

Theory of Politics (Politics 203/Philosophy 114)Topics:

- 1 **Equality** (alternatives, the metric, relational)_____p.2
- 2 **Rawls on Justice** (original position, difference principle, basic structure)_p.4
- 3 **Nozick and Property** (left-libertarianism, self-ownership, rights)_____p.7
- 4 **International Justice** (redistribution, global governance, human rights)___p.9
- 5 **Democracy** (majority rule, constitutionalism, deliberation)_____p.11
- 6 **Political Obligation** (anarchism, voluntarist theories, civil disobedience)_p.13
- 7 **Liberty/Liberalism** (liberty, liberal democracy, the private sphere)_____p.16
- 8 **Difference** (feminism, multiculturalism, group rights)_____p.18

The reading list covers the above eight topics. Each topic (I, II, III, etc) is subdivided into core readings, which you should generally try to read all of, and a number of sub-topics (A, B, C, etc), focused towards more specific issues. Essay questions and guidance on relevant readings are provided separately.

Readings are generally listed in rough order of importance (most important first), except that responses to key readings sometimes follow immediately. The most important readings within each (sub-)topic are asterisked (*). If you want to ensure adequate breadth, it may be advisable to try to read some of these outside your chosen essay area, though of course your reading can be supplemented by lectures and secondary reading (also included).

It will be presumed, but not required, that we cover one topic each week, in this order (this means that, subject to agreement, we may choose to spend a second week on further aspects of any one topic, provided sufficiently broad coverage is maintained).

If we meet each week, I expect you to write six essays for eight tutorials. Essays should be about 2,000-2,500 words, and include a bibliography of all you've read and references (page numbers!) for any quotations. Please email your essay to me (b.m.saunders@gmail.com) by the agreed deadline prior to the tutorial. I'm not too fussy about formatting, but please include your name, page numbers and references.

Some useful Introductory Texts and Anthologies:

- D. Miller (2003) *Political Philosophy: A Very Short Introduction* (Basic, but a good start if new to political philosophy. It's short, and better than reading nothing)
- R. E. Goodin and P. Pettit (eds.) (1993) *A Companion to Contemporary Political Philosophy* (Useful introductory overviews on a variety of topics. Recommended place to start each week, before going on to more detail)
- R. E. Goodin and P. Pettit (eds.) (1997) *Contemporary Political Philosophy: An Anthology* (Contains many classic 20th century articles to be found on this list - worth checking if you can't find them in versions listed elsewhere)
- W. Kymlicka (1990) *Contemporary Political Philosophy: An introduction* (Covers a fairly limited range of topics, but excellent on what it does. A noteworthy contribution in its own right - but don't expect neutral presentation of ideas, he has his own agenda)

J. Christman (1996) *Social and Political Philosophy: A Contemporary Introduction*

A. Swift (2001) *Political Philosophy: A Beginner's Guide for Students and Politicians*

G. Gaus (2000) *Political Concepts and Political Theories*

J. Wolff (1996) *An Introduction to Political Philosophy*

Other useful things to read:

W. B. Gallie (1956) 'Essentially Contested Concepts'

P. Pettit 'Analytical Philosophy' (ch. 1) in R. E. Goodin and P. Pettit (eds.) (1993) *A Companion to Contemporary Political Philosophy*

A note on websites:

You can, of course, use Tdnet, JStor, etc to access online journals. Sometimes online searches can also turn up useful background information and references. There's a lot of good stuff on the internet, but be careful, there's also a lot that frankly isn't. Papers that appear in journals are carefully refereed by peer-review, whereas *anyone* can post their crazy ideas online. If you want to cite websites, stick to reputable ones like the *Stanford Encyclopedia of Philosophy* (<http://plato.stanford.edu/>), not Wikipedia!

Topic I: Equality

I.A. Core Readings

*R. Dworkin (1981) 'What is Equality? Part 2: Equality of Resources' *Philosophy and Public Affairs* 10 (reprinted as Chapter 2 of Dworkin (2000) *Sovereign Virtue*)

B. Williams (1962) 'The Idea of Equality' in P. Laslett and W. G. Runciman (eds.) (1962) *Philosophy, Politics and Society: second series* or B. Williams (1976) *Problems of the Self. Philosophical papers 1956-72* or L. Pojman & R. Westmoreland (eds.) (1997) *Equality: Selected Readings*

R. Nozick (1974) *Anarchy, State and Utopia* ch. 8

L. Temkin (1993) *Inequality* esp. ch. 9

I.B. Alternatives to Equality

*H. Frankfurt (1987) 'Equality as a Moral Ideal' *Ethics* 98 and in his (1988) *The Importance of What We Care About* ch. 11 [argues what matters is sufficiency]

P. Casal (2007) 'Why Sufficiency Is Not Enough' *Ethics* 117 296-326

*D. Parfit (1991) 'Equality or Priority?' in (1997) *Ratio* (new series) 10:3 or A. Williams and M. Clayton (eds.) (2000) *The Ideal of Equality* [introduces the 'priority view' - essentially weighted utilitarianism]

A. Mason (2001) 'Egalitarianism and the Leveling Down Objection' *Analysis* 61

R. Nozick (1974) *Anarchy, State and Utopia* ch. 7

J. Raz (1986) *The Morality of Freedom* ch. 9

T. Nagel (1979) 'Equality' ch. 8 in his (1991) *Mortal Questions*

R. E. Goodin (1987) 'Egalitarianism, Fetishistic and Otherwise' *Ethics* 98 44-9

I.C. Equality of What?

- *A. Sen (1980) 'Equality of What?' in S. McMurrin (ed.) *The Tanner Lecture on Human Values* vol.1. Reprinted in Sen (1982) *Choice, Welfare and Measurement* ch. 16 and J. Rawls, A. Sen *et al* (1987) *Liberty, Equality and Law: Selected Tanner Lectures on Moral Philosophy*
- *G. A. Cohen (1989) 'On the Currency of Egalitarian Justice' *Ethics* 99:4 906-44
- R. Dworkin (1981) 'What is Equality?' Parts 1 (welfare) and 2 (resources) *Philosophy and Public Affairs* 10 (reprinted as chs. 1-2 of his (2000) *Sovereign Virtue*)
- A. Sen (1992) *Inequality Reexamined* chs. 1, 3 and 5 [argues for 'capabilities' approach]
- E. Rakowski (1991) *Equal Justice* ch. 2 (chs. 3-7 also relevant)
- J. R. Richards (1997) 'Equality of Opportunity' *Ratio* X:3 253-79
- R. E. Goodin (1987) 'Egalitarianism, Fetishistic and Otherwise' *Ethics* 98

