

**INTRODUCTORY HANDOUT PHILOSOPHY 167  
CONTEMPORARY POLITICAL PHILOSOPHY**

**WINTER, 2017**

Professor: Richard Arneson.

Lecture Monday, Wednesday, and Friday 4:00-5:00 p.m. in Solis Hall 109.

The final exam for this course will take place on Friday, March 24 from 3:00-6:00 p.m. If you enroll in this class, you must be free to take a regular final exam for this course at this time.

This is a course in normative political theory. Its aim is to seek to identify moral principles suitable for the regulation of a modern, diverse, democratic society. Here "suitable" principles are taken to be those whose implications for policy best satisfy our considered moral judgments, after reflection, all things considered. The course is text-centered; we'll spend considerable time examining the view of the main course authors. Topics to be covered include the proper role of the state and the moral limits of state authority, the obligation to obey the law, economic justice, freedom versus equality, the nature and justifiability of political democracy, the justifiability of immigration restriction, and global justice.

Some topics and questions:

1. Suppose the law in your community, applied to your circumstances, requires you to perform some action. Is there any moral obligation, at least in a decent society, to do what the law commands just in virtue of the fact that the law has commanded it? Christopher Wellman argues for a Yes answer; A. John Simmons for a No answer.

2. Do members of a modern nation state have a right to a democratic say in the governance of the state? Is democracy the uniquely justifiable mode of governance for a modern society; if so, why so? Some hold that instituting and maintaining a democratic order is justified if and only if doing so leads to morally better results than instituting and maintaining some form of elite rule. Others say democracy is a uniquely fair procedure for political decision making because it alone treats all members of society as equals. Jason Brennan has doubts that there is anything morally special about democratic governance.

3. What set of institutional and political arrangements, in a modern society, is fair?

a. Philip Pettit argues that if we understand freedom as non-domination, we should agree that the society that achieves freedom as non-domination for all thereby achieves social justice and must be a deliberative and contestatory democracy.

b. John Rawls argues that justice requires democratic equality--equal civil liberties and democratic citizenship rights for all, a strong equality of opportunity for positions of advantage, and the political economy to be set so that over time the worst off social group is as well off (in "primary social goods") as possible.

c. Robert Nozick argues for a libertarian conception of justice. Individuals have rights not to be harmed in certain ways (force, theft, fraud) by others, and rights to live as they choose so long as they do not harm others in these certain ways. In Nozick's view, the egalitarian rights Rawls endorses are bogus, because they conflict with the basic rights to liberty.

d. Ronald Dworkin holds that justice requires equal consideration and respect for all members of society and that these norms dictate a version of equality that is compatible with personal responsibility. Dworkin suggests that equality for responsible individuals demands compensation for unchosen bad luck but not for the outcomes of individual choice given fair initial conditions. Others say similar things. These views might be seen as trying to discover an acceptable compromise between Rawls and Nozick. Elizabeth Anderson objects that these luck egalitarian views, as they have come to be called, are wrong-headed, partly in virtue of seriously misinterpreting the values of equality and responsibility.

4. Do members of a political society have a moral right to use state power to exclude outsiders from entry? Are immigration restrictions permissible; if so, of what sort? Christopher Wellman and Joseph Carens defend opposed views on these questions.

6. Do justice requirements have national or global scope? Do we have more demanding moral duties to fellow countrymen than to foreigners? Michael Blake and David Miller urge a definite Yes to the second question, for different reasons. Thomas Hurka more tentatively suggests that some of the reasons that warrant partiality toward our friends also warrant partiality to our fellow countrymen. All three authors oppose the extreme cosmopolitan position that at the fundamental moral level, we owe the same to all people, regardless of national borders and national memberships.

**COURSE GOALS:** The goals of the course are to improve our skills at interpreting challenging texts and assessing their arguments, to understand a variety of approaches to the theory of justice, and to gain a more reflective understanding of our own political values. A secondary aim is to sharpen our analytical writing skills.

**COURSE TEXTS:** All course readings will be available at the course TritonEd page.

**COURSE REQUIREMENTS:** (1) regular participation in class discussion, (2) nine short weekly discussion papers, each about one page in length, commenting on some aspect of the reading for that class that strikes you as significant, (3) a longer writing assignment, six to eight double-spaced pages in length, topics to be assigned in class, and (4) a regular comprehensive final examination. You will have some choice of topic on the writing assignment. On your discussion papers, writing assignment, and final exam you will be graded according to the clarity of your prose, the cogency of your arguments, and the soundness of the understanding of course materials that you exhibit. The final examination will comprehend all course materials including required readings, lectures, and handouts distributed in class. (This means that merely recommended readings will NOT be covered on exams.)

To encourage keeping up with the reading class by class and week by week, there will be a class participation component of your grade. At each class meeting, there will be class discussion for about half of the class, always on questions posed in advance of class (and relating to the readings assigned for that class). This class discussion usually will take place at the start of class, before the instructor's lecture starts, but sometimes will occur at the mid-way point. During lectures, you are always encouraged to interject questions and comment. I will take notes after every class on the class discussion, and the quality and frequency of your contributions to discussion will be the basis of your class participation grade.

The weekly discussion paper examines one line of thought or argument or claim made in a course reading for that day (the day you are turning in the paper). In the paper you can highlight something in the reading you think would be a good focus for class discussion. You can present a claim or argument advanced by the course author. You can raise an objection to what the author is saying, or defend a controversial claim in the reading against some possible objection. You have a lot of choice as to what to do in the short paper. Trying to summarize the entire reading in a one-page paper is probably not a good idea, but you might summarize and clarify an argument in the reading that seems complicated or pivotal or both. **The weekly discussion paper for each week is due at the start of class on any class day in that week and should discuss some part of the assigned reading for that day's class.**

If you turn in ten discussion papers I will count your nine best grades. Also, you may if you wish write at most one two-page discussion paper, in which case you would be turning in a total of eight one-page comments and one two-pager. (The two-pager counts the same as two one-pagers.)

