

Course overview

The problem of justice occupies a special place in contemporary political philosophy. In the words of its most influential figure, John Rawls, "justice is the first virtue of social institutions". That view seems to be shared by a majority of authors and theories. However, there is no comparable agreement regarding what justice demands, from whom and to whom. Proponents of different theories disagree about the content of the demands of justice: does it demand equality, priority to the worst off, or merely that each person has enough of the relevant goods, according to some notion of sufficiency? They also disagree about the currency of distribution: in what dimension should people be made equal: in their welfare, capabilities, resources, or something else? Likewise, there is disagreement about the scope of the demands of justice: is it people in general who owe and are owed the duties of justice to one another? Or is it only members of the same politically organized society? The scope question has a temporal dimension as well: are our obligations to future generations identical with or different from what we owe to the appropriate subset of the members of the current generation? Another dispute concerns the kind of actors to which justice primarily applies: is it only social institutions that must discharge the demands of justice, or are the private choices of individuals equally under its application?

These questions have utmost relevance for political philosophers. However, their importance spill over to other disciplines. Given that many choices policy makers make are distributive in nature, it is not surprising that issues of justice appear in many other spheres. The course will review some contexts that raise important questions about justice: Most people agree that educational goods are important in shaping one's life prospects. But there is disagreement about how these ought to be distributed: How should educational opportunities be distributed? What is equal opportunity of education? What other competing values there are? Another important good that has enduring effects in people's life is health. Is health a special good, or is it one among others? If a person enjoys less health because of her previous actions should health care be sensitive to this fact?

Recently, some theorists have suggested that the theory of distributive justice should be extended to include issues of just war. For instance, if there is an unjust world order that impermissibly benefits wealthier nations at the cost of poorer ones, are the latter permitted by justice to wage war against the former?

These, among others, are the questions that will be discussed in this course.

Course schedule

First week:

Introduction to distributive justice
The methodology of justice
The concept of justice
Prioritarianism
Responsibility, justice, and the currency debate
The site and the scope of justice

Second week:

Intergenerational justice
Justice in health care
Justice in education
War and justice
Student presentations

The general format of the days:

Session 1 – short introductory lecture on the topic of the day (50 min.)

Session 2 – seminar on the required readings, held in four small groups (100 min.)

Session 3 – lecture on a subtheme, based on the lecturer’s own current work (in most cases) and debate (100 min.)

1st week:

Monday:

Topic	The Methodology of Justice
Faculty member(s)	Zofia Stemplowska
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min) – 4 parallel groups: Zofia Stemplowska and TBD Debate (100 min.)
Discussion points	We will evaluate and discuss the different methods used in analytic political philosophy. We will put a special emphasis on the difference between ideal and non-ideal arguments and their success conditions.

Required reading:

MCDERMOTT, D. (2008). Analytical Political Philosophy. In David Leopold and Marc Stears (eds.). *Political Theory: Methods and Approaches*, OUP.

STEMPLOWSKA, Z AND SWIFT, A. (2012). Ideal and Nonideal Theory. In David Estlund (ed.). *The Oxford Handbook of Political Philosophy*, OUP.

TADROS, V. (2011). Introduction: II. Philosophical Method. In his *The Ends of Harm*. OUP.

Tuesday:

Topic	The Concept of Justice
Faculty member(s)	Peter Vallentyne
Number of hours	5 (3*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min) – 4 parallel groups: Peter Vallentyne and TBD Debate (100 min.)
Discussion points	We will analyze the various concepts of justice that are invoked by different authors. These include: fairness (comparative desert), permissibility of social structures or distributions of benefits, duties owed to others, and enforceable duties.

Required reading:

BUCHANAN, A. (1987). Justice and Charity. *Ethics*, 97, 558-577.

VALLENTYNE, P. (2003). Justice in General: An Introduction. In Vallentyne (ed.). *Equality and Justice: Justice in General*, Routledge.

Wednesday:

Topic	Prioritarianism
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Faculty member(s)	Ingmar Persson
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min) – 4 parallel groups: Ingmar Persson and TBD Debate (100 min.)
Discussion points	We will discuss the main advantages of the priority view to egalitarianism. We will examine Parfit's view on prioritarianism. We will also discuss what the priority view involves with regard to the welfare of individuals.

