

Political Philosophy

1. *Tuesday, August 30* WHAT IS THE STATE?

The state is a relatively recent invention. Diamond describes some of the major differences between societies that have states and those that do not. State societies have more inequality than traditional societies do: some people have authority over others and some have significantly more material wealth than others. One of the chief tasks of social and political philosophy is to settle whether these kinds of inequalities are justified or not.

Thomas Hobbes

2. *Thursday, September 1* THE STATE OF NATURE

According to Hobbes, the 'natural condition' of humanity is full of conflict. That is the central part of his justification of the state. He identifies three causes of war: competition, diffidence (i.e. a lack of confidence), and glory. We will talk about how these three explanations work. There are at least two things to bear in mind when thinking about this. First, Hobbes has to identify a source of conflict that the state can solve. Second, it is an obvious fact that human beings can have social life without having a state; Hobbes is in trouble if he is committed to denying this. Read *Leviathan* chapter 13.

3. *Tuesday, September 6* RIGHTS IN HOBBS

As Hobbes defines the term "right," having a right means that you are at liberty to do something or, in other words, that you have no obligation not to do it. We will begin by talking about how he uses this definition of the term "right" to argue against what we would recognize as human rights (see 14.4). Then we will talk about another dimension of rights in Hobbes's text. People not only *have* rights but they can *use* them to make contracts, appoint representatives, and create corporate persons. Read *Leviathan* chapters 14 and 16.

4. Thursday, September 8 HOBBS'S SOCIAL CONTRACT

Hobbes maintains that we can understand the state by thinking of it as if it had been established by a social contract. There are two features of Hobbes's social contract that I want to discuss today. First, he maintains that his theory applies to each of the three kinds of state: monarchies, aristocracies, or democracies. But while it is fairly clear that Hobbes's sovereign can be a monarch, it is less clear to me that his theory of sovereignty applies to a democracy. Second, Hobbes gave two versions of the social contract. One, the commonwealth by institution, involves a very peaceful process while the other, the commonwealth by acquisition, is extremely violent. Why have two? And is there anything at all to be said for Hobbes's view that the second one could be valid? Read *Leviathan* chapter 17, ¶13–15, chapter 18, and chapter 20.

5. Tuesday, September 13 LIBERTY OF SUBJECTS

The chapters on liberty and punishment concern the use of force between subject and sovereign. The chapter on liberty begins with a claim that subjects should think of their liberty as defined solely by the law. But then he adds that subjects have some surprising rights to act against the law: they are at liberty to resist punishment and, while they are not permitted to rebel, once they have done so, they are permitted to continue fighting to defend themselves. Read *Leviathan* chapter 21.

6. Thursday, September 15 THE RIGHT TO PUNISH

We will address two questions about punishment. First, Hobbes begins by saying that the sovereign does not get the right to punish from the social contract. But he also thought the sovereign is authorized to punish in the social contract. How does that work? Second, Hobbes insisted on a distinction between subjects and enemies: the former can be punished, but the latter are treated with hostility. What does this difference amount to? Does Hobbes's definition of punishment offer real protection to subjects or not? Read *Leviathan* chapter 28.

John Locke and David Hume

7. Tuesday, September 20 LOCKE ON RIGHTS

Punishment forms the spine of today's readings. Locke defines political power in terms of the ability to make and enforce laws. His question is "how did we get from our natural state of natural equality and freedom to a political society in which some people have the right to harm others by punishing them?" Locke

starts with a natural right to punish that is held by people in the state of nature. There are obvious disadvantages to such a self-help system which is why people transfer their rights to punish to the state. Read *Second Treatise of Government*, chapters 1-4, 7, and 9.

8. Thursday, September 22 LOCKE ON PROPERTY

Locke assumed that there were such things as private property rights and that property could be unequal. In chapter five, he attempted to answer two questions about these beliefs. First, given that we started with common ownership of the world, how did individuals come to own parts of it for themselves? Second, given that we are all equal, how could inequality be allowed? He tried to answer both questions with arguments involving labor: individuals gain property rights by laboring on natural resources and labor improves the value of things, such that everyone benefits when it is used to acquire private property. Read the *Second Treatise*, §25-51 (ch. 5).

