

PHILOSOPHY 400
Political Liberalism: Rawls and His Critics
Fall 2006
MW 2-3:15

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Course Description

The publication of Rawls's *Theory of Justice* in 1971 was a watershed event in the history of political philosophy. Although many scholars believed at the time that political philosophy was dead, Rawls's pioneering work revitalized the discipline and started a conversation on the nature of justice that has continued for more than three decades. Rawls has been a frequent contributor to this on-going dialogue, in some cases clarifying his ideas, and in other cases radically revising his positions. This course will focus on a systematic treatment of some of the major themes in Rawls's work in political philosophy. The first part of the course will be devoted to a careful study of Rawls's theory of justice as it's presented in his last book, *Justice as Fairness: A Restatement*, and two chapters of *Political Liberalism*. In *Justice as Fairness*, Rawls brings together central arguments in his previous work *Theory of Justice* and *Political Liberalism* and presents them in what he believes to be their strongest form. We will then read and discuss several essays which take a critical stance toward Rawls's view, even in its final form. Our focus, then, will be Rawls's final statement of his own views and those lines of criticism which were not addressed (or addressed adequately) in this version of his theory. We will consider criticisms from authors who challenge the soundness of liberal project as a whole, and from authors sympathetic to the liberal project, but critical of Rawls's conception of liberalism.

Course Objectives

This course aims at meeting certain curricular goals endorsed by both the College and the Philosophy Department. It is my hope that your work in this class will:

1. Acquaint you with the work of John Rawls, who is arguably the twentieth century's most important political philosopher. Insofar as Rawls' work is influenced by important authors in the history of Western political thought, it is my hope that this study will deepen your understanding of the Western humanist tradition. Through our discussion of some of Rawls's critics this course will also help you to develop an understanding of how the Western humanist tradition has been developed in Catholic thought and practice.
2. Acquaint you with specific aspects of Rawls's work, in particular his views on issues of state legitimacy, political obligation, and the justifications and uses of political power. Along with the first objective of the course, this objective supports Mount Saint Mary's goal of providing its students with an understanding of the purposes, methods, and substance of a particular intellectual discipline.
3. Awaken you to philosophical assumptions in your everyday views, attitudes, and beliefs about the idea of justice, the nature of political institutions, their proper role in the lives of individual citizens, and the obligations citizens have to obey the state, and encourage you to critically examine these views from a philosophical perspective.
4. Develop an understanding of the practice of moral judgment, as it is understood in classical and modern thought.
5. Stimulate life-long reflection on the nature of justice and the human good, and how these ideals are to be realized in the political context. Along with #3, this objective supports Mount Saint

Mary's aim to graduate students with an understanding of the nature of the good and a commitment to its practice, particularly in regard to justice, dignity, and freedom and responsibility in human communities.

6. Help you to become skilled readers, writers, and speakers. This supports Mount Saint Mary's aim to provide its students with the skills of analysis, communication, and problem solving the enable students to appreciate and contribute to the Western humanist tradition.

Required Texts

John Rawls, *Justice as Fairness: Restatement*, Harvard University Press, 2001.

Readings on Electronic Reserve (ERES). **The Password for the ERES page is 'rawls'** (all lower case, no quote marks).

Requirements and Grade Distribution

Discussion Essays (40%)

These are two to three-page essays on the reading assigned for the day on which they are due. I will provide suggestions for these essays (in the form of questions included in the reading guides—see below), but you are free to write on whatever you choose so long as it is relevant to the reading for the day on which the discussion paper is due. The class will be divided into four groups (A, B, C, D). For each class session, two groups are required to turn in a discussion essay.

The schedule for discussion paper is as follows:

Due date	8/28	9/4	9/11	9/18	9/25	10/4	10/16 or 10/18	10/23 or 10/25	10/30 or 11/1	11/6	11/13 or 11/15	11/20	11/27 or 11/29
Group	A	B	A	B	A	B	A	B	A	B	A	B	ALL

Final Exam (20%)

This will be an essay examination covering the entire course. Questions will be distributed one week before the examination. The final examination is scheduled for Wednesday, December 13, 2:30-4:30 p.m.

Major Essay (25%)

This essay will be due on class on Wednesday, December 6. Instructions for the essay will be distributed separately.

Participation (15%) This course will be lecture/discussion, which means that asking questions and raising questions for discussion is strongly encouraged. The texts for this course are quite difficult, so there will times when I take the lead in order to guide the class through a particular argument or segment of the text. But, since this is an upper-division elective, and all of you have chosen to take this class, I will expect all of you to participate regularly. Therefore, you are required to attend class regularly and promptly, to do all of the readings on time, and to bring your texts to each class. To help you prepare for class I will provide a short guide for each of the readings. The reading guides will be posted to the course website. To find the website point your browser to <http://faculty.msmary.edu/buck> and click on the link for Philosophy 400.

