

### John Rawls' "Justice as Fairness" (08-26-5-M10-3)

The revival of political philosophy in the 20th century is to no small extent due to the work of John Rawls. Published in 1971, "A Theory of Justice" first offered a conception of justice as fairness that Rawls later works – "Political Liberalism" (1993) and "The Law of Peoples" (1999) – further developed, refined and generalized to the international sphere. Thirty years later, in "Justice as Fairness: A Restatement", Rawls integrates his later work systematically into a restatement of his theory of justice. Thus, this book serves as an ideal entry into Rawls' thought.

The seminar is designed as a reading class: Although we will of course pay attention to important criticisms and developments, the focus is on reading and discussing Rawls' book.

**Notice: You will need a copy of the book before 23 October 2013!**

### Preparatory Literature

- Daniels, Norman (ed.) (1975): Reading Rawls. Critical studies on Rawls' *A Theory of Justice*  
 New York: Basic Books.
- Freeman, Samuel (ed.) (2003): The Cambridge Companion to Rawls. Cambridge: Cambridge University Press.
- Pogge, Thomas W. (2007): John Rawls. His Life and Theory of Justice. Translated by Michelle Kosch. Oxford: Oxford University Press. (This is a translation of: Pogge, Thomas W. (1994): John Rawls. München: Beck.)
- Rawls, John (2001): Justice as Fairness. A Restatement. Cambridge, MA: Belknap Press.
- Rawls, John (2003 [1999]): The Law of Peoples. With "The Idea of Public Reason Revisited". 5. edn. Cambridge, MA: Harvard University Press.
- Rawls, John (2005 [1993]): Political liberalism. Expanded edn. New York: Columbia University Press.
- Voice, Paul (2011): Rawls Explained. From Fairness to Utopia. Chicago/La Salle: Open Court.

### Overview

16 October 2013	Introduction
23 October 2013	Fundamental Ideas I: Basic Concepts (§1–§7)
30 October 2013	Fundamental Ideas II: On Method (§8–§11)
6 November 2013	Principles of Justice I: Basic Liberties (§12–§16)
12 November 2013	<b>NO CLASS</b>
20 November 2013	<b>NO CLASS</b>
27 November 2013 12:00–15:00 Room: InIIS, 2020	Principles of Justice II: The Difference Principle (§17–§22) Original Position I: The Set-up (§23–§26)
4 December 2013 12:00–15:00 Room: InIIS, 2020	Original Position II: First Comparison (§27–§33) Original Position III: Second Comparison (§34–§40)
11 December 2013	Institutions I: A Property-Owning Democracy (§40–§49)
18 December 2013	Institutions II: The Family (§50–§53)
8 January 2014	Political Stability (§54–§60)
15 January 2014	The Law of Peoples / Global Justice
22 January 2014	Communitarianism
29 January 2014	Libertarianism

## Requirements

This seminar belongs to module 10 (political theory of modern societies) of the BA Political Science. Students may enrol for “Wahlpflichtbereich 1” or “Wahlpflichtbereich 2”; either way, you are free to do a GPL (6 Credit Points) or MPL (3 Credit Points).

If you are a student in another program (ERASMUS, for example), please contact me, so that we can work out your requirements.

To earn your Credit Points, you must:

1. **Regular attendance and active participation** in class.
2. **Reading the basis texts for every session.** You are not required to read texts listed under “Further Reading”, though it is recommended that you do if you do a presentation or write your seminar paper on the topic.
3. You have to do a **short presentation** in one of the 13 sessions. That means giving a short overview of the reading, and moderating the discussion for the first hour of class. You should also prepare a hand-out with the most important theses and arguments (no longer than 2 pages). The last 30 minutes will be moderated by the lecturer. The mark of your presentation will make up 25 % of your final mark.
4. In order to do a **GPL** (6 Credit Points), you have to write a seminar paper of 15-20 pages. Deadline is the **31 April 2014**.
5. In order to do a **MPL** (3 Credit Points), you have to write an essay of 10 pages. Deadline is the **31 February 2014**.

For all questions concerning the layout of your seminar paper and other formalities (e.g. how to cite), please refer to the study guide “Introduction and Guidelines to Academic Research and Writing”, available on the Political Science Institute’s web page: [http://www.politik.uni-bremen.de/downloads/StudyGuide-1\\_engl.pdf](http://www.politik.uni-bremen.de/downloads/StudyGuide-1_engl.pdf)

## Course Outline

### 16 October 2013: Introduction

### 23 October 2013: Fundamental Ideas I: Basic Concepts

Reading: Rawls, *Justice as Fairness*, §1–§7.

Further Reading:

Freeman, Samuel (2003): Introduction. John Rawls – An Overview. In: Samuel Freeman (ed.), *The Cambridge Companion to Rawls*. Cambridge: Cambridge University Press, 1–61.

Arneson, Richard J. (2006): Justice after Rawls. In: John S. Dryzek, Bonnie Honig and Anne Phillips (ed.), *The Oxford Handbook of Political Theory*. Oxford: Oxford University Press, 45–64.

### 30 October 2013: Fundamental Ideas II: On Method

Reading: Rawls, *Justice as Fairness*, §8–§11.

Further Reading:

Scanlon, John D. (2003): Rawls on Justification. In: Samuel Freeman (ed.), *The Cambridge Companion to Rawls*. Cambridge: Cambridge University Press, 139–167.