Note Paper topics distributed

9. Tuesday, September 27 HUME ON PROPERTY

Hobbes holds that property rights are a product of political authority. Locke holds that there are natural property rights prior to the state. Hume agrees with Hobbes that property rights are human creations and he agrees with Locke that they can exist without political authority. Hobbes sees people in the state of nature as being in a prisoner's dilemma that they escape only by creating an authority over them. Hume thinks they are like two people in a rowboat who want to get across a river: each one will row, provided the other does so, and so they will achieve their goals without involving a third party (see ¶10). For Hume, in other words, the conventional rules of property develop out of self-interested motives, much as the agreement to row across the river does. Who is right: Hobbes, Locke, or Hume? Read selections from *A Treatise of Human Nature*.

10. Thursday, September 29 LOCKE AND HUME ON CONSENT

Locke insisted that government can only operate by consent. How could this work in a real society where people grow up thinking they're obliged to obey the state? We will spell out Hume's objection and then see if Locke can meet it. Read Locke's *Second Treatise* §95-100 and §112-22 (beginning and end of ch. 8) and the second half of Hume's essay "Of the Original Contract." (We will not discuss the first half of Hume's essay.) For Hume, pay special attention to the two arguments on page 475. These try to show that there are necessary conditions on valid consent that the social contract could not meet. What are those conditions?

Note Draft due on Saturday

John Stuart Mill

11. Tuesday, October 4 UTILITARIANISM
The Utilitarians were reformers. They sought to replace the confusing mess of common laws and commonsense moral belief with one rational system: utilitarianism. We will talk about this motivation, what utilitarianism involves, and the persistent difficulty posed by its antagonistic relationship with commonsense moral beliefs. Both Bentham and Mill try to show that once we understand the psychology underlying our beliefs about justice and morality, we will realize that these beliefs are either implicitly utilitarian or indefensible. Read selections from Bentham's *An Introduction to the Principles of Morals and Legislation* and Mill's *Utilitarianism*.

12. Thursday, October 6 MILL ON LIBERTY OF EXPRESSION
Mill argued for extensive protection of individual liberty based on utilitarian principles. He took up two specific cases: liberty of expression and freedom of action. Today, we will take up the first case. Mill maintained that liberty of expression is needed for the pursuit of the truth. Why did he think this was so when he evidently had such a low opinion of people's interest in discovering the truth? Read *On Liberty* chapters 1-2.

Note Paper due on Saturday

13. Tuesday, October 11 MILL'S LIBERTARIANISM
Today, we take up the other major case of liberty for Mill: liberty of action. Mill's case here is similar to the one he made for liberty of thought and expression: allowing individual liberty is the best way of achieving social progress even in a society of people who have little use for the liberty to be different. Read *On Liberty* chapters 3-5.

Robert Nozick

14. Thursday, October 13 NOZICK ON RIGHTS
Nozick is a libertarian, meaning he believes that the state should be limited to preventing force, fraud, and the violation of contracts. He argues

for libertarian conclusions on the basis of a theory of rights rather than utilitarianism. In fact, his theory of rights develops in opposition to utilitarianism. Read *Anarchy, State, and Utopia*, 26-35 and 48-53.

15. Thursday, October 20 NOZICK ON JUSTICE

Nozick maintains that principles of justice fall into three broad categories: 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 the utilitarian principle, objectionably limit liberty by maintaining what he calls “patterns” at the expense of innocent, free choices. Read *Anarchy, State, and Utopia*, 149-64 and 167-82.

Note Paper topics distributed

16. Tuesday, October 25 REPARATIONS FOR SLAVERY

Nozick argues for a purely historical conception of distributive justice. According to him, the only way to tell whether a distribution of goods and opportunities is just or unjust is to see whether they were acquired and transferred properly in the past. If not, the injustice has to be rectified. Boxill uses a historical conception of justice to argue that the United States owes reparations to the descendants of slaves.

