

Theories of Social Justice

Political Science 331

Professor: Frank Lovett

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Monday/Wednesday

Office Hours: Tuesdays

2:30 – 4:00 pm

9:30 – 11:30 am

Umrath 140

Seigle 282

This course overviews the leading contemporary conceptions of social justice, including utilitarian, liberal, libertarian, communitarian, and deliberative-democratic theories, and their implications for the design of political, economic, and social institutions. In addition, this course will examine special topics such as justice between generations, global justice, and the rights of resistance or disobedience.

Course Requirements

1. **Readings.** The required readings listed below average about 75 – 100 pages per week. These are often dense and difficult works, requiring careful attention. Additional optional readings are listed at the end of the syllabus, which might be helpful in studying for exams and in writing the term paper.
2. **Exams.** There will be three (3) short exams, the first on February 20th, the second on March 27th, and the third on May 6th. Each exam is worth 20% of your overall grade. Makeup exams will not be offered, barring demonstrable emergencies.
3. **Term Paper, 7–10 pages.** Paper topics will be provided in the middle of the semester, but with permission you may write on any topic you choose related to issues discussed in the class. The term paper is worth 40% of your overall grade. Late papers will be marked down two (2) points each day until turned in; extensions will be considered only if requested at least three (3) days in advance of the due date.

Course Materials

For this course you will need the following books, all of which should be available for purchase at the Campus Bookstore:

Bentham and Mill, *The Classical Utilitarians* (Hackett)
Locke, *Second Treatise of Government* (Hackett)
Rawls, *A Theory of Justice* (Belknap-Harvard University Press)
Nozick, *Anarchy, State, and Utopia* (Basic Books)
Walzer, *Spheres of Justice* (Basic Books)
Bohman and Rehg, eds., *Deliberative Democracy* (MIT Press)

Additional readings are available online on ARES (the course password is 'Justice13').

Schedule of Required Readings and Assignments

January 14 Introduction (no assignment)

I. UTILITARIANISM

January 16 Bentham, "Principles of Morals and Legislation," chs. 1, 4, 13–15;
and "The Greatest Good for the Greatest Number"
Beccaria, *Of Crimes and Punishments*, selections (online)

January 21 no class (Martin Luther King day)

January 23 Bentham, "Push-Pin versus Poetry"
Mill, "Utilitarianism," chs. 1–2
Sidgwick, *Methods of Ethics*, selections (online)
Nozick, *Anarchy, State, and Utopia*, p. 42–45

January 28 Mill, "On Liberty," chs. 1, 3
Sidgwick, *Elements of Politics*, selections (online)

January 30 Bentham, "Principles of Moral and Legislation," ch. 2
Mill, "Utilitarianism," chs. 3–5

II. JUSTICE AS FAIRNESS

February 4 Locke, *Second Treatise of Government*, ch. 8
Kant, *Groundwork of the Metaphysics of Morals*, selections (online)
Rawls, *Theory of Justice*, preface, p. vii–ix

February 6 Rawls, *Theory of Justice*, §§ 1–9

February 11 Rawls, *Theory of Justice*, §§ 11–13, 15–17, 68

February 13 Rawls, *Theory of Justice*, §§ 20–26, 33, 29

February 18 Rawls, *Theory of Justice*, §§ 31, 34–37, 14, 43, 40

February 20 **First Exam**

III. LIBERTARIANISM

- February 25 Locke, *Second Treatise of Government*, chs. 2, 5, 9
Nozick, *Anarchy, State, and Utopia*, p. ix–xiv, 3–15, 174–182
- February 27 Nozick, *Anarchy, State, and Utopia*, p. 15–17, 22–35, 51–59, 65–73,
88–90, 101–119
- March 4 Nozick, *Anarchy, State, and Utopia*, p. 149–164, 183, 198–204,
213–231, 333–334
Rawls, *Theory of Justice*, § 48

IV. COMMUNITARIANISM

- March 6 Sandel, “Morality and the Liberal Ideal” (online)
Walzer, *Spheres of Justice*, p. xi–xvi, 3–30
- March 11, 13 No class (spring break)
- March 18 Walzer, *Spheres of Justice*, p. 31–51, 64–91, 201–206
- March 20 Walzer, *Spheres of Justice*, p. 95–112, 119–123, 129–154, 160–164,
206–211
- March 25 Walzer, *Spheres of Justice*, p. 52–63, 281–321
- March 27 **Second Exam**

