

## **PHIL 3340 Contemporary Social and Political Philosophy: Justice**

**Tues/Thurs 11:30-1:00**  
**Professor Vida Panitch**  
**vida.panitch@carleton.ca**  
**Office: Paterson 3A55**  
**Tuesday 4-6 or by appointment**

### **Course Overview:**

What is justice and how do we realize it? Should legislators and public policy-makers be governed by different principles of justice than private citizens? Why? And what principles might these be? In this class we will examine three distinct conceptions of justice, and evaluate their appropriateness as guides to political and distributive decision-making in a liberal democratic state. These three conceptions of justice are virtue-based, utility-based, and rights-based. The first recommends public decision making and resource distribution in accordance with a principle of moral desert, the second in accordance with a principle of happiness maximization, and the third in accordance with a principle of autonomy. We will look at how these principles get articulated in Aristotelian, Libertarian, Kantian, Egalitarian, Communitarian, and Cosmopolitan theories of justice, pausing as we go to test each principle in application to such issues as military conscription, commercial surrogacy, affirmative action, foreign aid, and marriage equality.

### **Course Text:**

*Justice: A Reader*, ed. Michael J. Sandel (Oxford: 2007)

This text is available for purchase from the Carleton Bookstore. All readings will be from the text except for those starred in the schedule below, indicating that they are available online, either in the library's journal catalogue or as a PDF on CU Learn.

### **Course Assignments:**

There will be two in-class exams (February 6 and March 6) worth 25% each, a participation mark of 10%, and a final take home exam worth 40% of the final grade for the course. All three exams will be essay-based.

### **Course Schedule:**

#### **1. Justice and the State: An Introduction**

**January 7 & 9**

- Introduction to the course
- Aristotle, *Nicomachean Ethics* (pp.295-299)

## **2. Justice as Virtue: Aristotle**

**January 14 & 16**

- Aristotle, *The Politics* (pp.264-294)

## **3. Justice as Maximized Happiness: Utilitarianism**

**January 21 & 23**

- Jeremy Bentham, *Principles of Morals and Legislation* (pp.9-13)
- John Stuart Mill, *Utilitarianism* (pp.14-47)

## **4. Justice as Self-Ownership: Libertarianism**

**January 28 & 30**

- Milton and Rose Friedman, "Free to Choose" (pp.49-60)
- Robert Nozick, *Anarchy, State, and Utopia* (pp.60-73)
- John Locke, *Second Treatise of Government*, ch 5 (pp. 90-97)

## **5. Is Everything for Sale?: Utility, Self-Ownership, and Immoral Markets**

**February 4**

- James McPherson, "Battle Cry of Freedom" (pp.131-136)
- James Traub, "All Go Down Together" (pp.137-138)
- In the Matter of Baby M (1987) and (1988) (pp.138-143)
- Elizabeth Anderson, "Is Women's Labor a Commodity" (pp.144-156)

**February 6: In-class Exam**

## **6. Justice as Autonomy: Deontology**

**February 11 & 13**

- Immanuel Kant, *Groundwork to the Metaphysics of Morals* (pp.158-189)
- \* Immanuel Kant, "Theory and Practice, Part 2"  
<http://www.sussex.ac.uk/Users/sefd0/tx/tp2.htm>

## **7. Reading Break**

**February 18 & 20**

## **8. Justice as Fairness: Egalitarianism**

**February 25 & 27**

- John Rawls, *A Theory of Justice* (pp.203-226)

## **9. Do We Deserve our Talents?: Ability, Merit, and Affirmative Action**

**March 4**

- John Rawls, *A Theory of Justice* (pp.223-226)
- Robert Nozick, *Anarchy, State, and Utopia* (pp.226-235)
- Ronald Dworkin, "Bakke's Case: Are Quotas Unfair?" (pp.249-255)

**March 6: In-class Exam**

## **10. Justice as Membership: Communitarianism**

### **March 11**

- Michael Sandel, *Democracy's Discontents* (pp. 328-334)
- \* Charles Taylor, "Atomism," PDF on CU Learn

### **March 13**

- Screening: *Theory of Justice: The Musical!*

## **11. Justice as Non-Membership: Cosmopolitanism**

### **March 18 & 20**

- \* Thomas Pogge, "Eradicating Systemic Poverty: Brief for a Global Resources Dividend" *Journal of Human Development* 2 (1) 2001
- \* Martha Nussbaum, "Beyond the Social Contract: Capabilities and Global Justice," *Oxford Development Studies* 32(1) 2004

## **12. Justice and the Question of Value: Neutrality or Perfection?**

### **March 25 & 27**

- John Rawls, *Political Liberalism* (pp.343-358)
- Michael Sandel, "Political Liberalism" (pp.359-377)
- \* Ronald Dworkin, "Liberalism," PDF on CU Learn