Required reading:

PARFIT, D. (1995). *Equality or Priority?*The Lindley Lectures. Lawrence: University of Kansas.
 PERSSON, I. (2012 forthcoming). Prioritarianism and Welfare Reductions.*Journal of Applied Philosophy*.

Thursday:

Topic	Responsibility, Justice and the Currency Debate
Faculty member(s)	Kasper Lippert-Rasmussen
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min.) – 4 parallel groups: Kasper Lippert-Rasmussen and TBD Lecture and debate (100 min.)
Discussion points	We will analyze the role ascriptions of responsibility play in luck-egalitarianism; the relation between responsibility and luck; and some of the criticisms of the responsibility component in luck-egalitarian justice, e.g. that luck-egalitarianism is incompatible with various social ideals of a society of equals. We will also analyze the various metrics of equality. We will pay special attention to resourcist and welfarist views.

Required reading:

ANDERSON, E. (1999). What is the Point of Equality? *Ethics*, 109, 287-337.
 COHEN, G. A. (2006). Luck and Equality: A Reply to Hurley. *Philosophy and Phenomenological Research*, 72(2), 439-446.
 COHEN, G. A. (1989). On the Currency of Egalitarian Justice. *Ethics*, 99, 906-944.
 DWORKIN, R. (1981). What is Equality? Part 2: Equality of Resources. *Philosophy and Public Affairs*, 10, 283-345.
 HURLEY, S. (2001). Luck and Equality. *Proceedings of Aristotelian Society*, 75, 51–72.

Friday:

Topic	The Site and the Scope of Justice
Faculty member(s)	Zoltan Miklosi
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min.) – 4 parallel groups: Zoltan Miklosi and TBD

	Lecture and debate (100 min.)
Discussion points	The discussion will address Rawls's thesis that the principles of justice apply to social institutions (or, to put it differently) to the basic structure of society) and, that, different principles govern the evaluation of institutions and that of individual conduct, and G.A. Cohen's criticism of that thesis. We will also explore the implications of the debate about the site of justice for its scope.

Required reading:

- COHEN, G. A. "Where the Action is: On the Site of Distributive Justice," *Philosophy and Public Affairs* 26:1 (1997), pp. 3-30
- RAWLS, J (1993). The Basic Structure as Subject. In Rawls: *Political Liberalism*. New York: Columbia University Press.
- NAGEL, T. (2005). The Problem of Global Justice. *Philosophy and Public Affairs*, 33, 113-147.
- ABIZADEH, A. (2007). Cooperation, Pervasive Impact, and Coercion. *Philosophy & Public Affairs* 35 (4), 318-358

2nd week

Monday:

Topic	Intergenerational Justice
Faculty member(s)	Kasper Lippert-Rasmussen
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min.) - 4 parallel groups: Kasper Lippert-Rasmussen and TBD Lecture and debate (100 min.)
Discussion points	We will explore various questions in relation to egalitarian justice and time. Is it unjust from an egalitarian point of view if overlapping generations are unequally well off? Does egalitarian justice require more than life-time equality, e.g. that people are equally well off in comparable age-segments of their lives?

Required reading:

- MCKERLIE, D. (2001). Justice between the young and the old. *Philosophy and Public Affairs*, 30, 152-177.
- TEMKIN, L. (1993). *Inequality*. New York: Oxford University Press, 232-244.

Tuesday:

Topic	Justice in Health Care
Faculty member(s)	Shlomi Segall
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min.) - 4 parallel groups: Shlomi Segall and TBD Lecture and debate (100 min.)

Discussion points	The discussion will focus on controversial issues like the role of personal responsibility in health care, and the supposed special status of health.
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Required reading:

DANIELS, N. (2001). Justice, Health, and Health Care. *American Journal of Bioethics*, 1, 2–16.

SEGALL, S. (2010). Is Health (Really) Special? Health Policy Between Rawlsian and Luck Egalitarian Justice. *Journal of Applied Philosophy* 27 (4):344-358

Wednesday:

Topic	Justice in Education
Faculty member(s)	Andres Moles
Number of hours	5 (5*50min)
Teaching mode	Lecture (50 min.) Seminar (100 min.) – 4 parallel groups: Andres Moles and TBD Lecture and debate (100 min.)
Discussion points	We will consider the principle of equality of opportunity as a principle of educational justice and review different interpretations of the principle. We will also evaluate the relationship between equal educational opportunity and the idea that people should get a fair opportunity to realize their potential.