Note on Attendance: Attendance will not be taken regularly, but this class is small enough that I will be able to know if you are either missing a number of classes or are frequently unprepared for class discussion. If you are consistently unprepared for class discussion or consistently late to class (or leaving class early), you will receive a grade of no higher than a C- minus for the course regardless of your grades for exams and essays. If you miss more than three classes without an excuse, you will receive a zero for participation.

Grading Criteria

The following, with the noted exception, will be considered in assigning grades for all written work:

- *Comprehension of the text*
- *Engagement with the author's ideas and arguments.* You should address what the author says and respond to it, rather than simply summarizing the arguments.
- *Clarity.* Your writing should be organized, complete, and coherent.
- *Originality.* Your response to the relevant texts should demonstrate careful and critical reading. Your paper should develop a thesis/controlling idea that demonstrates your willingness and ability the relevant topic/text in a novel and meaningful way.
- *The defense of your claims.* You should be able to show that your assessment of the text can be supported by sound arguments. You should present a reasonable defense of your thesis/controlling idea, being sure to consider and address possible objections to your view.
- *Proper documentation* (not required for final examination). You should provide text citations and other supporting material in **MLA** or **Chicago Manual** format.

Grading Standards

A (90-100):

- excellent command of the argument of the text
- judicious use of text(s) through proper citation
- shows originality and ingenuity in critical assessment
- free of technical mistakes

B (80-89):

- above-average command of the arguments of the text with few gaps in exposition
- adequately uses texts and proper citation to support thesis;
- shows some degree of originality and ingenuity in critical assessment
- a few minor technical mistakes

C (70-79):

- displays a basic grasp of text with some gaps in exposition
- some support of thesis, though argument is not consistently clear
- no strong indications of careful reading
- critical assessment shows some engagement with the argument of the text
- more than a few grammar and spelling mistakes

D (60-69)

- minimal comprehension of the texts with significant gaps in exposition
- little or no support for claims or arguments
- argument is unclear throughout
- critical assessment shows little engagement with the argument of the text
- many grammar and spelling mistakes

F (<59):

- little if any comprehension of the text with many significant gaps in exposition
- arguments/claims are very difficult to track with little or no support from the text
- wholly uninspired critical assessment which shows no evidence of engagement with the text
- a large number of spelling and grammar mistakes

Grading Scale

Grades for individual assignments and your final grade will be assigned according to the following scale:

A	94-100	C	73-76
A-	90-93	C-	70-72
B+	87-89	D+	67-69
B	83-86	D	63-66
B-	80-82	D-	60-62
C+	77-79	F	59 and below

Policy on Late Assignments

I will give makeup exams and accept late papers without penalty if and only if you have a *reasonable* and *verifiable* excuse, *and* you contact me prior to the scheduled exam or due date. Failure to contact me will result in a **significant** penalty grade for the exam or paper in question. With the exception of documented illnesses and family emergencies, I will be the sole judge of what constitutes a reasonable excuse. Conflicts with your social calendar or a heavy workload **do not** constitute a reasonable excuse.

Special Circumstances

If you have a problem with any aspect of the course and its requirements, please make an appointment with me to discuss this *as soon as possible*. If you have a disability that prevents the fullest expression of your abilities, please contact me and Learning Services as soon as possible to discuss the accommodations necessary for you to successfully complete this course.

Department of Philosophy's Statement on Plagiarism

One of the curricular goals of Mount Saint Mary's University is to develop the skills and habits of good writing. Essential to the attainment of this goal is not only the development of the ability to express clearly your own ideas but also the requirement that in any work you submit you distinguish your own thoughts from those of others and that you not submit the words or ideas of another as your own. The failure to satisfy this requirement is called plagiarism; plagiarism is a form of dishonesty, inconsistent with genuine scholarship, and a serious offense against university policy. This policy forbids all forms of cheating, including plagiarism, and it stipulates (1) that all offenses be reported both to the Chair of the instructor's department and to the Dean of Academic Affairs, (2) that the minimum penalty for the first offense will be a failing grade for the assignment or examination on which the offense occurred, (3) that the minimum penalty for the second offense will be a failing grade for the course in which this second offense occurs, and (4) that the penalty for the third offense will be expulsion from the University.

Plagiarism takes many forms and need not be intentional to be plagiarism. It can include quoting, paraphrasing, summarizing, or utilizing the published or unpublished work of others without proper acknowledgment. Most frequently it involves the unacknowledged use of published books or articles from periodicals, magazines, and newspapers. However, any unacknowledged use of another's ideas constitutes plagiarism; this includes the use of, among other things, papers written by other students, interviews, radio or TV broadcasts, any published or unpublished materials (e.g., letters, pamphlets, leaflets, notes, or documents), and so forth. Some practices to avoid (because they can be considered plagiarism) and some examples of plagiarism can be found in *Keys for Writers* by Ann Raimis (New York: Houghton Mifflin). Consult index for her discussion of this topic.

