

# Social and Political Philosophy

Philosophy 33  
Fall 2006

## Schedule

*Wednesday, 30 August*

### OVERVIEW

I have two aspirations for this course. First, I would like to cover what the major texts in political philosophy say. We will focus on one topic in particular, liberty. Nonetheless, our readings come from three different eras and our authors evidently have different concerns. Given that this is so, how can we use the past? And how should we understand our values in the light of their historical contingency?

READING: R. G. Collingwood, *Essays in the Philosophy of History* (University of Texas Press, 1965), chap. A Philosophy of Progress.

### THOMAS HOBBES [1651]

*Monday, 4 September*

### THE STATE OF NATURE

Chapter 11 appears to be quite specific: some kinds of people prefer conflict to peace, others do not. Chapter 13, though, seems to be quite general: people in general fall into conflict without political authority. We will begin by discussing the general explanation, using some basic game theory, the prisoner's dilemma. Then we will ask whether the specific and the general stories can be combined.

READING: Thomas Hobbes, *Leviathan*, edited by Edwin Curley (Hackett, 1994), ch. 11, 13.

*Wednesday, 6 September*

### THE LAWS OF NATURE

The definitions of right, law, and obligation. What are covenants and how do they work? The reply to the Fool in chapter 15. Is the reply to the Fool too strong? If Hobbes had really shown that it's in everyone's interest to keep their covenants, why would we need the state?

READING: Hobbes, ch. 14-15.

*Monday, 11 September*

### JUSTICE

Hobbes says: [1] there is no such thing as justice in the state of nature (13.13), [2] justice means keeping covenants (15.2), and [3] there are valid covenants in the state of nature (14.27). But he can't say all three at the same time. Justice, meaning, "giving each his own" is impossible in the state of nature as nothing is anyone's "own". But it *is* possible to keep covenants. Hobbes's discussion of the laws of nature is about the conditions under which justice, so understood, can exist.

READING: Hobbes, ch. 14-15.

- Wednesday, 13 September*      **RIGHTS AND AUTHORIZATION**  
 Rights are officially defined as liberties, the absence of obligations. But Hobbes needs a broader understanding of what a right is. For instance, is the ability to appoint a representative best understood as a liberty? For that matter, is the ability to lay down a right best understood that way?  
 READING: Hobbes, ch. 14.6, 16.
- Monday, 18 September*      **SOVEREIGNTY**  
 Hobbes is said to have an “absolutist” understanding of sovereignty. In what sense is a Hobbesian sovereign absolute? What are Hobbes’s arguments for absolutism? Are they good ones?  
 READING: Hobbes, ch. 17–18.
- Wednesday, 20 September*      **TYRANNY AND CONQUEST**  
 Two reasons for regarding a state as a tyranny: its form and its origin. Some call all monarchs tyrants: what did Hobbes think of that? Some think conquest cannot establish a legitimate state. In what sense did Hobbes agree and in what sense did he disagree?  
 READING: Hobbes, ch. 19–20.
- Monday, 25 September*      **LIBERTY**  
 This chapter contains some significant developments of Hobbes’s views. For instance, he had once agreed with Aristotle that liberty is the basis of democracy. Here, he has a different view: liberty is whatever the laws allow. What changed? Part of the answer has to do with the quick discussion of free will at the beginning of the chapter. The rest has to do with his theory of sovereignty. In addition, he once held a fairly crude view of the law, that laws always limit liberty. There are two reasons why that is not the view here. Can you find them? Remember our friend the power.  
 READING: Hobbes, ch. 21.
- Wednesday, 27 September*      **RELIGIOUS AUTHORITY**  
 Here’s a little-known fact. The first account of the origin of the state comes *before* the description of the state of nature, in chapter 12. It centers on the use of religion as a source of political authority. The chapters in the 30s concern what can be known about God’s political authority through either natural reason or the revelations of the Christian Scripture.  
 READING: Hobbes, ch. 12, 31–33, 36–37.
- Monday, 2 October*      **RELIGIOUS LIBERTY**  
 Hobbes favored state control of the church. But he defended Galileo (46.42) and described what he called “Christian liberty” (46.19–20). There are many Christian doctrines that favor the clergy over the civil sovereign. Hobbes gave an historical argument to show that they are not genuine.  
 READING: Hobbes, ch. 44, 46–7.