Required reading:

CLAYTON, M (work in progress). Equal Opportunity and the Realization of Potential.

TAYLOR, R. S. (2004). Self-Realization and the Priority of Fair Equality of Opportunity, *Journal of Moral Philosophy*, 1, 333–47.

Thursday:

Topic	War and Justice
Faculty member(s)	Helen Frowe
Number of hours	5 (5*50 min)
Teaching mode	Lecture (50 min.) Seminar (100 min.) – 4 parallel groups: Helen Frowe and TBD Lecture and debate (100 min.)
Discussion points	We will review the possible just causes for war. We will also review the relationship between the idea of justice and that of war. We will put an emphasis on discussing the relationship between human rights and war.

Required reading:

LUBAN, D. (1980). Just war and human rights. *Philosophy and Public Affairs*. 9(2).

MCMAHAN, J. (2005). Just cause for war. *Ethics and International Affairs*. 19(3).

HURKA, T. (2007). Liability and Just Cause. *Ethics and International Affairs*. 21(2).

Friday:

Topic	Student presentations
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Faculty member(s)	All
Number of hours	5 (5*50min)
Teaching mode	Seminar (5*50 min)
Discussion points	The participants of the course will present their own research. There will be a short discussion after each presentation.

Bibliography

Preliminary reading list for the course:

1. ABIZADEH, A. (2007). Cooperation, Pervasive Impact, and Coercion. *Philosophy & Public Affairs* 35 (4), 318-358
2. ANDERSON, E. (1999). What is the Point of Equality? *Ethics*, 109, 287-337.
3. BROOME, J. (2008). The Ethics of Climate Change. *Scientific American*, 298, 97–102.
4. BUCHANAN, A. (1987). Justice and Charity. *Ethics*, 97, 558-577.
5. CLAYTON, M (work in progress). Equal Opportunity and the Realization of Potential.
6. CLAYTON, M. AND A. WILLIAMS(2002). Some Questions for Egalitarians. In Clayton, M. and A. Williams (eds.). *The Ideal of Equality*. Palgrave: Basingstoke.
7. COHEN, G. A. (1989). On the Currency of Egalitarian Justice. *Ethics*, 99, 906-944.
8. COHEN, G. A. (2006). Luck and Equality: A Reply to Hurley. *Philosophy and Phenomenological Research*, 72(2), 439-446.
9. COHEN, G. A. (2008). Where the Action Is: On the Site of Distributive Justice. *Philosophy and Public Affairs* 26:1 (1997), 3-30.
10. DANIELS, N. (2001). Justice, Health, and Health Care. *American Journal of Bioethics*, 1, 2–16.
11. DWORKIN, R. (1981). What is Equality? Part 2: Equality of Resources. *Philosophy and Public Affairs*, 10, 283-345.
12. HURKA, T. (2007). Liability and Just Cause. *Ethics and International Affairs*. 21(2).
13. HURLEY, S. (2001). Luck and Equality. *Proceedings of Aristotelian Society*, 75, 51–72.
14. LUBAN, D. (1980). Just war and human rights. *Philosophy and Public Affairs*. 9(2).
15. MCDERMOTT, D. (2008). Analytical Political Philosophy. In David Leopold and Marc Stears (eds.). *Political Theory: Methods and Approaches*, OUP.
16. MCKERLIE, D. (2001). Justice between the young and the old. *Philosophy and Public Affairs*, 30, 152-177.
17. MCMAHAN, J. (2005). Just cause for war. *Ethics and International Affairs*. 19(3).
18. NAGEL, T. (2005). The Problem of Global Justice. *Philosophy and Public Affairs*, 33,113-147.
19. NOZICK, R.(1974). *Anarchy, State and Utopia*. New York: Basic Books, 183-231.
20. PARFIT, D. (1995). *Equality or Priority?* The Lindley Lectures. Lawrence: University of Kansas.
21. PERSSON, I. (2012 forthcoming). Prioritarianism and Welfare Reductions. *Journal of Applied Philosophy*.
22. RAWLS, J (1993). The Basic Structure as Subject. In Rawls: *Political Liberalism*. New York: Columbia University Press.
23. RAWLS, J. (2001). *Justice as Fairness: A Restatement*. Cambridge, MA: Harvard University Press.
24. SEGALL, S. (2010). Is Health (Really) Special? Health Policy Between Rawlsian and Luck Egalitarian Justice. *Journal of Applied Philosophy* 27 (4):344-358
25. STEMPOWSKA, Z AND SWIFT, A. (2012). Ideal and Nonideal Theory. In Estlund (ed.). *The Oxford Handbook of Political Philosophy*, OUP.
26. TADROS, V. (2011). Introduction: II. Philosophical Method. In his *The Ends of Harm*. OUP.
27. TAYLOR, R. S. (2004). Self-Realization and the Priority of Fair Equality of Opportunity, *Journal of Moral Philosophy*, 1, 333–47.
28. TEMKIN, L.(1993). *Inequality*. New York: Oxford University Press,232-244.
29. VALLENTYNE , P. (2003). Justice in General: An Introduction. In Vallentyne (ed.). *Equality and Justice: Justice in General*, Routledge.