**GRADING:** The final exam counts for 35 % of your exam grade, the writing assignment for 30%, the nine discussion papers for 15%, and class participation for 20 %.

Only medical excuses certified by a note from your physician or a comparable certified excuse will be accepted for late submission of the writing assignment or to justify the assignment of an Incomplete course grade.

## SCHEDULE OF LECTURES, DISCUSSIONS, AND READINGS

{All readings are available at the TritonEd course page.}

Week 1. January 9-15

MON: Introduction. Is there a duty to obey the law? Reading: C. Wellman, "Samaritanism and the Duty to Obey the Law," pages 3-54 of his contribution to *Is There a Duty to Obey the Law?*

WED: philosophical anarchism. Reading: Robert Nozick, *Anarchy, State, and Utopia*, pp. 90-95; also John Simmons, "The Principle of Fair Play."

FRI: Response to Nozick & Simmons; another argument concerning the duty to obey the law. Reading: Richard Arneson: "Paternalism and the Principle of Fairness."

Week 2. January 16-22

MON: NO CLASS. MARTIN LUTHER KING HOLIDAY.

WED: "Jeremy Waldron "Special Ties and Natural Duties."

FRI: Why democracy? Reading: Thomas Christiano, "The Authority of Democracy."

Week 3. January 23-29

MON: "Why democracy? Reading: D. Estlund, "Beyond Fairness and Deliberation" and "Why Not Epistocracy?"

WED. Why democracy? Arneson, "The Alleged Right to a Democratic Say." Recommended reading: Richard Arneson, "Elitism."; also Philip Pettit: "Justice: social and Political."

FRI: Skepticism about the right to a democratic say. Reading: Jason Brennan, *Against Democracy* (excerpt).

Week 4. January 30-February 5

MON: More skepticism about the justification of democracy. Reading :Jason Brennan, *Against Democracy* (more selections); also Brennan, "The Right to a Competent Electorate."

WED: Why Democracy: Reading: Niko Kolodny, "Rule over None: What Justifies Democracy? Part 1."

FRI: Why democracy? Reading: Niko Kolodny, "Rule over None: Part 2."

Week 5. February 6-12

MON: Is there a duty to vote? Reading: Geoffrey Brennan and Loren Lomasky, "Is There a Duty to Vote?"; also Alexander Guerrero, "The Paradox of Voting and the Ethics of Political Representation."

WED: Justice as freedom; freedom as non-domination. Reading: Philip Pettit, *Just Freedom* chapters 2 & 3. Recommended reading: Pettit, *Just Freedom*, Prologue and chap. 1.

FRI: Republicanism and justice: Reading: Pettit, *Just Freedom*, chapter 4.

Week 6. February 13-19

MON: Pettit on democracy. Conclusion of Pettit discussion. Reading: Pettit, *Just Freedom*, chapter 5.

WED: Justice as fairness. Two principles of justice: (1) equal basic liberty, and (2) equality of fair opportunity and the difference principle. Reading: Rawls, *A Theory of Justice*, Preface to the revised edition; also chapter 2, excerpts. Recommended reading: Rawls, *A Theory of Justice*, chapter 1.

FRI: The original position argument for Rawls's principles. Reading: Rawls, *A Theory of Justice*, chapter 3 (excerpt).

Week 7. February 20-26

MON: NO CLASS. PRESIDENTS' DAY HOLIDAY.

WED: Justice as socialism. Reading: G. A. Cohen, "Why Not Socialism?"

FRI: Justice as capitalist market freedom. Reading: Robert Nozick, *Anarchy, State, and Utopia*, chapter 7. Recommended reading: Jason Brennan and Peter Jaworski, "Markets without Symbolic Limits."

Week 8. February 27-March 5

MON: Lockean moral rights. Reading: Nozick, *Anarchy, State, and Utopia*, chapter 3.

WED: The minimal state. Reading: Friedrich Hayek, *The Mirage of Social Justice* (excerpt).

FRI: Justice as capitalist market freedom: another version. Reading: Ronald Dworkin, "What Is Equality? Part 2: Equality of Resources." Recommended reading: R. Dworkin, "What Is Equality? Part 1: Equality of Welfare." Further recommended reading: Richard Arneson, "Equality and Equal Opportunity for Welfare."

Week 9. March 6-12.

MON: **WRITING ASSIGNMENT DUE IN CLASS.** From the ideal auction to an ongoing economy. Reading: Dworkin, "Justice, Insurance, and Luck," chap. 9 of his *Sovereign Virtue*

WED: Elizabeth Anderson, "What is the Point of Equality?". Recommended reading: R. Arneson, "Luck Egalitarianism and Prioritarianism."

FRI: Immigration. Reading: Christopher Wellman, "Immigration and Freedom of Association."

Week 10. March 13-19

MON: Immigration and open borders. Reading: Joseph Carens, *The Ethics of Immigration*, chap. 11, "The Case for Open Borders." Recommended reading: Carens, *The Ethics of Immigration*, chap. 12, "The Claims of Community."

WED: Global justice. Reading: Michael Blake, "Distributive Justice, State Coercion, and Autonomy."

FRI: Global justice. Reading: David Miller, "Justice and Boundaries"; also Thomas Hurka, "The Justification of National Partiality" (but you can skip the section on "Nationalism and 'embedded selves'" as not relevant for our purposes). Recommended reading: Samuel Scheffler, "Conceptions of Cosmopolitanism."

**Arneson's office hours: Wednesdays 1-2 and Thursdays 2-3 in HSS 8057. Office phone 534 6810.  
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