## JOHN STUART MILL [1863, 1859]

*Wednesday, 4 October*

## UTILITARIANISM

Compare Bentham and Mill's versions of utilitarianism. What is utilitarianism? What is the motivation for utilitarianism? What is each author's theory of the good? How does each author combine his psychological theory, his theory about what motivates action, with the utilitarian moral theory?

READING: *The Classical Utilitarians* (Hackett, 2003), pp. 8–22, 94–122.

*Monday, 9 October*

## THOUGHT AND EXPRESSION

What is the threat to liberty, in Mill's opinion? How is his claim that “the only purpose for which power can be rightfully exercised over any [person] ... is to prevent harm to others” (p. 158) compatible with his utilitarianism? In particular, how does it work for freedom of thought and expression?

READING: *Classical Utilitarians*, pp. 151–208.

*Wednesday, 11 October*

## FREEDOM OF ACTION

Continue the theme from last time, looking at freedom of action more generally.

READING: *Classical Utilitarians*, pp. 208–42.

*Monday, 16 October*

## FALL RECESS

No class.

READING: None.

*Wednesday, 18 October*

## AN ALTERNATIVE

Lewis denies that Mill's argument for tolerance can work and proposes an alternative. We will look at both. The alternative sounds like what Rawls will call a “mere *modus vivendi*”. Keep it in mind when we read *Political Liberalism*.

READING: David Lewis, “Mill and Milquetoast”, *Australasian Journal of Philosophy* 67 (1989).

## JOHN RAWLS [1971, 1993]

*Monday, 23 October*

## THE AIMS OF A THEORY OF JUSTICE

Rawls sought to develop an alternative to utilitarianism that takes “our intuitive opinion about justice” and “the separateness of persons” more seriously. He defined success as achieving “reflective equilibrium” between our “considered judgements” and the decision made by “parties” in the “original position”. What does all of that mean?

READING: John Rawls, *A Theory of Justice* (Harvard University Press, 1971), pp. 1–27, 46–53.

- Wednesday, 25 October*      **THE ORIGINAL POSITION**  
 Preparing for the formal argument, the argument from the original position.  
 READING: Rawls, *Theory*, pp. 60-5, 118-50.
- Monday, 30 October*      **WHY NOT UTILITARIANISM?**  
 Why the parties in the original position would reject utilitarianism in favor of Rawls's principles.  
 READING: Rawls, *Theory*, pp. 150-92.
- Wednesday, 1 November*      **WHY NOT LIBERTARIANISM?**  
 The parties in the Original Position choose between Rawls's principles of justice and versions of utilitarianism. But they weren't asked to consider libertarianism. According to Nozick, that is where Rawls's premises about the separateness of persons lead. Rawls does have an informal argument against this view that we will examine.  
 READING: Robert Nozick, *Anarchy, State, and Utopia* (Basic Books, 1974), pp. 26-53, especially pp. 28-35, 48-51. Rawls, *Theory*, pp. 65-90.
- Monday, 6 November*      **THE ENTITLEMENT CONCEPTION**  
 Nozick's response to Rawls. There are three classes of principles: those governing the acquisition of goods, those governing the transfer of goods, and those governing the rectification of violations of the other two. He tries to show that any principles of justice beyond these, such as Rawls's "principle of fair equality of opportunity" or "difference principle" objectionably limit liberty by maintaining what he calls "patterns" at the expense of innocent, free choices.  
 READING: Nozick, pp. 149-64, 167-73.
- Wednesday, 8 November*      **RAWLS ON LIBERTY**  
 Rawls's discussion of liberty in *A Theory of Justice*. Note how it is tied to a theory of the person and the good. Rawls will try to withdraw that in *Political Liberalism*.  
 READING: Rawls, *Theory*, pp. 201-21, 243-57, 325-32, 407-24, 541-60.
- Monday, 13 November*      **HART'S CRITICISM**  
 Hart's criticisms of Rawls's treatment of liberty.  
 READING: H. L. A. Hart, "Rawls on Liberty and its Priority", *University of Chicago Law Review* 40 (1973).
- Wednesday, 15 November*      **RAWLS'S REPLY**  
 Rawls's attempt to rework his ideas about liberty in the light of Hart's criticisms.  
 READING: John Rawls, *Political Liberalism*, Expanded edition (Columbia University Press, 2005), pp. 289-371.
- Monday, 20 November*      **POLITICAL LIBERALISM**