Background reading:

Core literature:

1. ARTHUR, J. and SHAW, W. (eds). (1978). *Justice and Economic Distribution*, Englewood Cliffs, NJ: Prentice-Hall.
2. BARRY, B. (1989). *Theories of Justice*. Berkeley: University of California Press.
3. HAJDIN, M. (ed). (2001). *The Notion of Equality*. Aldershot: Ashgate.
4. HOLTUG, N. and LIPPERT-RASMUSSEN, K. (eds). (2006). *Egalitarianism. New Essays on the Nature and Value of Equality*. Oxford: Clarendon Press.
5. OLSARETTI, S. (ed). (2003). *Desert and Justice*. Oxford: Oxford University Press.
6. POJMAN, L. P. and WESTMORELAND, R. (eds). (1996). *Equality. Selected Readings*. Oxford: Oxford University Press.
7. ROEMER, J. (1996). *Theories of Distributive Justice*. Cambridge: Harvard University Press.
8. TEMKIN, L. (1993). *Inequality*. New York: Oxford University Press.

Other literature to be used:

1. ARNESON, R. J. (1999). Egalitarianism and Responsibility, *Journal of Ethics*, 3, 225-247.
2. ARNESON, R. J. (2000). Luck Egalitarianism and Prioritarianism, *Ethics*, 110, 339-349.
3. ARNESON, R. J. (2001). Luck and Equality, *Proceedings of Aristotelian Society*, 75, 73-90.
4. BROWN, A. (2005). Luck Egalitarianism and Democratic Equality. *Ethical Perspectives*, 12(3), 293-339.
5. COHEN, G. A. (1993). Equality of What? On Welfare, Goods, and Capabilities. In M. Nussbaum and A. Sen (eds). *The Quality of Life*. (pp. 9-29). Oxford: Oxford University Press.
6. COHEN, G. A. (1995). *Self-Ownership, Freedom, and Equality*. New York: Cambridge University Press.
7. COHEN, G. A. (1997). Where the Action Is: On the Site of Distributive Justice. *Philosophy and Public Affairs* 26, 3-30.
8. COHEN, G. A. (2006). Luck and Equality: A Reply to Hurley. *Philosophy and Phenomenological Research*, 72(2), 439-446.
9. COHEN, G. A. (2008). The Basic Structure Argument. In Cohen: *Rescuing Justice and Equality*. Cambridge, Mass.: Harvard University Press.
10. DWORKIN, R. (1981). What Is Equality? Part 1: Equality of Welfare. *Philosophy and Public Affairs*, 10, 185-246.
11. DWORKIN, R. (2000). *Sovereign Virtue: The Theory and Practice of Equality*. Cambridge, MA: Harvard University Press.
12. DWORKIN, R. (2003). Equality, Luck and Hierarchy. *Philosophy and Public Affairs* 31, 190-198.
13. ELSTER, J. and ROEMER, J. E. (eds). (1991). *Interpersonal Comparisons of Well-Being*. Cambridge: Cambridge University Press
14. HAJI, I. (2000). Libertarianism and the Luck Objection. *Journal of Ethics* 4, 329-37.
15. HURLEY, S. (1993). Justice without Constitutive Luck. In *Ethics, Royal Institute of Philosophy Supplement*, 35 (pp 179-212). Cambridge: Cambridge University Press.
16. HURLEY, S. (2003). *Justice, Luck and Knowledge*. Oxford: Oxford University Press.
