

Seminar: Justice

Office: 1102a Skinner Hall

Office hours: Tue & Wed 10:30-11:30 and by appointment.

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Contemporary debates about justice tend to focus on the question of the requirements of justice. Are they extensive, demanding for instance that we turn over much of our wealth to the poor? Or are they minimal, requiring only that we refrain from harming others in certain ways? The answers to these and other questions have implications for how we shape our political and social institutions, and debates about them have dominated Anglo-American political philosophy in the last three decades.

I wish to raise more general or abstract questions about justice. We may distinguish three sets of questions about justice: (1) What kind of virtue is it? What is distinctive about justice? How does it differ from other virtues, especially benevolence or charity? (2) What is the relation between justice and reasons for action? Do we always have reason to be just? What kinds of reasons does justice give us to act? And, the questions that preoccupy most contemporary discussants: (3) What are the demands of justice? What are we required to do, either as individuals or as collectives? My principal concern will be with 1 and 2. For reasons of time, I shall not spend much time on the third set, though I expect that answering these other questions will help us here. I assume we all know what are some of the demands of justice – e.g., that it is generally wrong to deprive others of their life, liberty, and possessions, specifically that slavery is unjust and that killing the innocent is usually wrong. With beliefs like these before us, we shall ask some very abstract questions about the nature of justice.

Part of the motivation for this seminar are some classical worries about justice. They are sometimes presented as worries about *morality* in general, but I think that is a mistake. They sometimes are identified with concerns about “moral scepticism”, but I think that also may be an error. I’ll discuss some of these worries in the opening week of term. They are explained in an essay of mine, “The Trouble with Justice” (expanded version), forthcoming in *Morality and Self-Interest*, edited by Paul Bloomfield (OUP, 2007).

The seminar will be conducted as a joint inquiry into some difficult questions. It is expected that participants will have a lot to say. The main responsibilities of members of the seminar, in addition to participation in the discussions, will be to write a short summary paper (to be explained) and a longer essay. Final grades will be based primarily on the long essay. The latter must be on something about justice. It should be handed in normally no later than a few days before the start of the spring term.

Tentative Schedule of Topics and Readings:

Works marked with an * should be acquired by seminar members. Others will be provided by the instructor.

1. Mon 10 Sep: What is justice?

2. Mon 17 Sep: Some worries

David Gauthier, "Three Against Justice"

Philippa Foot, "Moral Beliefs", and "Morality as a System of Hypothetical Imperatives"

3. Mon 24 Sep: Plato

*Republic**

4. Mon 1 Oct: Aristotle

*Nicomachean Ethics** (selections)

5. Mon 8 Oct: Natural Law

Thomas Aquinas (selections)

John Locke, *2nd Treatise*, Ch. II, para. 4-10.

6. Mon 15 Oct: Hobbes and Hume

Thomas Hobbes, *Leviathan*

David Hume, *Treatise* (selections); *2nd Enquiry* (selections)

H.L.A. Hart, *Concept of Law* (selections)

John Rawls, *A Theory of Justice** (1971 ed.) (selections)

7. Mon 22 Oct: Utilitarianism

J.S. Mill, *Utilitarianism**, ch. V

James Griffin, "On the Winding Road from Good to Right"

8. Mon 29 Oct: Kant

Immanuel Kant, *The Metaphysics of Morals**, Part I ("Metaphysical First Principles of the Doctrine of Right") (selections)

9. Mon 5 Nov Justice vs benevolence

Peter Singer, "Famine, Affluence, and Morality"

Philippa Foot, "Utilitarianism and the Virtues"

Allen Buchanan, "Justice and Charity"

10. Mon 12 Nov: Rawls

*Theory of Justice** (1971 ed.) (selections)

11. Mon 19 Nov: Nozick

*Anarchy, State, and Utopia** (selections)

12. Mon 26 Nov: The scope of justice

David Gauthier, "Justice and Natural Endowment"

Robert Nozick, *Anarchy, State, and Utopia** (selections)

Thomas Nagel, "Justice and Nature"

G.A. Cohen, "Justice vs Constructivism"

13. Mon 3 Dec: Later Foot

Philippa Foot, *Natural Goodness** (Oxford, 2001)

14. Mon 10 Dec: Michael Thompson

Michael Thompson, "What is it to Wrong Someone? A Puzzle about Justice"