I.D. Relational Egalitarianism

- *E. Anderson (1999) 'What is the Point of Equality?' *Ethics* 109:2 287-337
- J. Wolff (1998) 'Fairness, Respect, and the Egalitarian Ethos' *Philosophy and Public Affairs* 27 97-122
- T. Hinton (2001) 'Must Egalitarians Choose Between Fairness and Respect?' *Philosophy and Public Affairs* 30:1 72-87
- *S. Scheffler (2003) 'What is Egalitarianism?' *Philosophy and Public Affairs* 31:1 5-39
- R. Dworkin (2003) 'Equality, Luck and Hierarchy' *Philosophy and Public Affairs* 31:2 190-8
- S. Scheffler (2003) 'Equality as the Virtue of Sovereigns: A Reply' *Philosophy and Public Affairs* 31:2 199-206
- N. Fraser (1995) 'From Redistribution to Recognition?' in *New Left Review* 212 (<http://www.newleftreview.net/Issue1208.asp?Article=04>) or her (1997) *Justice Interruptus* or A. Phillips (ed.) (1998) *Feminism and Politics*
- G. Sartori (1987) *The Theory of Democracy Revisited* vol. 2, ch. 12

I.E. Secondary Reading, Textbooks and Collections

- W. Kymlicka (1990) *Contemporary Political Philosophy* ch. 3
- S. White (2006) *Equality (Key Concepts)* chs. 1 & 3-4
- A. Swift (2001) *Political Philosophy: A Beginners' Guide for Students and Politicians* part 3
- J. Baker (1987) *Arguing for Equality*
- A. Williams and M. Clayton (eds.) (2000) *The Ideal of Equality* (essays by Scanlon, Nagel, Parfit and Temkin)
- L. Pojman & R. Westmoreland (eds.) (1997) *Equality: Selected Readings*
- N. Holtug & K. Lippert-Rasmussen (eds.) (2006) *Egalitarianism: New Essays on the Nature and Value of Equality* (especially introduction and essay by T. Christiano 'A Foundation for Egalitarianism')
- A. Mason (ed.) (1998) *Ideals of Equality*

Essay 1: Must equality have a point?

Readings: Papers from sections A, B (especially Parfit) and D (especially Anderson)

This question invites you to discuss not only what the point of equality might be but whether it must have one. You may want to consider whether equality is instrumentally valuable (e.g. because it promotes social harmony) or intrinsically valuable - or not valuable at all.

Essay 2: In what respects should people be made equal in an egalitarian society?

Readings: Papers from sections A, C (especially Cohen) and D

You may question the presupposition that people should be equal in any respect, but most people accept some form of equality - e.g. moral equality, political equality or equality of status, opportunity, resources, welfare, etc. This question asks you to adjudicate between these competing (generally conflicting) ideals. If we make people equal in, say, resources then they will often be unequal in outcomes. What form of equality should egalitarians pursue?

Essay 3: Should we be Egalitarians?

Readings: Papers from sections A (especially Williams and Nozick) and B

Whether we should be egalitarians obviously depends somewhat on what form of equality you think matters. This question, however, calls for you to offer a foundational justification for equality, as opposed to exploring the implications of equality. You may want to consider not only arguments for and against equality but also alternatives (e.g. sufficiency, priority, utilitarianism) and, indeed, what the defining features of egalitarianism are (e.g. is Rawls an egalitarian?)

Past Paper Questions:

- * Is the fundamental point of political equality to compensate people for undeserved bad luck? (2000, Q5)
- * Can one be an egalitarian and not aim for equality of welfare? (2001, Q3)
- * In an egalitarian society would individuals be compensated for the cost of their own mistakes that leave them badly off? (2002, Q6)
- * Does a commitment to equality entail a willingness to 'level down'? (2003, Q3)
- * Elizabeth Anderson asks 'What is the point of equality?' Must equality have a point? (2004, Q1)
- * Egalitarianism's 'purpose is to eliminate *involuntary disadvantage*, by which I...mean disadvantage for which the sufferer cannot be held responsible, since it does not appropriately reflect choices that he has made or would make.' (COHEN) Should this be egalitarianism's purpose? (2005, Q9)
- * 'The correct focus of egalitarian concern is not the distribution of anything, but the quality of social relations.' Discuss. (2006, Q3)
- * 'It is important to reduce some inequalities in society, but not because equality itself is of value.' Discuss. (2007, Q4)

Topic II: Rawls on Justice

II.A. Core Readings

* J. Rawls (1971, 2nd ed 1999) *A Theory of Justice* Preface and chs.1-3

II.B. The Original Position

- *R. Dworkin 'The Original Position' in N. Daniels (ed.) (1978) *Reading Rawls*
B. Barry (1991) *Theories of Justice* ch. 9
D. Gauthier (1974) 'Justice and Natural Endowment: Toward a Critique of Rawls's Ideological Framework' *Social Theory and Practice* 3:1 pp.3-26. Reprinted in his (1990) *Moral Dealing: Contract, Ethics and Reason*.
J. Rawls (2006) *Lectures on the History of Political Philosophy* Introduction
G. A. Cohen (2003) 'Facts and Principles' *Philosophy and Public Affairs* 31:3 211-45
R. B. Brandt (1979) *A Theory of the Good and the Right* ch.12, esp. sec.3

II.C. The Difference Principle

- *G. A. Cohen (2001) *If You're an Egalitarian, How Come You're So Rich?* ch. 8 or his 'Incentives, Inequality, and Community' in S. Darwall (1995) *Equal Freedom: Selected Tanner Lectures on Human Values*
D. Parfit (1991) 'Equality of Priority?' in (1997) *Ratio* (new series) 10:3 or A. Williams and M. Clayton (eds.) (2000) *The Ideal of Equality*. Esp. the appendix on interpreting the difference principle.
R. Nozick (1974) *Anarchy, State and Utopia* ch.7 part 2
J. Waldron 'John Rawls and the Social Minimum' in his (1993) *Liberal Rights - Collected Papers 1981-1991*
J. C. Harsanyi (1975) 'Can the Maximin Principle Serve as a Basis for Morality? A Critique of John Rawls's Theory' *American Political Science Review* 69:2 594-606
J. Fishkin (1975) 'Justice and Rationality: Some Objections to the Central Argument in Rawls's Theory' *American Political Science Review* 69:2 615-629

II.D. The Basic Structure

- *G. A. Cohen (1997) 'Where the Action Is: On the Site of Distributive Justice' in *Philosophy and Public Affairs* 26:1 3-30. Reprinted in his (2001) *If You're an Egalitarian, How Come You're So Rich?* ch. 9
A. J. Julius (2003) 'Basic Structure and the Value of Equality' *Philosophy and Public Affairs* 31:4 321-55
A. Williams (1998) 'Incentives, Inequality, and Publicity' *Philosophy and Public Affairs* 27:3 225-47
L. Murphy (1999) 'Institutions and the Demands of Justice' *Philosophy and Public Affairs* 27:4 251-91
T. Pogge (2000) 'On the Site of Distributive Justice: Reflections on Cohen and Murphy' *Philosophy and Public Affairs* 29:2 137-69

II.E. Secondary Reading, Textbooks and Collections

- N. Daniels (ed.) (1978) *Reading Rawls* (esp. Dworkin, Nagel, Hare, Lyons, Scanlon, Hart, and Daniels)
P. Weithman and H. Richardson (1999) (eds.) *The Philosophy of Rawls: A Collection of Essays* vols.1-5
C. Kukathas and P. Pettit (1991) *John Rawls' A Theory of Justice and its Critics*
J. Wolff (2007) *Routledge Philosophical Guidebook to Rawls on Justice*
R. E. Goodin and P. Pettit (eds.) (1993) *A Companion to Contemporary Political Philosophy*: ch.1 Pettit 'Analytical Philosophy' (esp. pp.12-22) and ch. 16 Hampton 'Contract and Consent'

S. Freeman (2006) *Rawls* chs. 1-5

W. Kymlicka (1990) *Contemporary Political Philosophy* ch. 3

A. Swift (2001) *Political Philosophy: A Beginners' Guide for Students and Politicians* part 1

J. Christman (2002) *Social and Political Philosophy: A Contemporary Introduction* ch. 3, esp. pp.74-80

D. D. Raphael (2003) *Concepts of Justice* ch. 18

A. Levine (2002) *Engaging Political Philosophy* ch. 5

R. Talisse (2001) *On Rawls* esp. chs. 1-2

Essay 1: Would people in an Original Position agree on Rawls' principles of justice-as-fairness? Why does it matter?

