

**PHIL 5350 TOPICS IN ETHICS OR POLITICAL PHILOSOPHY
CARLETON UNIVERSITY
WINTER 2015**

TERM: 2015 Winter
MEETINGS: Thursdays 2:30 to 5:30 p.m.
INSTRUCTOR: Jay Drydyk
OFFICE: Paterson Annex 3A40
OFFICE HOURS: Thursdays, 1-2:30, or by appointment
PHONE: Please use email instead.
EMAIL: jay.drydyk@carleton.ca

Does social contract theory have a future? This seminar will examine challenges posed by the capability approach to social contract theory in general, and in particular to the philosophy of John Rawls. We will start with a generic model of social contract arguments, followed by a review of Rawls's fundamental ideas. Then we consider two specific criticisms by Amartya Sen: that Rawls did not capture the inequalities that matter for justice, and that we cannot expect all reasonable and rational people to reach the same conclusions. Following this, we will consider Martha Nussbaum's arguments that the social contract tradition, including Rawls, are incapable of determining what is just or unjust at the 'frontiers of justice' – in particular, concerning justice for disabled people. We finish with Sen's striking argument that theories of ideal justice are neither necessary, sufficient, nor even very useful in showing how to make the world less unjust.

The seminar meetings will include three distinct segments: (a) presentation and discussion of the readings; (b) debate; (c) preview of the next week's readings.

READINGS

Purchase or use hard copies on library reserve:

Martha Nussbaum, *Frontiers of Justice* (Harvard, 2006), Chapters 1, 2 and 3.

Amartya Sen, *The Idea of Justice* (Harvard, 2009) Introduction + Chapters 1, 2, 4, 5, 6, 11, 12, 15, 16.

Available on Ares:

Richard Arneson, 'Distributive Justice and Basic Capability Inequality,' in *Capabilities Equality: Basic Issues and Problems*, ed. Alexander Kaufman (Routledge, 2006).

Halvor Hanisch, Book Review: *Frontiers of Justice* (*Scandinavian Journal of Disability Studies* 9:2, 133-136).

John Rawls, *Justice as Fairness: A Restatement* (Harvard, 2001) Part I.

John Rawls, *A Theory of Justice* (Harvard, 1971), §22 (126-130 in the 1971 edition)

Ingrid Robeyns, 'Are Transcendental Theories of Justice Redundant?' (*Journal of Economic Methodology*, Vol. 19, No. 2, June 2012, 159–163.)

Amartya Sen, 'A Reply to Robeyns, Peter, and Davis,' (*Journal of Economic Methodology*, Vol. 19, No. 2, June 2012, 173–176.)

Posted on cuLearn:

Jay Drydyk, 'Can Public Reason Condone Slavery?' (will be posted on cuLearn)

EVALUATION

ASSIGNMENT	WEIGHT
Presentation in two debates	20
Short critical discussion of 5 of the in-class debates [due dates to be negotiated]	10
Seminar paper (1500-2500 words), due as an attachment by cuLearn class email by Noon on the Monday prior to the date of presentation	20
Participation in discussion of seminar papers	10
Final paper (4000-6000 words) due no later than April 23	40

COURSE CALENDAR

WEEK	<i>January 6</i>
I.	Overview of the course Preview of Rawls, Part I
II.	<i>January 13</i> – Review of Rawls Readings: <ul style="list-style-type: none"> • Rawls, <i>Justice as Fairness: A Restatement</i>, Part I • Drydyk, ‘Can Public Reason Condone Slavery?’ Debate: Can Rawls’s social contract approach not show that slavery is unjust? Preview of Sen, Part I
III.	<i>January 20</i> – Sen Part I: Inequality of what? Reading: <ul style="list-style-type: none"> • Sen, <i>The Idea of Justice</i>, Ch. 11-12 • Rawls, <i>Justice as Fairness: A Restatement</i>, §51 Debate: Inequality of what? Lifetime expectations of primary goods, or well-being freedom? Preview of Sen, Part II
IV.	<i>January 27</i> – Sen Part II: Why <i>should</i> all free, equal, and rational people agree? Reading: Sen, <i>The Idea of Justice</i> , Introduction and Ch. 1-2. Debate: Is it unrealistic to think that all reasonable and rational people should reach the same conclusion about what an ideally just society should be? Preview of Nussbaum Ch. I, 9-69 (skipping or skimming 35-54).
V.	<i>February 3</i> – Nussbaum on the Social Contract Tradition Reading: <ul style="list-style-type: none"> • Nussbaum, <i>Frontiers of Justice</i>, Ch. I, 9-69 (skipping or skimming 35-54). • Rawls, ‘The Circumstances of Justice,’ <i>A Theory of Justice</i> §22. Debate: Can there be no justice apart from the circumstances that Rawls stipulates? Preview of Nussbaum on the capability approach.