17. Thursday, October 27 DIFFERENT WAYS OF ARGUING FOR REPARATIONS

The idea of reparations may seem exotic, but there are actually multiple examples from recent history of states paying reparations for historic injustices. As Posner and Vermeule note, there is a special problem with these cases because both the wrongdoer and the victim are gone. In the part of their article that we will read, they describe the advantages and disadvantages of different ways of thinking about the ethical case for reparations. Only read pages 689-711 and 736-41. We are *not* going to discuss the whole article; it's sixty pages long!

Note Paper draft due Saturday

John Rawls

18. Tuesday, November 1 RAWLS ON LIBERTARIANISM

This reading is from an informal exposition of the principles of justice that Rawls supports rather than his official argument (*A Theory of Justice*, 52-73).

Nonetheless, it contains Rawls's arguments against libertarianism. After discussing them, I will argue for "natural aristocracy." See if it can be done!

19. *Thursday, November 3* THE ORIGINAL POSITION

Today, we lay out the machinery for Rawls's own theory of justice. He will use this to defend an alternative to the utilitarian principle: the two principles of justice we encountered last time. It's a complicated argument, so we need to do some work to set it up. Read *A Theory of Justice*, 3-19 and 118-130.

Note Paper due Saturday

20. *Tuesday, November 8* RAWLS'S ARGUMENT FOR THE TWO PRINCIPLES

Rawls's argument turns on deciding between two rules for making decisions with limited information. Rawls argues that the parties in the original position should use the maximin rule rather than the rule that tells them to maximize expected utility. If they follow the maximin rule, he claims that they would choose his principles of justice rather than utilitarianism. Read *A Theory of Justice*, 130-39.

21. *Thursday, November 10* ARGUMENTS AGAINST UTILITARIANISM

There are three arguments against utilitarianism. The first is that it is inappropriate to use the principle of insufficient reason to assume that the probabilities of being any person are equal. The second and third arguments are less technical. They maintain that the parties would want to avoid making an agreement that they might not be willing to keep. Read *A Theory of Justice*, 144-60.

22. *Tuesday, November 15* WHAT ABOUT A SOCIAL MINIMUM?

The Difference Principle is a relative standard: it looks at how much some people have compared with what others have. A social minimum uses an absolute standard: it looks at how much people need and is not concerned with equality *per se*. Waldron makes the case for using the social minimum approach. Rawls had argued that the parties in the original position would choose the difference principle rather than utilitarianism. Waldron is implicitly asking whether they would also choose it when compared with a different alternative that, unlike utilitarianism, does not allow some people to fall below an acceptable level.

Beyond Rawls

23. Thursday, November 17 WHO IS A MEMBER?

In Rawls's theory, every member of society has a representative in the original position. But the theory itself does not give any guidance about how to determine who belongs to a society and who does not. Should people who wish to immigrate be represented? Should those who have done so unofficially be represented? Or should only those who are already official citizens be represented? Walzer maintains that, with some important exceptions, questions about membership are not governed by justice and so the members of a society may decide for themselves what their immigration policy will be. Read *Spheres of Justice*, 31-63.

Note Paper topics distributed

24. Tuesday, November 22 OPEN BORDERS

Carens argues that the major theories we have been discussing are all committed to a highly permissive system of immigration. Libertarians cannot limit free movement and utilitarians do not regard national borders as significant. Finally, while Rawls certainly did not say that everyone in the world should be represented in the original position, Carens believes he is logically committed to that position and that a global original position would opt for basically open borders.

25. Tuesday, November 29 WHICH STATE SHOULD YOU OBEY?

Here is a common thought: everyone is obliged to obey the state. But there are a lot of states. Which one are you obliged to obey? We could say something like "the one you are born into." But can you be born into an obligation like that? If there were real social contracts, we could say "the one you agreed to obey." But is there such an agreement? Simmons argues that the answer to these questions is "no" and concludes that individuals are not generally obliged to obey particular states.

26. Thursday, December 1 OBEY THE JUST STATES?

Waldron denies Simmons's premise that the obligation to obey the law is owed to a particular state. He maintains instead that the obligation to obey the law is derived from what he calls a natural duty of justice, meaning that it is logically prior to any more specific social arrangements between citizens and their states. This natural duty requires individuals to obey just laws, whether they come from their own states or foreign ones.