Readings: Papers from sections A, C (esp. Harsanyi, Waldron) and, especially, B

Why does Rawls adopt the contractualist procedure in general and the original position in particular? How does he set it up (e.g. veil of ignorance) and why? What alternatives do the contractors consider? What relevance do their decisions have for those of us who aren't in the original position?

Essay 2: Does Rawls show sufficient concern for equality?

Readings: Papers from sections A, B (Dworkin), C (esp. Parfit) and D (Julius)

Think about how Rawls realizes equality. Why must basic rights and liberties be equal while inequalities in income are allowed? How much inequality should be permitted? Should one favour more equality (Cohen) or less (Nozick, Gauthier)? What other values may compete with equality, e.g. efficiency or freedom, and how should they be balanced?

Essay 3: Are Rawls' principles of justice?

Readings: Papers from sections A and D

Think about what makes principles principles of justice. Would it matter to Rawls if his proposals were adopted as (merely) 'rules of regulation'? Is justice the first virtue of social institutions? Is it simply one value among many or does it incorporate other values? What other values, e.g. efficiency or freedom, may compete with justice?

Past paper questions:

- * If the division of labour in society is a legitimate interest of the state, why should not the division of labour in the family similarly be a legitimate interest? (2000, Q6)
- * Are there good reasons why justice should be the first virtue of a society? (2000, Q8)
- * Can one be an egalitarian and not aim for equality of welfare? (2001, Q3)
- * If it is correct to distribute punishment according to desert, why is it not correct to distribute other goods and bads by the same criterion? (2001, Q4)
- * Do Rawls's arguments about 'the original position' justify the claim that social and economic inequalities should be arranged so that they are to the greatest benefit of the least advantaged? (2001, Q7)
- * Are feminists right to claim that 'the personal is political'? (2001, Q10)
- * Should the family be beyond the sphere of justice? (2002, Q1)
- * What is the role of agreement in deciding what is just? (2002, Q7)

- * Is the application of principles of justice properly restricted to the 'basic structure' of society? (2004, Q2)
- * 'It may be thought...that the principles of justice do not apply to the family and hence those principles do not secure justice for women and their children. This is a misconception.' (RAWLS) Is it? (2005, Q2)
- * Does a hypothetical social contract provide a satisfactory way to identify principles of social justice? (2006, Q2)
- * What role, if any, should the notion of entitlement OR incentives play in our thinking about distributive justice? (2007, Q3)

Topic III: Nozick and Property

III.A. Core Readings

- *R. Nozick (1974) *Anarchy, State and Utopia* ch. 7 (that's the essential bit; further reading chs. 3-4 and 8)
- M. Walzer (1983) *Spheres of Justice* chs. 1 and 4
- F. A. Hayek (1976) *The Constitution of Liberty* ch. 6 or his (1973/82) *Law, Legislation & Liberty: vol 2 The Mirage of Social Justice* chs. 8-9

III.B. Left-Libertarianism

- *B. Fried (2004) 'Left-Libertarianism: A Review Essay' *Philosophy and Public Affairs* 32: 66-92
- *P. Vallentyne, H. Steiner and M. Otsuka (2005) 'Why Left-Libertarianism Isn't Incoherent, Indeterminate, or Irrelevant: A Reply to Fried' *Philosophy and Public Affairs* 33: 201-15
- B. Fried (2005) 'Left-Libertarianism, Once More: A Rejoinder to Vallentyne, Steiner, and Otsuka' *Philosophy and Public Affairs* 33: 216-222
- G. A. Cohen (1995) *Self-Ownership, Freedom and Equality* chs. 3-4
- M. Otsuka (2003) *Libertarianism without Inequality* chs. 1-2 [and maybe 6]
- P. Van Parijs (1998) *Real Freedom For All: What (if Anything) Can Justify Capitalism?* [the most relevant bits probably in chs. 1 and 5]
- P. Vallentyne & H. Steiner (2001) *Left-Libertarianism and its Critics: The Contemporary Debate*

III.C. Self-Ownership

- *G. A. Cohen (1995) *Self-Ownership, Freedom and Equality* chs. 1-4 [esp. 3-4]
- *J. Christman (1991) 'Self-Ownership, Equality, and the Structure of Property Rights' *Political Theory* 19:1 28-46
- T. Christiano 'A Foundation for Egalitarianism' in N. Holtug & K. Lippert-Rasmussen (eds) (2006) *Egalitarianism: New Essays on the Nature and Value of Equality* - the section on Nozick is pp.64-71
- S. White 'Should Talent be Taxed?' in C. McKinnon and I. Hampsher-Monk (eds.) (2000) *The Demands of Citizenship*
- J. Roemer (1996) *Theories of Distributive Justice* ch. 6 'Neo-Lockeanism and Self-Ownership'
- C. Fabre (2006) *Whose Body is it Anyway? Justice and the Integrity of the Person* chs. 1 and 5

III.D. Property Rights

- A. Ryan (1984) *Property and Political Theory*

- J. Waldron (1988) *The Right to Private Property*
A. J. Simmons (1994) *The Lockean Theory of Rights* ch. 5 'Property Rights'
J. Wolff (2001) *Robert Nozick: Property, Justice and the Minimal State* ch. 2
R. Dworkin (1977) *Taking Rights Seriously* chs. 7 and 12
J. Waldron (ed) (1984) *Theories of Rights* (esp. Dworkin, Gewirth, Raz, Mackie)
L. W. Sumner (1987) *The Moral Foundations of Rights* chs. 1 and 6

III.E. Secondary Reading, Textbooks and Collections

- J. Wolff (2001) *Robert Nozick: Property, Justice and the Minimal State* esp. chs. 1, 4 and pp.118-23
J. Paul (ed.) (1982) *Reading Nozick: Essays on 'Anarchy, State, & Utopia'*
W. Kymlicka (1990) *Contemporary Political Philosophy* ch. 4
J. Christman (2002) *Social and Political Philosophy: A Contemporary Introduction* ch. 3, esp. pp.64-74
D. D. Raphael (2003) *Concepts of Justice* ch. 19
A. Swift (2001) *Political Philosophy: A Beginners' Guide for Students and Politicians* Part I and pp.68-77 (on liberty and redistribution)
C. Kukathas & P. Pettit (1990) *Rawls 'A Theory of Justice' and its Critics* ch. 5

Essay 1: Can one reconcile self-ownership and equality?

