

Social and Political Philosophy: Rawls and His Critics

(PHIL 360.01)

Hendrix College - Spring 2009

T/TH 1:15-2:30

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Office Hours: MWF 2:10-3:30 and by appointment

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Course Description

John Rawls is arguably the most influential political philosopher of the twentieth century. As Robert Nozick wrote in 1974, "Political philosophers now must either work within Rawls's theory, or explain why not." Or, as Thomas Nagel claims, when it comes to political philosophy John Rawls "changed the subject." In light of Rawls's undeniable importance to contemporary debates, this class will be an in depth look at his philosophy and at some of the more prominent criticisms of it. We will consider Rawls's substantial notion of contemporary liberalism expressed in the phrase "Justice as Fairness" by looking at key sections of *A Theory of Justice* and also *Political Liberalism*. In addition to getting clear on the basic components of Rawlsian political philosophy, we will also consider some of Rawls's most stringent critics. In the end, we will critically wrestle with the continued promise and problems that contemporary debates in political philosophy face as inheritors of the Rawlsian legacy.

Required Texts

Rawls, John. *A Theory of Justice*. (Revised edition) Harvard, 1999.

Rawls, John. *Political Liberalism*. (Paperback edition) Columbia, 1996.

Daniels, Norman, ed. *Reading Rawls*. Stanford, 1989.

Davion, Victoria and Clark Wolf, eds. *The Idea of a Political Liberalism*. Rowman and Littlefield, 2000.

Sandel, Michael. *Liberalism and the Limits of Justice*. Second edition. Cambridge, 1998.

Freeman, Samuel. *Rawls*. Routledge, 2007.

Recommended Additional Texts

Rawls, John. *Collected Papers*. Samuel Freeman, ed., Harvard, 2001.

Freeman, Samuel, ed. *The Cambridge Companion to Rawls*. Cambridge, 2003.

Talisie, Robert B. *On Rawls*. Wadsworth, 2001.

Course Learning Objectives

The student will be able to . . .

- Understand the basics of Rawls's political theory
- Appreciate Rawls's influence on contemporary philosophy
- Weigh and consider various objections to Rawls
- Write analytical and argumentative essays relevant to the course content

Course Requirements and Grading

This course is based on a 1000 point total. There will be five assignments broken down as follows:

Exams (250 each = 500) – Midterm and Final Exams will both be entirely essay format. I will give you the essay questions ahead of time. For the midterm, you will take the exam at home and turn it in on the day specified. For the final, you will take the exam during the regular exam time.

Papers (200 each = 400) – You will have to select two secondary sources and write 1000-1500 word critical responses to them. They will be due on the date that we read the material.

Participation (100) – This is a seminar format course and, as such, you are expected to come to class having read the material thoroughly and ready to engage in discussion.

Attendance – You get 2 absences without penalty, after the second absence each following absence will result in a 25 point reduction from your final grade total.

Statement on Students with Disabilities:

It is the policy of Hendrix College to accommodate students with disabilities, pursuant to federal and state law. Any student who needs accommodation in relation to a recognized disability should inform the instructor at the beginning of the course. In order to receive accommodations, students with disabilities are required to contact Julie Brown in Academic Support Services at 501-505-2954.

Readings and Discussion Topics

January

- 13 – Background to Justice as Fairness: Contractarianism, Utilitarianism, and Intuitionism
- 15 – The Basics of Justice as Fairness: “Justice as Fairness” (Handout)
- 19 – *TJ* sections 1-4, 9
- 22 – The Two Principles of Justice: *TJ* sections 11-17
- 27 – Freeman, Chapter 2 – “Liberalism, Democracy, and the Principles of Justice”
- 29 – Freeman, Chapter 3 – “The Second Principle and Distributive Justice”; H. L. A. Hart, “Rawls on Liberty and its Priority” (in *RR*)

February

- 3 – Derivation of the Two Principles: Choice in the Original Position: *TJ* sections 20-30
- 5 – Freeman, Chapter 4 – “The Original Position”
- 10 – Thomas Nagel, “Rawls on Justice” (in *RR*); Ronald Dworkin, “The Original Position” (in *RR*)
- 12 – The Structure and Justification of Justice as Fairness: *TJ* sections 60, 68, 77, 79, 85, 87
- 17 – R. M. Hare, “Rawls’ Theory of Justice” (in *RR*); Benjamin Barber, “Justifying Justice” (in *RR*)
- 19 – A Sustained Critique of *A Theory of Justice*: Sandel *LLJ*
- 24 – *LLJ*, cont.
- 26 – The Move to “Political” Liberalism: “Justice as Fairness: Political not Metaphysical” (Handout); *PL*, “Introduction to the Paperback Edition”

March

- 3 – Freeman, Chapter 7 – “Kantian Constructivism and the Transition to Political Liberalism”; Richard Rorty, “The Priority of Democracy to Philosophy” (handout)
- 5 – The “Political” Reinterpretation of Justice as Fairness: *PL*, Ch 1: “Fundamental Ideas” – **Midterm Exam Due**

Spring Break

- 17 – Freeman, Chapter 8 – “Political Liberalism I: The Domain of the Political”
- 19 – Victoria Davion and Clark Wolf, “From Comprehensive Justice to Political Liberalism” (in *IPL*); Norman Daniels, “Reflective Equilibrium and Justice as Political” (in *IPL*)
- 24 – The Fact of Reasonable Pluralism: *PL*, Ch. 2: “The Powers of Citizens and their Representatives”
- 26 – Marilyn Friedman, “John Rawls and the Political Coercion of Unreasonable People” (in *IPL*); James Sterba, “Rawls and Religion” (in *IPL*)
- 31 – Overlapping Consensus vs. Modus Vivendi: *PL*, Ch IV: “The Idea of an Overlapping Consensus”

April

- 2 – Claudia Mills, “Not a Mere Modus Vivendi” (in *IPL*); Bernard Dauenhauer, “A Good Word of Modus Vivendi” (in *IPL*)
- 7 – The Idea of Public Reason: *PL*, Ch. VI: “The Idea of Public Reason”
- 9 – Freeman, Chapter 9 – “Political Liberalism II: Overlapping Consensus and Public Reason”
- 14 – Jurgen Habermas, “Reconciliation through the Public Use of Reason” (handout); *PL*, Ch. IX: “Reply to Habermas”
- 16 – Michael Sandel, “Response to Rawls’s Political Liberalism” (Appendix, *LLJ*)
- 21 – Seyla Benhabib, “Toward a Deliberative Model of Democratic Legitimacy” (Handout); Iris Marion Young, “Communication and the Other: Beyond Deliberative Democracy” (Handout)
- 23 – Chantal Mouffe, “The Democratic Paradox” (Handout)
- 20 – Review

Final Exam – Thursday, April 30, 2:00pm