17. JULIUS, A. J. (2006). Nagels Atlas. *Philosophy and Public Affairs*, 34, 176-192.
18. LIPPERT-RASMUSSEN, K. (2001). Equality, Option Luck, and Responsibility. *Ethics* 111, 548-579.
19. MURPHY, L. (1999). Institutions and the Demands of Justice. *Philosophy and Public Affairs*, 27.
20. NAGEL, T. (1991). *Equality and Partiality*. Oxford: Oxford University Press.
21. NOZICK, R. (1974). *State, Anarchy, and Utopia*. Oxford: Basil Blackwell.
22. OTSUKA, M. (2002). Luck, Insurance, and Equality. *Ethics*, 113, 40-54.
23. OTSUKA, M. (2004). Equality, Insurance and Ambition, *Proceedings of Aristotelian Society*, 78, 151-166.
24. PRICE, T. L. (1999). Egalitarian Justice, Luck, and the Costs of Chosen Ends, *American Philosophical Quarterly* 36, 267-278.
25. RAKOWSKI, E. (1991). *Equal Justice*. Oxford: Clarendon Press.
26. RAWLS, J. (1971). *A Theory of Justice*. Cambridge: Harvard University Press.
27. RAWLS, J. (1993). *Political Liberalism*. New York: Columbia University Press.
28. RAWLS, J. (1999) §§ 1, 2, 10, 43. In *Rawls: A Theory of Justice*. 2nd ed. Cambridge, Mass.: Belknap.
29. RIPSTEIN, A. (1994). Equality, Luck, and Responsibility, *Philosophy and Public Affairs*, 23, 1-23.
30. ROEMER, J. (1993). A Pragmatic Theory of Responsibility for the Egalitarian Planner. *Philosophy and Public Affairs*, 22, 146-166.

31. ROEMER, J.(1998).*Equality of Opportunity*. Cambridge: Harvard University Press.
32. RONDEL, D. (2007). Equality, Luck, and Pragmatism. *Journal of Speculative Philosophy*, 21(2), 115-123.
33. SANDBU, M. E. (2004). On Dworkin's brute-luck–option-luck distinction and the consistency of brute-luck egalitarianism. *Politics, Philosophy & Economics*, 3(3), 283-312.
34. SCHEFFLER, S. (2003). What is Egalitarianism? *Philosophy and Public Affairs*, 31(1), 5-39.
35. SCHEFFLER, S. (2005). Choice, Circumstance, and the Value of Equality. *Politics, Philosophy & Economics*, 4(1), 5-28.
36. SCHEFFLER, S. (2006). Is the basic structure basic? In C. Sypnowitch (ed.).*The Egalitarian Conscience*. Essays in Honor of G.A. Cohen. Oxford: Oxford University Press.
37. SEN, A. (1982). *Choice, Welfare and Measurement*. Cambridge: MIT Press.
38. SEN, A.(1992).*Inequality Reexamined*. Cambridge: Harvard University Press.
39. SHER, G.(1987).*Desert*. Princeton, NJ: Princeton University Press.
40. SHER, G.(1997).*Approximate Justice: Studies in Non-Ideal Theory*. Lanham, Maryland: Rowman & Littlefield Publishers, Inc.
41. TITELBAUM, M. G. (2008). What Would a Rawlsian Ethos of Justice Look Like?*Philosophy and Public Affairs*, 38.
42. VALLENTYNE, P. (2002). Brute Luck, Option Luck, and Equality of Initial Opportunities, *Ethics*, 112, 529-557.
43. VAN PARIJS, P.(1995).*Real Freedom For All. What (If Anything) Can Justify Capitalism?* Oxford: Oxford University Press.