Readings: Papers from sections A, B and C

Does self-ownership conflict with equality and why? Could one redress the inequalities in self-ownership, e.g. by different distributions of world ownership? Would this involve the less of any other values?

Essay 2: How should theories of justice deal with natural resources?

Readings: Papers from sections A, C (Cohen) and, especially, B

Think about differences between external natural resources (e.g. fossil fuels) and internal natural resources (e.g. talents). Which principles should apply to land, e.g. first occupancy rights, first worker rights, equal shares, joint ownership? How are matters complicated by future generations?

Essay 3: If income taxes are forced labour, what is wrong with forced labour?

Readings: Papers from sections A, C (esp. Fabre) and D

You may want to briefly question the assumption that income taxes are forced labour (point to relevant differences), but focus on the conditional. This is a fine example of the saying that one philosopher's modus ponens is another's modus tollens. Should the talented be forced to work for the benefit of the worst off? Should we prefer freedom to equality? Are all wage contracts like slavery anyway?

Past paper questions:

- * Must a conservative be committed to the defence of private, transferable property? (2000, Q11a)
- * Does self-ownership entail the right to private property? (2001, Q16)
- * 'Private property is the cornerstone of liberty'. Discuss. (2002, Q9)
- * Is the 'equal freedom to sleep under the bridges of Paris' a freedom worth the name? (2002, Q10)

- * 'Since we have a right to dispose of our property as we wish, subsequent generations could not charge us with injustice if we were to consume whatever we could in our own lifetimes'. Do you agree? (2003, Q8)
- * Does justice come in distinct 'spheres'? (2003, Q9)
- * If private property is legitimate, is taxation robbery? (2004, Q6)
- * What role, if any, should the notion of entitlement OR incentives play in our thinking about distributive justice? (2007, Q3)

Topic IV: International Justice

IV.A. Core Readings

- C. Beitz (1999 [1979]) *Political Theory and International Relations* Part III
J. Rawls (1999) *The Law of Peoples* (especially §3-4, 6-7 and 16)
T. Nagel (2005) 'The Problem of Global Justice' *Philosophy & Public Affairs* 33:2 113-147

IV.B. Redistribution

- *T. Pogge (2002) *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* ch.8
C. Beitz (2000) 'Rawls's Law of Peoples' *Ethics* 110:4 669-696
A. Buchanan (2000) 'Rawls's Law of Peoples: Rules for a Vanished Westphalian World' *Ethics* 110:4 697-721
A. J. Julius (2006) 'Nagel's Atlas' *Philosophy & Public Affairs* 34:2 176-192
J. Cohen & C. Sabel (2006) 'Extra Rempublicam Nulla Justitia?' *Philosophy & Public Affairs* 34:2 147-175
A. Sangiovanni (2007) 'Global Justice, Reciprocity and the State' *Philosophy & Public Affairs* 35:1 3-39
B. Jordan 'Justice and Reciprocity' in C. McKinnon and I. Hampsher-Monk (eds.) (2000) *The Demands of Citizenship*
P. Singer (1972) 'Famine, Affluence, and Morality' *Philosophy and Public Affairs* 1:3 229-243

IV.C. Global Governance

- *I. M. Young 'Self-Determination and Global Democracy: A Critique of Liberal Nationalism' in I. Shapiro and S. Macedo (eds.) (2000) *NOMOS XLII: Designing Democratic Institutions*
*D. Miller (2000) *Citizenship and National Identity* ch.10 'National Self-Determination and Global Justice'
R. E. Goodin (2007) 'Enfranchising All Affected Interests, and its Alternatives' *Philosophy and Public Affairs* 35:1 40-68
D. Held (1987) *Models of Democracy* ch.10 'Democracy, the Nation-State and the Global System'
R. Jackson (2000) *The Global Covenant: Human Conduct in a World of States* ch.13 'Democracy and International Community'
J. A. Scholte (2000) *Globalization: A Critical Introduction* (2nd edn.) ch. 11 'Globalization and (Un)Democracy'
M. Moore (2006) 'Globalization and Democratization: Institutional Design for Global Institutions' *Journal of Social Philosophy* 37:1 21-43
F. G. Whelan 'Prologue: Democratic Theory and the Boundary Problem' in J. R. Pennock and J. W. Chapman (eds.) (1983) *NOMOS XXV: Liberal Democracy*

IV.D. Human Rights

- *A. Gewirth 'The Basis and Content of Human Rights' in J. R. Pennock & J. W. Chapman (eds.) (1981) *Nomos XXIII: Human Rights* (You might also want to read the next three papers, which are brief criticisms of Gewirth's argument)
- A. Sen (2004) 'Elements of a Theory of Human Rights' *Philosophy & Public Affairs* 32:4
- L. Wenar (2005) 'The Nature of Rights' *Philosophy and Public Affairs* 33:3 223-52
- C. Beitz (2001) 'Human Rights as a Common Concern' *American Political Science Review* 95:2 269-82
- J. Raz 'Human Rights Without Foundations'
<http://josephnraz.googlepages.com/HumanRightswithoutfoundations.pdf>
- M. Freedman (1991) *Rights* chs. 1 & 7
- C. Beitz (1979) *Political Theory and International Relations* Part II
- O. O'Neill (2000) *Bounds of Justice* pp.97-111, 124-37
- J. Nickel (2006) 'Human Rights' *Stanford Encyclopedia of Philosophy*
<http://plato.stanford.edu/entries/rights-human/>
- A. Fagan (2005) 'Human Rights' *The Internet Encyclopedia of Philosophy*
<http://www.iep.utm.edu/h/hum-rts.htm>

IV.E. Secondary Reading, Textbooks and Collections

- *T. Brooks (ed.) (2008) *The Global Justice Reader* [contains several of the above]
- D. Miller (2003) *Very Short Introduction to Political Philosophy* ch. 7
- S. White (2006) *Equality* ch. 7

Essay 1: Do we owe duties of justice to members of other nations?

Readings: Papers from sections A, B and D

The most important thing to do is to identify duties *of justice* - e.g. are they distinct from minimal humanitarian concern or human rights? How you conceive justice will be important in shaping your answer, but you then need to consider the relevance of nationality - or whether it is something else that really matters.

Essay 2: Are global institutions a prerequisite for global justice?

Readings: Papers from sections A (esp. Nagel), B and C

Again, this will depend on how you understand global justice. You may like to distinguish whether institutions are necessary to *achieve* global justice (which touches on whether redistribution is the role of governments or a duty on private individuals) or whether, as Nagel argues, coercive institutions are necessary for there to be such a thing as (in)justice. What institutions matter and why?

Essay 3: When should we intervene in cases of domestic injustice in other societies?