## **13. Justice and the Marriage Debate: Political or Metaphysical?**

### **April 1 & 3**

- Goodridge v. Dept of Public Health (pp.379-383)
- Michael Kinsley, "Abolish Marriage" (pp.383-384)
- Robin West, "Universalism, Liberalism, and Gay Marriage" (p.403-410)
- \* Ronald Dworkin, "Three Questions of Justice,"  
<http://www.nybooks.com/articles/archives/2006/sep/21/three-questions-for-america/?page=1>

**\*Note: minor changes may be made to this syllabus prior to January 7<sup>th</sup> 2014**

## Department of Philosophy and Carleton University Policies (2013-14)

### **Assignments:**

Unless specifically told otherwise by their instructors, students:

- must not use a plastic or cardboard cover or paper clips
- must staple the paper (there is a stapler on the essay box)
- must include the following in the lower right corner of the cover sheet:
  - student name
  - student number
  - course number and section
  - instructor's name
- The Philosophy Department does not accept assignments by FAX. You may send them by courier, if necessary.
- No assignments will be accepted after the last day for handing in term work – see dates in next column.
- Assignments handed in through the essay box (just inside the glass doors, Paterson Hall, Floor 3A) must be dropped into the box by **4:15** on a regular business day in order to be date-stamped with that day's date. Assignments handed in after 4:15 or on a non-business day will be stamped as having been handed in on the next business day.
- Students are required to keep copies of their assignments. If your paper is lost at any point, you will be considered not to have submitted it if you cannot produce a copy immediately on request.

### **Deferrals for Term Work:**

If you miss a final examination and/or fail to submit a final assignment by the due date because of circumstances beyond your control, you may apply for a deferral of examination/assignment. For deferred examinations, you must apply within 5 working days after the scheduled date of your exam. To apply for deferral of a final assignment, you must apply within 5 working days of the last scheduled day of classes. Visit the Registrar's Office for more information.

### **Plagiarism:**

It is the responsibility of each student to understand the meaning of 'plagiarism' as defined in the Undergraduate or Graduate Calendars, and to avoid both committing plagiarism and aiding or abetting plagiarism by other students. (Undergraduate Calendar Academic Regulations, section 14.3, or <http://www4.carleton.ca/calendars//ugrad/current/regulations/academicuniv14.html#14.3>)

### **Academic Accommodation:**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no

later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

### **Important Dates:**

Sept. 5	Classes start (after Orientation events).
Sept. 18	Last day for registration and course changes in Fall and Fall/Winter courses.
Sept. 30	Last day for entire fee adjustment when withdrawing from Fall term or two-term courses.
Oct. 14	Thanksgiving Day – university closed.
Oct. 28 –	
Nov. 1	Fall Break – no classes.
Nov. 25	Last day for tests or examinations in courses below 4000-level before the Final Examination period.
Dec. 9	Last day of classes, Fall term. Last day for handing in term work and the last day that can be specified by a course instructor as a due date for Fall term courses.
Dec. 9	Last day to withdraw from Fall term courses (academic purposes only).
Dec. 10	No classes or examinations take place. Review classes may be held, but no new material may be introduced.
Dec. 11-22	Final examinations for Fall courses, mid-terms for Fall/Winter courses.
Dec. 22	Take-home exams are due.
Jan. 6	Winter term classes begin.
Jan. 17	Last day for registration and course changes in Winter term classes.
Jan. 31	Last day for entire fee adjustment when withdrawing from winter courses or winter portion of two-term courses.
Feb. 17-21	Winter Break, classes suspended.
Mar. 25	Last day for tests or examinations in courses below 4000-level before the Final Examination period.
Apr. 8	Last day of Fall/Winter and Winter term classes. Last day for handing in term work and the last day that can be specified by a course instructor as a due date for term work for Fall/Winter and Winter term courses.
Apr. 8	Last day to withdraw from Fall/Winter and Winter term courses (academic purposes only).
Apr. 9-10	No classes or examinations take place. Review classes may be held, but no new material may be introduced.
Apr. 11-26	Final Examinations. Exams will not be held Apr. 18-20.
Apr. 18	Good Friday – university closed.
Apr. 26	Take-home exams are due.

### **Addresses:**

Department of Philosophy:	3A35 Paterson Hall <a href="http://www.carleton.ca/philosophy">www.carleton.ca/philosophy</a> 520-2110
Registrar's Office:	300 Tory <a href="http://www.carleton.ca/registrar">www.carleton.ca/registrar</a> 520-3500
Student Academic Success Centre:	302 Tory <a href="http://www.carleton.ca/sasc">www.carleton.ca/sasc</a> 520-7850
Writing Tutorial Service:	4 <sup>th</sup> Floor, Library <a href="http://www1.carleton.ca/sasc/writing-tutorial-service/">http://www1.carleton.ca/sasc/writing-tutorial-service/</a> 520-6632
MacOdrum Library	<a href="http://www.library.carleton.ca/">http://www.library.carleton.ca/</a> 520-2735