

School of PEP

**Questions of Justice
Autumn Term 2011**

ESSAY LIST 2

Second Essay

Professor T. Baldwin

My plan is that the writing and feedback for the second essay should be similar to that for the first essay: i.e. in week 10 there will be no lectures or seminars, and I will see each of you individually. about the essays -

- (i) Maximum length is 1500 words
- (ii) I am not fastidious about footnotes, bibliography etc. – though do acknowledge passages cited directly from others (and please, please, don't plagiarise).
- (iii) What I most want you to do is set down your own thoughts in a reasonably organised and coherent discussion.

As before: send me your essay by email – to thomas.baldwin@york.ac.uk

Deadline: 1300 on Tuesday 13 December. (I guarantee to read and comment on essays received by then. I will do my best to deal with essays received later – but I may not be able to do so).

Meetings: I will see you on Wednesday afternoon, Thursday (morning & afternoon), Friday (morning). I will distribute sign up sheets at the seminars for you to book a time.

Reading lists

(i) Books by Rawls

Copies of all of these are in the Key texts section of the Library except TJ, of which you must have your own copy

TJ = *A Theory of Justice* (revised edition)

*JF = *Justice as Fairness*

*CP = *Collected Papers*

*PL = *Political Liberalism*

*LP = *The Law of Peoples*

(the asterisk * indicates throughout that a book is in the Key Texts section of the Library)

(ii) Collections of papers about Rawls

Copies all of these are in the Key Texts section of the library:

*Daniels = *Reading Rawls* ed. N. Daniels

*Cambridge companion = *The Cambridge companion to Rawls* ed. S. Freeman (which has a useful bibliography)

*Kukathas I / II / III / IV = *John Rawls: Critical Assessments* ed. C. Kukathas (four volumes)

*Martin and Reidy = *Rawls' Law of Peoples* eds. R. Martin and D. A. Reidy

(iii) Critical Discussion of Rawls

*Freeman = *Rawls* by S. Freeman

Suggested essay topics
(but make up others if you like)

1. What is the problem of stability? What solutions to this problem does Rawls offer? What are their implications?

Do they work?

TJ chapters 8-9

*JF Part V

*CP 'The Priority of Right and Ideas of the Good' esp. pp. 465-472

*Freeman ch. 6

S. Freeman 'Congruence and the Good of Justice' in *Cambridge Companion

B. Barry 'Stability' (etc.) in *Kukathas IV; & in *Ethics* 1995 874-915 (JSTOR)

T. Hill 'The Stability Problem in *Political Liberalism*' in T. Hill *Respect, Pluralism and Justice*

S. Mendus 'The Importance of Love in Rawls's Theory of Justice' *British Journal of Political Science*, 1999 pp. 57-75.

T. Baldwin 'Rawls and Moral Psychology' – pdf. on my website

2. What was at issue between Rawls and his 'communitarian' critics? Do the critics point to important omissions and weaknesses in TJ? Does Rawls have an effective response to these critics?

M. Sandel *Liberalism and the Limits of Justice*

*CP 'Justice as Fairness: Political not Metaphysical', 'The Idea of Public reason revisited' (also in *LP)

S. Mulhall and A. Swift 'Rawls and Communitarianism' in *Cambridge Companion

A. Gutmann 'Communitarian Critics of Liberalism' in *Philosophy & Public Affairs* 1985 308-22 (JSTOR)

J. Haldane 'Individual, State and Common Good' in *Social Philosophy and Policy* 1996

W. Kymlicka 'Liberalism & Communitarianism' *Canadian Journal of Philosophy* 1988 181-204; also in W. Kymlicka *Liberalism Community and Culture* ch. 4

3. What are the major differences between TJ and PL? What do they signify? Does Rawls provide a significant improvement of his position?

TJ Preface to revised edition

*JF Preface

*CP 'Justice as Fairness: Political not Metaphysical', 'The Idea of Public reason revisited' (also in *LP)

*PL 'Fundamental Ideas', 'The Idea of an Overlapping Consensus'

*Freeman chs. 8, 9

C. Larmore 'Public Reason' in *Cambridge Companion

R. Rorty 'The Priority of democracy to philosophy' in *Kukathas III & in R. Rorty *Objectivity, Relativism & Truth*

T. Hurley 'Liberal Neutrality' in *Kukathas IV

W. Galston 'Pluralism' (etc.) in *Kukathas IV

J. Waldron 'Disagreements about justice' in coursepack

4. What does Rawls mean by 'The Law of Peoples'? Why is his account of this so controversial? What does this tell us about his theory of justice?

*LP

*Freeman ch. 10

T. Pogge *Realizing Rawls* chs. 5, 6

C. Beitz 'The Law of Peoples' in *Kukathas IV; & in *Ethics* 2000 669-96 (JSTOR)

A. Buchanan 'The Law of Peoples' etc. in *Kukathas IV; & in *Ethics* 2000 697-721 (JSTOR)

B. Barry 'Humanity and Justice in Global Perspective' in coursepack

And in *Martin and Reidy: papers by Wenar, Buchanan, Miller, Pogge, Martin, Freeman

M. Nussbaum *Frontiers of Justice* chs. 4,5

Postscript: you will find on my website my paper 'Recognition: personal and political' which attempts to bring together themes which connect the political philosophy of Hegel and Rawls as applied to international justice.