Readings: Papers from sections A, C (esp. Miller) and, especially, D

Other societies may strike us as unjust in various ways and degrees: from an unequal income distribution to widespread sexism. Do we have a greater responsibility to protect our fellow citizens from injustice? When does state

sovereignty cease to prohibit our interference in the affairs of another state? Rawls thinks that decent hierarchical peoples can be of good standing in a society of peoples - is this too tolerant or not tolerant enough? Moreover, not all cases of injustice warrant interference.

Past paper questions:

- * Are natural rights always and everywhere the same, though at different times and in different places variously respected? (2000, Q10)
- * 'The defining feature of the state is sovereignty'. Discuss. (2001, Q12)
- * Is nationalism compatible with cosmopolitan democracy? (2002, Q16)
- * Is the fact that someone is my co-national a reason for saying that my obligations to her are stronger than they would otherwise be? (2004, Q4)
- * Is it worth talking about 'human rights' in the absence of political mechanisms for their effective enforcement? (2005, Q6)
- * Do citizens of different nations owe anything to one another? (2005, Q11)
- * To what extent does the value of national self-determination limit what people in poor countries can justly demand of those in rich countries? (2006, Q12)
- * What makes a right a 'human right'? (2007, Q6)

Topic V: Democracy

V.A. Core Readings

- B. Barry 'Is Democracy Special?' in his *Democracy and Power* (1991) and in P. Laslett and J. Fishkin (1979) *Philosophy, Politics and Society* 5th series.
- J. Schumpeter (1943) *Capitalism, Socialism and Democracy* chs. 21-22 (reprinted as 'Two Concepts of Democracy' in A. Quinton (ed.) (1967) *Political Philosophy*)
- J. Elster 'The Market and the Forum' in J. Elster and A. Hylland (eds.) (1986) *Foundations of Social Choice Theory* and in Goodin & Pettit *An Anthology*
- A. Przeworski (1999) 'Minimalist Conception of Democracy: A Defense' in I. Shapiro and C. Hacker-Cordan (eds.) (1999) *Democracy's Value*

V.B. Majority Rule

- *P. Jones (1983) 'Political Equality and Majority Rule' in D. Miller and L. Siedentop (eds.) (1983) *The Nature of Political Theory*
- M. Risse (2004) 'Arguing for Majority Rule' *Journal of Political Philosophy* 12:1 41-64
- J. Chapman and A. Wertheimer (eds.) (1990) *NOMOS XXXII: Majorities and minorities* (esp. Beitz, Christiano, Shapiro, and Waldron)
- A. Kuflik (1977) 'Majority Rule Procedure' ch.11 in J. R. Pennock and J. W. Chapman (eds.) (1977) *NOMOS XVIII: Due Process*
- A. McGann (2006) *The Logic of Democracy* ch. 4
- W. Sadurski (2008) 'Legitimacy, Political Equality, and Majority Rule' *Ratio Juris* 21: 39-65

V.C. Constitutionalism

- R. Dworkin (2000) *Sovereign Virtue* ch. 4

- J. Elster 'Majority Rule and Individual Rights' in S. Shute and S. Hurley (eds.) (1993) *On Human Rights (The Oxford Amnesty Lectures, 1993)*
- J. Waldron (1990) 'Rights and Majorities: Rousseau Revisited' in J. Waldron (1993) *Liberal Rights: Collected Papers 1981-1991* and in J. Chapman and A. Wertheimer (eds.) (1990) *NOMOS XXXII: Majorities and Minorities*
- A. McGann (2006) *The Logic of Democracy* ch. 5
- D. van Mill (2007) *Deliberation, Social Choice and Absolutist Democracy* ch. 6
- R. Vernon (2001) *Political Morality: A Theory of Liberal Democracy* chs. 4-5
- R. Dworkin 'Do we have a Right to Pornography?' in his (1977) *A Matter of Principle*. Mostly reprinted in J. Waldron (ed) (1984) *Theories of Rights as 'Rights as Trumps'*.
- T. Christiano (2008) *The Constitution of Equality* ch. 7
- C. Brettschneider (2007) *Democratic Rights: The Substance of Self-Government* chs. 4 and 6-7

V.D. Deliberation

- *A. Gutmann and D. Thompson (2004) *Why Deliberative Democracy?* ch. 1
- J. Bohman and W. Rehg (eds.) (1997) *Deliberative Democracy: Essays on Reason and Politics* (essays by Cohen, Christiano, Estlund, and Knight and Johnson)
- R. Goodin (2003) *Reflective Democracy* chs. 1 and 9
- C. Mouffe (2000) *The Democratic Paradox* ch. 4
- A. McGann (2006) *The Logic of Democracy* chs. 6-7
- A. Gutmann and D. Thompson (1990) 'Moral Conflict and Political Consensus' *Ethics* 101 64-88. Reprinted in their (2004) *Why Deliberative Democracy?* ch. 2
- R. Vernon (2001) *Political Morality: A Theory of Liberal Democracy* ch. 7
- T. Christiano (2008) *The Constitution of Equality* ch. 5
- D. van Mill (2007) *Deliberation, Social Choice and Absolutist Democracy* ch. 3
- O. M. Fiss 'The Silencing Effect of Speech' in his (1998) *The Irony of Free Speech*

V.E. Secondary Reading, Textbooks and Collections

- *J. Hyland (1995) *Democratic Theory: The Philosophical Foundations*
- *A. Birch (1993) *The Concepts and Theories of Modern Democracy* (esp. Part II)
- B. Crick (2002) *Democracy: A Very Short Introduction*
- R. Dahl (2000) *On Democracy* esp. chs. 4-5
- D. Held (1996) *Models of Democracy* esp. chs. 5, 6 and 9
- A. Gutmann 'Democracy' (ch. 19) in Goodin & Pettit *Companion*
- D. Estlund (ed) (2002) *Democracy* (esp. Cohen, Nelson, Miller, and Grofman & Feld)
- R. Dahl (1989) *Democracy and its Critics* chs. 4-8

Essay 1: 'One person, one vote'. Why?

Readings: Papers from sections A, B (Jones), C and D

It is generally accepted that, in a democracy, all citizens are to be counted equally. This 'political egalitarianism' may be contrasted with those that defended weighted voting (e.g. Aristotle and J. S. Mill). But what reasons do we have for political equality? Does it rest on claims that all are equally

competent decision-makers? Or equally affected by decisions? If so, might this not mean that we should depart from equality where these conditions do not hold?

Essay 2: Is democratic political equality a form of equal opportunity?

Readings: Papers from sections A, B and C (esp. Dworkin)

'Democratic equality' can refer to a broadly an egalitarian social ethos, as in Rawls, or, more narrowly, to political equality (one person, one vote). This essay questions the implications of political equality. Should it be understood as a form of equal opportunity, rather than equal outcome, and, if so, for what (legislative outcomes, representation, etc)?

Essay 3: Is judicial review undemocratic?