V. DELIBERATIVE DEMOCRACY

- April 1 Cohen, “Deliberation and Democratic Legitimacy” (in Bohman and
Rehg)
Habermas, “Three Normative Models of Democracy” (online)
- April 3 Cohen, “Procedure and Substance in Deliberative Democracy” (in
Bohman and Rehg)
Habermas, “On the Internal Relation between the Rule of Law
and Democracy” (online)
- April 8 Knight and Johnson, “What Sort of Equality Does Deliberative
Democracy Require?” (in Bohman and Rehg)

VI. EXTENDING JUSTICE

- April 10 Intergenerational Justice 1 – Resource Consumption:
Rawls, *Theory of Justice*, § 44
Barry, “Justice Between Generations” (online)
de-Shalit, *Why Posterity Matters*, selections (online)
- April 15 Intergenerational Justice 2 – Population:
Parfit, *Reasons and Persons*, selections (online)
Narveson, “Moral Problems of Population” (online)
- April 17 The Scope of Justice 1 – Global Justice:
Singer, “Famine, Affluence, and Morality” (online)
Nagel, “The Problem of Global Justice” (online)
- April 22 The Scope of Justice 2 – The Duty of Justice:
Locke, *Second Treatise of Government*, chs. 18–19
Rawls, *Theory of Justice*, §§ 18–19, 55–59
- April 24 Concluding Lecture – The Future of Social Justice
- April 26 **Term Paper Due** (at 12:00 noon)
- May 6 **Third Exam** (3:30 – 5:30 pm)

Additional Optional Readings

There exists extensive literatures on all the topics covered in this class, and this bibliography is hardly comprehensive. I have selected works here mainly for their usefulness in explaining the arguments we have discussed in class.

UTILITARIANISM:

Mill, *Representative Government*, and *The Subjection of Women*
Sidgwick, *The Methods of Ethics*, bk. 4
Goodin, *Utilitarianism as a Public Philosophy*
Kymlicka, *Contemporary Political Philosophy*, ch. 2
Griffin, *Well-Being: Its Meaning, Measurement, and Moral Importance*
Brandt, *A Theory of the Right and the Good*

JUSTICE AS FAIRNESS:

Rawls, *Justice as Fairness: A Restatement*
Barry, *Justice as Impartiality*, chs. 1, 3–4, and 7
Pogge, *Realizing Rawls*, parts 1–2
Kelly, *Liberalism*

Kymlicka, *Contemporary Political Philosophy*, ch. 3
Kukathas and Pettit, *Rawls: A Theory of Justice and Its Critics*, chs. 1–4
Daniels, ed., *Reading Rawls: Critical Studies on Rawls's 'A Theory of Justice'*

LIBERTARIANISM:

Narveson, *The Libertarian Idea*
Steiner, *An Essay on Rights*
Tomasi, *Free Market Fairness*
Kymlicka, *Contemporary Political Philosophy*, ch. 4
Kukathas and Pettit, *Rawls: A Theory of Justice and Its Critics*, ch. 5
Cohen, *Self-ownership, Freedom, and Equality*, chs. 1–4

COMMUNITARIANISM:

Walzer, *Thick and Thin*
Miller, *Principles of Social Justice*
Taylor, *Philosophical Papers, vol. II*, chs. 7 and 11
Sandel, *Liberalism and the Limits of Justice*
Kymlicka, *Contemporary Political Philosophy*, ch. 6
Kukathas and Pettit, *Rawls: A Theory of Justice and Its Critics*, ch. 6
Mulhall and Swift, *Liberals and Communitarians*

DELIBERATIVE DEMOCRACY:

Christiano, *Rule of the Many*
Bohman and Rehg, eds. *Deliberative Democracy*, essays 2, 8, and 10
Young, *Inclusion and Democracy*
Dryzek, *Deliberative Democracy and Beyond*
Elster, ed. *Deliberative Democracy*
Knight & Johnson, *The Priority of Democracy*
Estlund, *Democratic Authority*

THE SCOPE OF SOCIAL JUSTICE:

de-Shalit, *Why Posterity Matters*, chs. 1–5
Beitz, *Political Theory and International Relations*
Pogge, *Realizing Rawls*, part 3
Rawls, *The Law of Peoples*
Singer, *One World*
Walzer, *Obligations: Essays on Disobedience, War, and Citizenship*
Miller, *National Responsibility and Global Justice*

“Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust.” Example of slavery: justice is more important than economic gain. Even if society as a whole would benefit from it, it is not just regardless. Principles of social justice determine how responsibilities are assigned and benefits and burdens distributed. The basic structure of society is the configurati