

Political Science 233/433 (also Philosophy 233P)
The Political Theory of Rawls
Spring 2006 • R 1:15-4:05 • 464 W. Encina

Course Instructor: Peter Stone
410 W. Encina • 5-2916 • peter.stone@stanford.edu • Office Hours: W 1:30-3:30

Introduction:

No political theorist has influenced the field over the last thirty years the way that John Rawls has. His masterwork, *A Theory of Justice*, both raised normative analysis to a new level of analytical precision and introduced innovative answers to one of the most important questions in the field—the question of the nature of justice. No serious theorist concerned with justice can ignore Rawls; moreover, theorists can learn from Rawls' methodology no matter what their specific area of interest. This is not to say that Rawls' arguments are above criticism. It is to say that theorists wishing to offer new ideas about justice must criticize Rawls (sympathetically or otherwise), and do so at a fairly sophisticated level. In many ways, contemporary political theory has become (to quote the title of a review essay about Rawls) "The House that Jack Built" (*Ethics* 113 (January 2003): 367-390).

This course will examine in depth the conception of justice developed by John Rawls, as well as the arguments offered by him in support of it. The focus will be on Rawls' masterwork, *A Theory of Justice*, and the developments, extensions, and modifications, Rawls made to this theory that led to his second major work, *Political Liberalism*. By approaching this work from multiple angles, and considering a variety of possible responses to it, students will encounter a variety of topics ranging from the nature of normative theory to the limits of utilitarianism to conflicting interpretations of equality of opportunity. Students will thereby both improve their ability at making arguments about politics but will also gain an in-depth grasp of one of the most important normative arguments ever made.

Classroom Activity:

Each 3-hour class will be divided into two parts. At the start of each part, I shall briefly discuss a topic raised by Rawls' work. This discussion is meant as an introduction to conversation and discussion, which will fill up the remainder of each part of class. The topics will be announced in advance, and so students should approach the readings with an eye to these topics. Please note that the syllabus is not set in stone; if a student can make a case for including a topic not covered, we'll do it.

Grading:

Each student will be responsible for writing a paper about Rawls. The topic of the paper must consist of an answer to a question with the following form: "What would Rawls say about X?" Here "X" could be any political issue upon which normative theory can be

brought to bear. Examples might be as broad as economic inequality, health care, or education or as narrow as organ transplant allocation or the teaching of evolution in schools. Students should discuss possible topics with me before commencing to write. These papers should focus on the original texts—i.e., what Rawls really says—but students may bring in outside sources, commentaries, etc. if appropriate. I want you to do more than state Rawls' (real or inferred) thoughts on the topic in question; I want you to make an argument that Rawls' approach is the right (or wrong) way to deal with the topic, thereby offering insight into both the topic and Rawls' larger body of work.

An undergraduate student must produce three drafts of the paper—a short preliminary draft (2 pages), an intermediary draft (5-6 pages), and a final version (10-12 pages). Each draft will count equally towards the course grade, and **no student can pass the course without turning in all three drafts**. Each paper should follow the usual guidelines for academic papers (including complete citations for sources used—but please avoid using sources exclusively available on the web). Please treat rough drafts seriously, as though they were finished works and not works in progress; I shall not take kindly to students who cannot be bothered to run their spellcheckers!

Undergraduate students may turn in drafts at any time, with only two restrictions. No student may turn in more than one draft in a given week, and **all drafts must be submitted by Wednesday, March 22**. Any extensions, etc. must be approved by me in advance, barring written proof of an emergency.

A graduate student must select a paper topic of the same nature as those selected by undergraduates. The final paper must be of the usual seminar length (15-20 pages), and can be submitted at any time. A graduate student may skip the intermediary draft, but must still **clear the topic with me in advance, and submit the preliminary draft before the course is over**. It is too easy for graduate students to get lost in the political theory wilderness unless they think through in advance what they plan to do and receive feedback on it from me.

Finally, class participation will be used both to adjudicate any borderline final grades and to reward exceptional participation. A few examples will illustrate what I mean. A student who never shows up to class and receives a B, B, and B- on her papers can expect the final grade to be rounded down to a B-. That same student would receive a B if she regularly appeared in class and made some effort at participation. At the other extreme, a student who received an A- on all three papers, but participated in an exceptional manner, will have her grade increased up to an A. Please note that only truly exceptional class participation will be rewarded in this manner.

Course Readings:

I have assigned the following readings for the course:

Rawls, John. *The Law of Peoples*. Cambridge, MA: Harvard University Press, 1999.

This book contains both the title essay as well as “The Idea of Public Reason Revisited.”

Rawls, John. *A Theory of Justice*. Rev. ed. Cambridge, MA: Belknap Press, 1999.

Both of these books are available at the campus bookstore, as well as through course reserves at the library.

I have also assigned a variety of other readings, including both articles by Rawls and critical responses to him. Most of these readings are available online through JSTOR or the like; the remaining readings I shall distribute in class.

Tentative Class Schedule:

- R 4/6 Course Introduction
- R 4/13 Reflective Equilibrium & the Basic Structure
Assigned Reading: *A Theory of Justice*, Chapter I
- R 4/20 Justice as Fairness, the Original Position, & the Veil of Ignorance
Assigned Reading: *A Theory of Justice*, Chapters II & III
- R 4/27 Liberties, Political and Otherwise
Assigned Readings: *A Theory of Justice*, Chapter IV; H.L.A. Hart, “Rawls on Liberty and Its Priority,” 40 *University of Chicago Law Review* 534 (1972-1973)
- R 5/4 Wealth, Duties, & Obligations
Assigned Reading: *A Theory of Justice*, Chapter V & VI
- R 5/11 The Family & Religion
Assigned Readings: Jane English, “Justice between Generations,” *Philosophical Studies* 31 (1977): 91-104; Sibyl Schwarzenbach, “Rawls and Ownership: The Forgotten Category of Reproductive Labor,” *Canadian Journal of Philosophy* supp. vol. 13 (1987): 139-167; Deborah Kearns, “A Theory of Justice—and Love: Rawls on the Family,” *Politics* 18:2 (November 1983): 36-42; John Rawls, “Justice as Fairness: Political Not Metaphysical,” *Philosophy and Public Affairs* 14:3 (Summer 1985): 223-251; Rawls, John et al., “Political Liberalism: Religion and Public Reason: A Symposium,” *Religion & Values in Public Life* 3:4 (Summer 1995): 1-11
- R 5/18 Public Reason and Political Liberalism
Assigned Readings: “Kantian Constructivism in Moral Theory,” *Journal of Philosophy* 77:9 (September 9, 1980): 515-572; “The Idea of Public Reason Revisited”

- R 5/25 Justice versus Democracy?
Assigned Readings: Jürgen Habermas, “Reconciliation through the Public Use of Reason: Remarks on John Rawls’s Political Liberalism,” *Journal of Philosophy* 92:3 (March 1995): 109-131; John Rawls, “Political Liberalism: Reply to Habermas,” *Journal of Philosophy* 92:3 (March 1995): 132-180.
- R 6/1 Global Justice & Final Thoughts
Assigned Reading: “The Law of Peoples”
- M 6/12 **Final Papers for PS 233 Due**