Readings: Papers from sections A, B and, especially, C

The American Supreme Court and European Court of Human Rights, among others, have the power to declare 'democratically enacted' legislation contrary to the constitution or human rights. If the enactments of the legislature reflect the 'will of the people' then this seems to be undemocratic (though, not necessarily, unjustified). On the other hand, some have argued that judicial review is essential to protecting the conditions of democracy or that the majority has the right to rule only within certain constitutional limits - in which case, judicial review could be part of a larger democratic theory, properly considered. Remember that this question concerns whether judicial review is *democratic*, not whether it is *justified*.

Past paper questions:

- * 'Instead of looking on discussion as a stumbling block in the way of action, we think of it as an indispensable preliminary to any wise action at all.' (Thucydides). Is it right to think of discussion this way? (2000, Q2)
- * Should voting be compulsory? (2000, Q12)
- * Is genuine democratic government consistent with professionalism in politics? (2001, Q11)
- * Should democratic institutions be microcosms of the polity? (2002, Q4)
- * Should the rights of minorities be thought of as collective rights or as individual rights? (2002, Q5)
- * Is there a paradox in the theory of democracy? (2003, Q1)
- * Is there more to democracy than majority rule? (2004, Q7a)
- * Does democracy require participation in deliberation on the part of citizens? (2005, Q4)
- * 'The strongest arguments for democracy in general are also arguments for participatory democracy in particular.' Discuss. (2006, Q6)
- * 'The justification for democracy is that everyone who is affected by a decision should have an equal say in it.' Discuss. (2007, Q5a)

Topic VI: Political Obligation

VI.A. Core Readings

A. J. Simmons (1993) *On the Edge of Anarchy* ch. 8

R. Nozick (1974) *Anarchy, State, and Utopia* pp. 90-95

G. Klosko (1987) 'Presumptive Benefit, Fairness, and Political Obligation' *Philosophy & Public Affairs* 16:3 241-59

M. B. E. Smith (1973) 'Is There a Prima Facie Obligation to Obey the Law?'
Yale Law Journal 82 950-76

VI.B. Anarchism

- *R. P. Wolff (1970) *In Defense of Anarchism* chs. 1-2
- J. Reiman (1972) *In Defense of Political Philosophy*
- *J. Raz (1985) 'Authority and Justification' *Philosophy & Public Affairs* 14:1
- C. McMahon (1987) 'Autonomy and Authority' *Philosophy & Public Affairs* 16:4
- J. Burnheim (1985) *Is Democracy Possible?* ch. 1
- G. Graham (2002) *The Case Against the Democratic State* ch. 1

VI.C. Voluntarist Theories

- A. J. Simmons (1979) *Moral Principles and Political Obligations* chs. 3-4
- D. Hume 'Of the Original Contract' in, e.g., E. F. Miller (ed.) (1985) *David Hume: Essays Moral, Political, and Literary* or C. W. Hendel (ed.) (1953) *David Hume's Political Essays*
- D. Estlund (2007) *Democratic Authority* ch. 7
- J. Plamenatz (1968) *Consent, Freedom, and Political Obligation* ch. 7
- H. Beran (1987) *The Consent Theory of Political Obligation*

VI.D. Civil Disobedience

- *J. Rawls (1971) *A Theory of Justice* ch. 6, esp. §55-59
- *J. Raz (1979) *The Authority of Law* chs. 14-15
- R. Dworkin (1977) *Taking Rights Seriously* ch. 8
- K. Brownlee (2004) 'Features of a Paradigm Case of Civil Disobedience' *Res Publica* 10: 337-51
- P. Singer (1973) *Democracy and Disobedience*
- J. Pennock & J. Chapman (eds.) (1970) *Nomos XII Political and Legal Obligation* section on civil disobedience.
- C. Valcke 'Civil Disobedience and the Rule of Law - a Lockean Insight' in I. Shapiro (ed) (1994) *Nomos XXXVI The Rule of Law*
- H. D. Thoreau (1849) *Civil Disobedience* (various modern editions, e.g. N. L. Rosenblum (ed.) (1996) *Thoreau: Political Writings*)
- H. Zinn (2003) *Democracy and Disobedience: Nine Fallacies on Law and Order*

VI.E. Secondary Reading, Textbooks and Collections

- *A. J. Simmons (1979) *Moral Principles and Political Obligations* chs 1-5
- G. Klosko (2005) *Political Obligations*
- J. R. Pennock and J. Chapman (eds) (1970) *NOMOS XII: Political and Legal Obligation*
- C. Pateman (1979) *The Problem of Political Obligation*
- J. Christman (2002) *Social and Political Philosophy: A Contemporary Introduction* ch. 2
- J. Wolff (1996) *An Introduction to Political Philosophy* ch. 2
- W. Edmundson (ed.) (1999) *The Duty to Obey the Law: Selected Philosophical Readings*

Essay 1: Does one have any reason to obey an immoral law?

Readings: Papers from sections A, B and C

Of course, not all law concerns matters of morality - some is simply amoral. On the other hand, there are plain cases of immoral laws, e.g. racial segregation. While legal positivists have insisted 'Gesetz ist Gesetz' (law is law), this doesn't settle the question what one should do. Some have held that one ought to follow one's conscience (morality) in such cases - and face punishment if need be. On the other hand, do we have reason to obey the law simply because it is law - for instance, because we owe it to our fellow citizens or have tacitly promised to do so?

Essay 2: Does the fact that a law has been democratically passed give me a reason to obey it?

Readings: Papers from sections A and C

That a law is democratically enacted may, or may not, increase the likelihood that it tracks our objective reasons. Nonetheless, right or wrong, is it itself a reason for obedience? Do I have any more reason to obey a law that has been so passed than I would if the same law were enacted by an absolute monarch? Perhaps the democratic system makes a difference: does it matter whether or not I voted, or whether I was in the majority or minority?

Essay 3: When is civil disobedience justified? When might more be justified?

Readings: Papers from sections A, B (Wolff) and, especially, D

First of all, of course, you'll have to define civil disobedience. This is generally distinguished from other cases of law-breaking with reference to both motivations (e.g. attempt to change an unjust law) and methods (e.g. non-violence, acceptance of punishment). Even so, it still contravenes the law, and plainly cannot always be justified. On the other hand, might egregious injustices permit even more radical disobedience? The answer to the latter question may depend on how you answered the first part.