“Political Liberalism” is meant to address a problem that Rawls perceived with *A Theory of Justice*. What is that problem? Then there is more machinery to lay out.

READING: Rawls, *Political*, pp. xiv-xxx, xxxvi-ix, 3-46.

*Wednesday, 22 November*      THE REASONABLE  
What does Rawls mean by “reasonable” and what role does it play in political liberalism?

READING: Rawls, *Political*, pp. 47-88.

*Monday, 27 November*      OVERLAPPING CONSENSUS  
Rawls seeks to show that liberalism can be the object of what he calls an “overlapping consensus”. What does that mean? How would an overlapping consensus work? Note that utilitarianism is counted as a potential member of the overlapping consensus. Wasn’t it supposed to be opposed to liberalism?

READING: Rawls, *Political*, pp. 133-72.

*Wednesday, 29 November*      POLITICAL LIBERAL POLITICS  
What would politics be like if we accepted political liberalism? Is it really desirable to model our political thinking on the Supreme Court’s? I’m particularly interested in three cases: the civil rights movement, those who want equal time for creationism, and the anti-abortion movement.

READING: Rawls, *Political*, pp. 213-254, xlvii-lv.

*Monday, 4 December*      FREEDOM AND GLOBALIZATION  
Each of our authors tried to respond to the problems of his time. What about globalization? The integration of the world’s economies means that one country’s behavior has significant effects on freedom elsewhere. Today’s reading gives one example of how this can happen.

READING: Thomas Pogge, *World Poverty and Human Rights* (Polity Press, 2002), chap. Achieving Democracy.

*Wednesday, 6 December*      WRAPPING UP  
Concluding discussion.

READING: None

## Materials

The appropriate editions of *Leviathan*, *The Classical Utilitarians*, *A Theory of Justice*, and *Political Liberalism* may be purchased at the Huntley Bookstore. Everything else will be available in a xeroxed reader from King’s Copies, 865 W. Foothill, 625-2002, kingsclaremont@yahoo.com.

All readings will be on reserve in the Honnold-Mudd Library.

Comments on lectures and announcements will be posted on the web at the Sakai site for this course.

### Instructor

My name is Michael Green. My office is 207 Pearsons. My office hours are Mondays and Wednesdays, 4-5 and Fridays 2-4. My office phone number is 607-0906. I have decided that my life will be much better if I only answer email once a day. I will reply, but if you need an answer quickly, you're probably best off calling or dropping by my office.

### Assignments

Grades will be based on four assignments: three papers and a final exam. Papers will be 1800 words long, that is, around five or six pages. They will be due on Friday, 6 October; Friday, 27 October; and Friday, 8 December. The College will schedule the exam, I assume.

All assignments must be completed in order to pass the course. Late papers will be accepted without question. They will be penalized at the rate of one-half of a point *per* day, with grades based on the College's twelve point scale. Exceptions will be made in extremely unusual circumstances. Please be mindful of the fact that maturity involves taking steps to ensure that the extremely unusual remains extremely unusual.