Good writing and good scholarship require that you produce original work -- in your own words. Anytime you use the work, the words, or the ideas of another you **must** acknowledge this use with a footnote or other reference. Adequate acknowledgment requires that in the case of printed materials the footnote or other reference be to the specific work utilized and that it include the exact page or pages containing the utilized material; a general reference to a work or a listing in a bibliography is not sufficient. When the borrowed idea is the result of private discussions -- and even in assignments intended to involve collaboration with other students -- there should be a footnote or a page of

acknowledgments indicating with whom the ideas expressed in the paper have been discussed. For an explanation of the correct form for footnotes and endnotes, in-text references, and bibliographical references, see Raimes.

Another form of cheating in regard to papers is to submit in one course a paper originally written for another course. If you have any questions about what constitutes plagiarism or cheating in this or any other course, please contact me before submitting any written work.

Schedule of Readings and Assignments

The dates below indicate the class sessions during which the assigned readings and writing assignments will be discussed. It is essential that you complement the entire reading by the first date for which it is scheduled (e.g., please read **all** of chapter 1 of *Justice as Fairness: A Restatement* by Monday, August 28). This schedule may change based on the pace of the class or other unforeseen circumstances. All changes will be announced in class. It is your responsibility to stay abreast of any changes, as these may affect the timing of discussion essays as well as the dates of reading assignments.

Day/Date	Reading and Writing Assignment
W 8/23	Course Introduction; Nussbaum, "The Enduring Significance of John Rawls"
	PART I: The Theory of Justice as Fairness
M 8/28- W 8/30	Rawls, <i>Justice as Fairness: A Restatement</i> (hereafter <i>JasF</i>), pp. 1-37
M 9/4- W 9/6	Rawls, <i>JasF</i> , pp. 39-79
M 9/11- W 9/13	Rawls, <i>JasF</i> , pp. 80-134
M 9/18- W 9/20	Rawls, <i>JasF</i> , pp. 135-179
M 9/25- W 9/27	Rawls, <i>JasF</i> , pp. 180-202
M 10/2- W 10/4	<i>No Class on Monday 10/2 (Yom Kippur)</i> Rawls, "Reply to Habermas", <i>Political Liberalism</i> (2 nd pbk. edition), Columbia University Press, 2005. (ERES)
M 10/9- W 10/11	<i>Fall Break</i> <i>ENJOY!!!!</i>
	PART II: Responses to Justice as Fairness
	<i>Iia. A Communitarian Response</i>
M 10/16- W 10/18	Michael Sandel, "The Procedural Republic and the Unencumbered Self," chapter 23 of <i>Public Philosophy</i> , Harvard University Press, 2005. (ERES) Michael Sandel, "Political Liberalism," chapter 28 of <i>Public Philosophy</i> (ERES)
	<i>Iib. Tolerance and Religious Pluralism</i>

M 10/23 W 10/25	Marilyn Friedman, "John Rawls and the Political Coercion of Unreasonable People," From <i>The Idea of a Political Liberalism</i> (ed. Victoria Davion and Clark Wolf), Rowman and Littlefield, 2000. (ERES) James Sterba, "Rawls and Religion," from <i>The Idea of a Political Liberalism</i> . (ERES)
M 10/30 W 11/1	William Galston, "Two Concepts of Liberalism," from <i>Ethics</i> , v. 105, n. 3, 1995 (ERES) Paul Weithman, "John Rawls on Public Reason," Chapter 7 of <i>Religion and The Obligations of Citizenship</i> , Cambridge University Press, 2002. (ERES)
M 11/6 W 11/8	Weithman (cont); Samuel Scheffler, "The Appeal of Political Liberalism," from <i>Ethics</i> , v. 105, no. 1, 1994. (ERES)
	<i>Iic. Feminist Responses</i>
M 11/13 W 11/15	Susan Moller Okin, "Political Liberalism, Justice, and Gender," from <i>Ethics</i> , v. 105, no. 4, 1994. (ERES) Martha Nussbaum, "Rawls and Feminism," from <i>Cambridge Companion to Rawls</i> , Cambridge University Press, 2003. (ERES) Groups A and B—discussion paper due 11/13 or 11/15
M 11/20 W 11/22	Elizabeth Brake, "Rawls and Feminism: What Should Feminists Make of Liberal Neutrality?," <i>Journal of Moral Philosophy</i> , v. 1, no. 3, 2004. (ERES) <i>No Class on Wednesday 11/22 (Thanksgiving Break)</i>
	<i>IId. Liberalism and the Challenge of Social Justice</i>
M 11/27 W 11/29	Rodney Peffer, "Towards a More Adequate Rawlsian Theory of Social Justice," from <i>Pacific Philosophical Quarterly</i> , v. 75, no. 3-4, 1994. (ERES) Erica Kilchrist and Walter Block, "Distributive Justice," from <i>International Journal of Social Economics</i> , vol. 33, no. 2, 2006. (ERES)
M 12/4 W 12/6	TBA Final conversation; review for exam