VI.	<p><i>February 10</i> – Nussbaum on the Capability Approach</p> <p>Reading:</p> <ul style="list-style-type: none"> • Nussbaum, <i>Frontiers of Justice</i>, Ch. I, 69-95. • Arneson, 'Distributive Justice and Basic Capability Equality'. <p>Debate: As Arneson says, is 'good enough' not good enough?</p> <p>Preview of Nussbaum on disability under the social contract tradition.</p>
	<i>February 17</i> – NO CLASS, WINTER BREAK
VII.	<p><i>February 24</i> – Disability under the Social Contract Tradition</p> <p>Reading: Nussbaum, <i>Frontiers of Justice</i>, Ch. 2.</p> <p>Debate: Must disabled people be ignored by justice as fairness?</p> <p>Preview of Nussbaum, Ch. 3.</p>
VIII.	<p><i>March 3</i> – Nussbaum's Capability Approach to Disability</p> <p>Reading:</p> <ul style="list-style-type: none"> • Nussbaum, <i>Frontiers of Justice</i>, Ch. 3. • Hanisch, Book Review: <i>Frontiers of Justice</i> <p>Debate: Does Nussbaum adequately defend the interests of disabled people?</p> <p>Preview of Sen, Part III</p>
IX.	<p><i>March 10</i> – Sen Part III: Is it necessary, sufficient, or even useful to know what an ideally just society would be?</p> <p>Reading:</p> <ul style="list-style-type: none"> • Sen, <i>The Idea of Justice</i>, Ch. 1-2. • Robeyns, 'Are Transcendental Theories of Justice Redundant?' • Sen, A Reply to Robeyns, Peter, and Davis <p>Debate: Are transcendental theories of justice necessary, sufficient, or even useful for achieving social justice?</p> <p>Preview of Sen Part IV</p>
X.	<p><i>March 17</i> – Sen Part IV: Is public reason necessary for democratic legitimacy?</p> <p>Reading: Sen, <i>The Idea of Justice</i>, Ch. 5, 6, 15, 16.</p> <p>Debate: Who had the <i>better</i> idea of public reason, Rawls or Sen?</p>
XI.	<i>March 24</i> – Seminar papers
XII.	<i>March 31</i> – Seminar papers
XIII.	<i>April 7</i> – Seminar papers (if required)
	<p><i>Friday, April 23</i></p> <p>University deadline for final assignments</p>

Department of Philosophy and Carleton University Policies (2014-15)

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:
 - 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://calendar.carleton.ca/undergrad/regulations/academicregulationsoftheuniversity/acadregsuniv14/>)

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 your professor 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 your professor 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 for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send 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 your professor 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. 4	Classes start (after Orientation events).
Sept. 17	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. 13	Thanksgiving Day – university closed.
Oct. 27-31	Fall Break – no classes.
Nov. 24	Last day for tests or examinations in courses below 4000-level before the Final Examination period.
Dec. 8	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. 8	Last day to withdraw from Fall term courses (academic purposes only).
Dec. 9	No classes or examinations take place. Review classes may be held, but no new material may be introduced.
Dec. 10-21	Final examinations for Fall courses, mid-terms for Fall/Winter courses.
Dec. 21	Take-home exams are due.
Jan. 5	Winter term classes begin.
Jan. 16	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. 16-20	Winter Break, classes suspended.
Mar. 24	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. 11-23	Final Examinations. Exams are normally held all seven days of the week.
Apr. 23	Take-home exams are due.

Addresses:

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