Past paper questions:

- * How, if at all, is political obligation distinct from moral obligation? (2000, Q3)
- * Does persuasion involve the exercise of authority? (2000, Q9)
- * Can one be politically obligated to a nation? (2001, Q13)
- * Should political theory be thought of as the theory of the justification of state coercion of individuals? (2002, Q3)
- * How, if at all, is political obligation different from the generality of moral and social obligations? (2002, Q13)
- * When is civil disobedience justified? (2003, Q2)
- * What is the relationship between authority and power? (2003, Q13)
- * Are my obligations to my fellow citizens fundamentally stronger than my obligations to foreigners? (2003, Q14)
- * 'Civil disobedience violates political obligation.' Discuss. (2004, Q9)
- * 'Anarchism is best understood as a form of philosophical scepticism about political obligation rather than as a serious political ideology.' Is this right? (2005, Q3)
- * If citizens in a liberal democracy have a duty to obey just laws, do they also have a duty to disobey unjust laws? (2005, Q12)
- * Is there any persuasive argument for the legitimacy of political authority? (2006, Q1a)
- * How would you distinguish between justified and unjustified cases of civil disobedience? (2006, Q1b)

- * Is the state a necessary evil? (2007, Q1a)
- * Does legitimate political authority depend on consent? (2007, Q1b)
- * Is civil disobedience justified only in response to laws which have been made undemocratically? (2007, Q2)

Topic VII: Liberty/Liberalism

VII.A. Core Readings

- *I. Berlin 'Two Concepts of Liberty' (various editions, e.g. in I Berlin (1969) *Four Essays on Liberty*; I. Berlin, H. Hardy (ed) (2002) *Liberty*; R. E. Goodin and P. Pettit (eds.) (1997) *Contemporary Political Philosophy: An Anthology*; or D. Miller (ed.) (2006) *The Liberty Reader*)
- *R. Dworkin 'Liberalism' in his (1986) *A Matter of Principle*
- J. Rawls (1993/6) *Political Liberalism* Lectures I and IV
- L. T. Hobhouse (1911) *Liberalism* chs. 2 and 4
- J. S. Mill (1859) *On Liberty* (various editions)

VII.B. Liberty

- *G. MacCallum Jr. (1967) 'Negative and Positive Liberty' *Philosophical Review* 76 312-34. Reprinted in R. Flathman (ed.) (1973) *Concepts in Social and Political Philosophy*
 - C. Taylor 'What's Wrong with Negative Liberty' in C. Taylor (1985) *Philosophy and the Human Sciences* or A. Ryan (ed.) (1979) *The Idea of Freedom* or R. E. Goodin and P. Pettit (eds.) (1997) *Contemporary Political Philosophy: An Anthology*
 - P. Pettit (1997) *Republicanism: A Theory of Freedom and Government* chs. 2-3
 - T. H. Green (1881) 'Liberal Legislation and Freedom of Contract' in P. Harris and J. Morrow (eds.) (1986) *Lectures on the Principles of Political Obligation and Other Writings*
 - Q. Skinner 'The Paradoxes of Political Liberty' in S. McMurrin (1986) *Tanner Lectures on Human Values VII* or S. Darwall (1995) *Equal Freedom: Selected Tanner Lectures on Human Values*
- [All bar Pettit are also in D. Miller (ed.) (2006) *The Liberty Reader*]

VII.C. Liberal Democracy

- R. Vernon (2001) *Political Morality: A Theory of Liberal Democracy* chs. 1, 5-8
- N. Bobbio (1988) *Liberalism & Democracy* [trans. M. Ryle & K. Soper (1990)]
- G. Sartori (1987) *The Theory of Democracy Revisited* vol. 2, ch. 13
- J. Cohen (1994) 'A More Democratic Liberalism' *Michigan Law Review* 92:6 1506-43
- A. Levine (1981) *Liberal Democracy: A Critique of its Theory*
- T. Christiano (2008) *The Constitution of Equality* chs. 4 and 6
- P. Devlin (1965) *The Enforcement of Morals* ch. 5

VII.D. The Private Sphere

- R. Dworkin (1977) *Taking Rights Seriously* ch. 7
- G. A. Cohen (1997) 'Where the Action Is: On the Site of Distributive Justice' in *Philosophy and Public Affairs* 26. Reprinted in his (2001) *If You're an Egalitarian, How Come You're So Rich?* ch. 9

- R. Dworkin 'Do we have a Right to Pornography?' in his (1977) *A Matter of Principle*. Mostly reprinted in J. Waldron (ed) (1984) *Theories of Rights* as 'Rights as Trumps'.
- P. Devlin (1965) *The Enforcement of Morals* chs. 1 and 5
- H. L. A. Hart (1963) *Law, Liberty and Morality* parts 1 and 3
- C. Pateman 'Feminist Critiques of the Public/Private Dichotomy' in A. Phillips (ed.) (1987) *Feminism and Equality*
- C. MacKinnon 'Privacy v. Equality: Beyond Roe v Wade' in her (1987) *Feminism Unmodified*
- Arthur Ripstein (2006) 'Beyond the Harm Principle' *Philosophy and Public Affairs* 34:3 215-45

VII.E. Secondary Reading, Textbooks and Collections

- R. E. Goodin and P. Pettit (eds.) (1993) *A Companion to Contemporary Political Philosophy*: A. Ryan ch. 11 'Liberalism' and C. Kukathas ch. 29 'Liberty'
- G. F. Gaus (2003) *Contemporary Theories of Liberalism* chs. 5-8
- P. Kelly (2004) *Liberalism* chs. 1 and 4-5
- A. Swift (2001) *Political Philosophy: A Beginners' Guide for Students and Politicians* part 2
- T. Gray (1990) *Freedom*
- A. Birch (1993) *The Concepts and Theories of Modern Democracy* ch. 9
- D. Miller (ed.) (2006) *The Liberty Reader*
- I. Carter, M. Kramer & H. Steiner (eds.) (2006) *Freedom: A Philosophical Anthology*
- A. Gamble (1981) *An Introduction to Modern Social and Political Thought* ch. 3
- J. Gray (1995) *Modern Masters: Berlin* ch. 6 'Agonistic Liberalism'

Essay 1: 'The aim of liberalism is to give the individual control over his/her own life. The aim of democracy is to give everyone control over everyone's lives' Discuss.

Readings: Papers from sections A and C

This essay explores the fundamental tension identified, in some form, by Berlin. Liberalism extols limited government, whereas a democracy may in theory be totalitarian (that is, every aspect of individual life may be regulated by the majority). Does this accurately characterize the aspirations of liberals and democrats? There are a number of thinkers, such as Vernon and Christiano, who argue that both liberalism and democracy are rooted in the same underlying value (something like giving individuals control over their own lives).

Essay 2: What is the relation between liberalism and (i) democracy OR (ii) liberty?

Readings: Papers from sections A and either (i) C or (ii) B

Obviously how you approach this question will vary depending on whether you choose (i) or (ii). In either case, however, you must resist the temptation to simply assume that all good things go together. Liberal democracy, for example, seems to involve a tension between the individual's personal (negative) freedom and collective control. This suggests that liberalism is

more closely associated with liberty, but it is only one understanding of liberty - moreover, Dworkin argues that liberalism is really based on equality.

Essay 3: How important is the public/private distinction to liberals?

Readings: Papers from sections A and D

Liberals have generally demanded public adherence to public standards of law, but held that the state has no business interfering in individuals' private lives (hence, for example, legalization of homosexual relations between consenting adults). Feminists have argued that this neglects the domestic sphere, subsuming family relations into the 'private' (more on this next week). Is this true? Is the public/private relation essential to liberalism? (What are the alternatives?) And could it be redrawn?