Rawls, John (1980): Kantian Constructivism in Moral Theory. In: *The Journal of Philosophy* 77 (9), 515–572.

### 6 November 2013: Principles of Justice I: Basic Liberties

Reading: Rawls, *Justice as Fairness*, §12–§16.

Further Reading:

Cohen, G. A. (1997): Where the Action Is: On the Site of Distributive Justice. In: *Philosophy & Public Affairs* 26 (1), 3–30.

### 12 November 2013: **NO CLASS**

### 20 November 2013: **NO CLASS**

### 27 November 2013: Principles of Justice II: The Difference Principle & Original Position I: The Set-up [**InIIS, Room 2020**]

Reading: Rawls, *Justice as Fairness*, §17–§26.

Further Reading:

Scanlon, John D. (1975): Rawls' Theory of Justice. In: Norman Daniels (ed.), *Reading Rawls. Critical studies on Rawls' A Theory of Justice*. New York: Basic Books, 169–203.

van Parijs, Philippe (2003): Difference Principles. In: Samuel Freeman (ed.), *The Cambridge Companion to Rawls*. Cambridge: Cambridge University Press, 200–240.

Dworkins, Ronald (1975): The Original Position. In: Norman Daniels (ed.), *Reading Rawls. Critical studies on Rawls' A Theory of Justice*. New York: Basic Books, 16–52.

Gauthier, David (2006): The Social Contract as Ideology. In: Robert E. Goodin and Philip Pettit (ed.), *Contemporary Political Philosophy. An Anthology*. Malden, MA: Blackwell, 55–72.

**4 December 2013: Original Position II: The First Comparison & Original Position III: The Second Comparison [InIIS, Room 2020]**

Reading: Rawls, *Justice as Fairness*, §37–§40.

Further Reading:

Lyons, David (1972): Rawls Versus Utilitarianism. In: *The Journal of Philosophy* 69 (18), 535–545.

Scanlon, Thomas (2003): Contractualism and Utilitarianism. In: *ibid.*, The Difficulty of Tolerance. *Essays in Political Philosophy*. Cambridge: Cambridge University Press, 124–150.

Scheffer, Samuel (2003): Rawls and Utilitarianism. In: Samuel Freeman (ed.), *The Cambridge Companion to Rawls*. Cambridge: Cambridge University Press, 426–459.

**11 December 2013: Institutions I: A Property-Owning Democracy**

Reading: Rawls, *Justice as Fairness*, §40–§49.

Further Reading:

Hsieh, Nien-hê (2009): Justice at Work: Arguing for Property-Owning Democracy. In: *Journal of Social Philosophy* 40 (3), 397–411.

**18 December 2013: Institutions II: The Family**

Reading: Rawls, *Justice as Fairness*, §50–§53.

Further Reading:

Munoz-Darde, Veronique (1998): Rawls, Justice in the Family and Justice of the Family. In: *The Philosophical Quarterly* 48 (192), 335–352.

Murphy, Liam B. (1998): Institutions and the Demands of Justice. In: *Philosophy & Public Affairs* 27 (4), 251–291.

Okin, Susan Moller (1987): Justice and Gender. In: *Philosophy & Public Affairs* 16 (1), 42–72.

**8 January 2013: Political Stability**

Reading: Rawls, *Justice as Fairness*, §54–§60.

Further Reading:

Friedman, Marilyn (2000): John Rawls and the Political Coercion of Unreasonable People. In: Victoria Davion and Clark Wolf (ed.), *The Idea of a Political Liberalism. Essays on Rawls*. Lanham: Rowman & Littlefield, 16–33.

**15 January 2013: The Law of Peoples / Global Justice**

Reading:

(a) Rawls, John (1993): The Law of Peoples. In: *Critical Inquiry* 20 (1), 36–68.

(b) Forst, Rainer (2001): Towards a Critical Theory of Transnational Justice. In: *Metaphilosophy* 32 (1/2), 160–179.

Further Reading:

Pogge, Thomas and Darrel Moellendorf (ed.) (2008): *Global Justice. Seminal Essays, Global Responsibilities*. St. Paul MN: Paragon House.

## **22 January 2013: Communitarianism**

Reading: Sandel, Michael J. (1984): The Procedural Republic and the Unencumbered Self. In: *Political Theory* 12 (1), 81–96.

### Further Reading:

Honneth, Axel (2010 [2008]): Das Gewebe der Gerechtigkeit. Über die Grenzen des zeitgenössischen Prozeduralismus. In: Axel Honneth (ed.), *Das Ich im Wir. Studien zur Anerkennungstheorie*. Berlin: Suhrkamp, 51–77 (English translation forthcoming in *The I in We*, Polity Press).

Mulhall, Stephen and Adam Swift (2003): Rawls and Communitarianism. In: Samuel Freeman (ed.), *The Cambridge Companion to Rawls*. Cambridge: Cambridge University Press, 460–487.

Sandel, Michael J. (2008 [1982]): *Liberalism and the limits of justice*. 2. edn. Cambridge: Cambridge University Press.

## **29 January 2013: Libertarianism**

Reading: Nozick, Robert (1973): Distributive Justice. In: *Philosophy & Public Affairs* 3 (1), 45–126.

### Further Reading:

Nozick, Robert (1975): *Anarchy, State, and Utopia*. Oxford: Blackwell.

Schaefer, David Lewis (2007): Procedural versus Substantive Justice. Rawls and Nozick. In: *Social Philosophy and Policy* 24 (1), 164–186.