, "James and John Stuart Mill: The Development of Imperial Liberalism in Britain," A Turn to Empire (2005), and "Political Theory of Empire and Imperialism," *Annual Review of Political Science* (2010)

Uday Mehta, "Progress, Civilization, and Consent," Liberalism and Empire (1999)

- ** Mill, On Liberty (esp. Introduction)
- **Locke, Second Treatise of Government (esp. Chapter 5)
- **Locke, "Constitutions of Carolina" (https://avalon.law.yale.edu/17th century/nc05.asp)

Additional readings:

James Tully, "Aboriginal Property and Western Theory: Recovering a Middle Ground" (1994)

Michael Rogin, "Liberal Society and the Indian Question" Politics & Society (1971)

David Armitage, "John Locke: Theorist of Empire?" In Empire and Modern Political Thought, ed. Sankar Muthu (2012)

Barbara Arneil, John Locke and Colonialism: The Defence of English Colonialism (1996)

Andrew Sartori, Liberalism in Empire (2015), ch.1

Hagar Kotef, "Locke's Consuming Individual: A Theory of the Mixing Body" Theory & Event (2022)

Onur Ulas Ince, Colonial Capitalism and the Dilemmas of Liberalism (2019)

Vine Deloria, Custer Died for Your Sins (1969)

Duncan Bell, "John Stuart Mill on the Colonies" Political Theory (2010)

Inder Marwah, "Complicating Barbarism and Civilization: Mill's Complex Sociology of Human Development" *History of Political Thought* (2011)

Dipesh Chakrabarty, "Introduction," Provincializing Europe: Postcolonial Thought and Historical Difference (2000)

Edward Said "Traveling Theory Revisited" in Reflections on Exile and Other Essays (2000)

Study questions:

- · What problem is Mills seeking to solve in *The Racial Contract*?
- · What, if anything, does Mills actually owe to Rousseau?
- · If we agree with some liberal theorists that individual citizens in Rousseau's state are not truly 'free,' is anyone in *The Racial Contract* actually 'free'? Whom do we hold accountable?
- · Is oppression necessary for liberalism? Is it necessary for liberal democracy