Past paper questions:

- * 'Your money or your life.' Is this a free choice? (2000, Q1)
- * 'The government can no more act to advance human excellence, or the values of perfection, than it can to advance Catholicism or Protestantism, or any other religion.' (John Rawls). Discuss. (2000, Q7)
- * How would you adjudicate between liberty as an opportunity concept and liberty as an exercise concept? (2001, Q1)
- * Is the connection between liberalism and democracy purely historical? (2001, Q5)
- * Is liberalism committed to a state without 'any sort of collective goals beyond the personal freedom and the physical security, welfare and safety of its citizens' (Walzer)? (2001, Q15)
- * Is the 'equal freedom to sleep under the bridges of Paris' a freedom worth the name? (2002, Q10)
- * How many concepts of liberty are there? (2003, Q7)
- * Do traffic lights restrict people's freedom? (2004, Q14)
- * 'Liberalism for the liberals; cannibalism for the cannibals.' Discuss. (2005, Q1)
- * Is it possible for citizens living under an authoritarian political regime still to be 'free'? (2005, Q8a)
- * 'A person is free to the extent that he is himself the source of the decisions that are embodied in his actions; unfree to the extent that these can be traced back to another agency.' Discuss. (2005, Q8b)
- * Can state coercion increase the freedom of the individual? (2006, Q4)
- * Is it consistent with liberal principles for the state to promote patriotism? (2006, Q7)
- * Is political democracy necessary to individual liberty? (2007, Q5b)
- * Is liberalism too individualistic? (2007, Q7)

Topic VIII: Difference

VIII.A. Core Readings

- * N. Fraser (1995) 'From Redistribution to Recognition?' in *New Left Review* 212 (<http://www.newleftreview.net/Issue1208.asp?Article=04>) or her (1997) *Justice Interruptus* or A. Phillips (1998) *Feminism and Politics*
- I. M. Young (1989) 'Polity and Group Difference: A Critique of the Ideal of Universal Citizenship' *Ethics* 99:2 250-74
- B. Barry (2000) *Culture & Equality* chs. 1 and 8

S. M. Okin; M. Nussbaum et al (eds.) (1999) *Is Multiculturalism Bad for Women?* Also reprinted in T. Brooks (ed.) (2008) *The Global Justice Reader*

VIII.B. Feminism

S. M. Okin (1989) *Justice, Gender and the Family* chs. 1-2, 5-8

C. MacKinnon (1991) *Toward a Feminist Theory of the State* chs. 8-12

A. Phillips (ed.) (1998) *Feminism and Politics* chs. by Okin, Mansbridge, Sapiro, Phillips, MacKinnon, Rhode, Elshtain and Young

VII.C. Multiculturalism

W. Kymlicka (1996) *Multicultural Citizenship* chs. 1-2

B. Barry (2000) *Culture & Equality* ch. 4

D. Miller (2000) *Citizenship and National Identity* ch. 4

B. Parekh 'The Rushdie Affair: Research Agenda for Political Philosophy' in Will Kymlicka (ed) (1995) *The Rights of Minority Cultures*. A version of this paper can also be found in *Political Studies* 38 (1990)

R. Vernon (2001) *Political Morality: A Theory of Liberal Democracy* ch. 8

VII.D. Group Rights

*W. Kymlicka (ed.) (1995) *The Rights of Minority Cultures* Introduction and essays by Waldron, Kukathas and Parekh

R. Dworkin (1977) *Taking Rights Seriously* ch. 9

G. Sher (1979) 'Reverse Discrimination, the Future and the Past' *Ethics* 90:1 81-7

R. Simon (1979) 'Individual Rights and 'Benign' Discrimination' *Ethics* 90:1 88-97

A. Buchanan (1997) 'Theories of Secession' *Philosophy & Public Affairs* 26:1 31-61

O. M. Fiss 'The Silencing Effect of Speech' in his (1998) *The Irony of Free Speech*

VII.E. Secondary Reading, Textbooks and Collections

M. Humms (1992) *Feminisms: A Reader*

R. E. Goodin and P. Pettit (eds.) (1993) *A Companion to Contemporary Political Philosophy*. S. M. Okin and J. Mansbridge ch. 10 'Feminism'

S. White (2006) *Equality* ch. 6

W. Kymlicka (1990) *Contemporary Political Philosophy* ch. 9

J. Christman (2002) *Social and Political Philosophy: A Contemporary Introduction* ch. 6

M. Freeden (1996) *Ideologies and Political Theory: A Conceptual Approach* ch. 13

Essay 1: Have women been neglected by traditional theories of (i) distributive justice OR (ii) rights?

Readings: Papers from sections A and B

Since theories of both justice and (human) rights have generally aspired to universality, they have typically assumed that their audience is homogeneous and, tacitly, male. Does this overlook the distinctive needs and concerns of women *qua* women - for instance, sexual discrimination and harassment, domestic and sexual violence and procreative needs? Or can these concerns

be dealt with within existing theories of justice (perhaps by a more consistent application of their principles)? You may also wish to consider whether the history of discrimination against women requires special remedial measures.

Essay 2: 'Different but equal.' What can be said for such an idea?

Readings: Papers from sections A, B, C (esp. Barry) and, especially, D
The American Supreme Court rejected the possibility of genuinely 'separate but equal' education in the landmark case *Brown v Board of Education of Topeka* (1954). It may be that, in practice, separate is not equal; yet, on the other hand, difference-blind approaches (treating different individuals as if they were the same) can overlook important needs. Can we recognize diversity without undermining equality?

Essay 3: Are cultural minorities to be treated differently from any other minorities in a democratic polity?

Readings: Papers from sections A, C and D

To take one famous example, Sikhs are exempted from the requirement to wear motorcycle helmets but Hell's Angels are not. Brian Barry contends that this is unfair: if there are good reasons for coercion, they should apply to all, while if there are not then no one should be required to wear a helmet. Is there something special about *cultural* groups that entitles them to special treatment - and, if so, what is it and how can it be defined?

Past paper questions:

- * Is it inconsistent to desire a richer and more diverse cultural life, and yet insist on maintaining distinct cultures? (2000, Q4)
- * If the division of labour in society is a legitimate interest of the state, why should not the division of labour in the family similarly be a legitimate interest? (2000, Q6)
- * Are feminists right to claim that 'the personal is political'? (2001, Q10)
- * Should the family be beyond the sphere of justice? (2002, Q1)
- * Should the rights of minorities be thought of as collective rights or as individual rights? (2002, Q5)
- * Are feminism and autonomy consistent? (2002, Q11)
- * Do liberal principles unjustly ignore differences between men and women? (2003, Q12)
- * Do multiculturalists have to endorse practices that they may regard as immoral? (2004, Q5)
- * Do feminists have a distinctive conception of the political? (2004, Q14)
- * 'Liberalism for the liberals; cannibalism for the cannibals.' Discuss. (2005, Q1)
- * 'It may be thought...that the principles of justice do not apply to the family and hence those principles do not secure justice for women and their children. This is a misconception.' (RAWLS) Is it? (2005, Q2)
- * 'All socialists must be feminists, and all feminists must be socialists.' Discuss. (2005, Q15)
- * Do supporters of cultural rights value the interests of groups over those of individuals? (2006, Q10a)
- * Is feminism only in the interests of women? (2006, Q11)
- * Does feminist thought fail to appreciate the value of the private sphere? (2007, Q10)