Note Paper due Saturday

27. *Tuesday, December 6* REVIEW

We will talk about the final exam. The exam itself is scheduled for Tuesday, December 13 at 2 pm.

Goals

Political philosophy is about the nature of the state. It tries to answer questions such as these. “Should we have a state at all?” “What is a just state or society like?” “What powers does the state have?” “Should individuals obey the state?” The course will cover some of the historically prominent answers that combine theories of human nature, ethics, and social life. Our discussions will center on the theories of Thomas Hobbes, John Locke, John Stuart Mill, Robert Nozick, John Rawls, as well as contemporary philosophers who seek to make sense of the place of the state in the world. The syllabus seeks to chart a path between a survey of different philosopher’s views and specialized study of any one of them. We will give thorough attention to the central issues with each philosopher’s political thought.

The materials make heavy demands on their readers’ analytical and interpretive skills. Our discussions and writing assignments will focus on the arguments in these works. That is where your analytical skills will come into play. Since we are reading works from different periods in history, we will also have to work hard at interpreting material that is written in ways that are unfamiliar and that reflects the concerns of different kinds of societies.

Materials

The readings for the class will be available in the resources section of the Sakai site for this class. You will also find notes on each class session there.

Instructor

My name is Michael Green. My office is 207 Pearsons. My office hours are posted on the Sakai site. My office phone number is 607-0906.

Assignments

Grades will be based on four equally weighted assignments: three papers and a final exam.

Grading policies

I am committed to seeing that my students are able to do very high quality work and that high quality work will be recognized. I do not employ a curve and there is nothing competitive about grading in my courses.

Grades apply to papers, not to people. They have no bearing on whether I like or respect you. Nor do they measure improvement or hard work: one may put a lot of effort into trying to make a bad idea work or produce a very good paper with ease. Grades communicate where written work stands on as objective a scale as we can devise. That is all that they involve, so don't make too much of them.

What the grades mean

- A Work that is accurate, elegantly written, and innovative. It adds something original, creative, or imaginative to the problem under discussion. The grade of A is given to work that is exceptional.
- B Work that is accurate, well written, and has no significant problems. The grade of B is given to very good work. There is less of a difference between A and B work than you might think. Generally speaking, B papers are less innovative than A papers. This may be because the paper does not attempt to add much or because the attempt made is not fully successful.
- C Work that has problems with accuracy, reasoning, or quality of writing. The grade of C means that the paper has significant problems but is otherwise acceptable.
- D Work that has severe problems with accuracy, reasoning, relevance, or the quality of writing. Papers with these problems are not acceptable college-level work. A paper that is fine on its own may nonetheless be irrelevant. A paper is not relevant to my evaluation of work for this particular course if it does not address the question asked or if it does not display knowledge of our discussions. This sometimes trips up those taking a course pass/no credit.

F Work that has not been completed, cannot be understood, or is irrelevant.

Final grades will be calculated using the College's 12 point scale.¹ The numerical average must be greater than half the distance between two grades in order to earn the higher grade.

Letter	Number	Range
A	12	$11.5 < A \leq 12$
A-	11	$10.5 < A^- \leq 11.5$
B+	10	$9.5 < B^+ \leq 10.5$
B	9	$8.5 < B \leq 9.5$
B-	8	$7.5 < B^- \leq 8.5$
C+	7	$6.5 < C^+ \leq 7.5$
C	6	$5.5 < C \leq 6.5$
C-	5	$4.5 < C^- \leq 5.5$
D+	4	$3.5 < D^+ \leq 4.5$
D	3	$2.5 < D \leq 3.5$
D-	2	$1.0 < D^- \leq 2.5$
F	0	$0.0 < F \leq 1.0$

Letter and number grades

Late papers and academic accommodations

Late papers will be accepted *without question*. They will be penalized at the rate of one-quarter of a point per day, including weekends and holidays. 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 is genuinely extremely unusual.

To request academic accommodations of a disability, please speak with me and Dean Collin-Eaglin at 621-8017. This is never a problem, but it is best taken care of in advance.

¹ Search for "Letter Grades" here: <http://catalog.pomona.edu/>

Sources

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