

Questions of Justice
December 2011

Second Essay

(nb. ‘*’ beside a title indicates that the book is in the Key Texts collection in the library)

(i) re The Law of Peoples

Add to the list, as a generally excellent paper,

Thomas Nagel ‘The Problem of Global Justice’ in *Philosophy & Public Affairs* 2005.
(I have put this paper on my website – so you can easily get it there; or you can download it directly from the web)

On The Law of Peoples itself, there are several issues:

(i) Cosmopolitan approaches vs. ‘political’ approaches to international justice.
This is central to Nagel’s paper, but not directly addressed by Rawls, though it is clear that he is not a cosmopolitan theorist.

(ii) Intervening to protect human rights (‘Liberal interventionism’)
Rawls seems prepared to contemplate such interventions, but does not provide clear criteria. The issue is pursued further in the papers in parts III V in *Martin and Ready

(iii) The issue of global (re)-distributive justice.
Rawls discusses this directly in LP (pp. 113-120). But many critics are dissatisfied – see the papers in part IV of *Martin and Ready. Barry’s paper ‘Humanity and Justice in Global Perspective’ (in the coursepack) is also relevant here.

Of course you can also write on the topic suggested previously (What does Rawls mean by ‘The Law of Peoples’? Why is his account of this so controversial? etc.); or you can invent a topic of your own in this area.

(ii) Two further topics.

1. The idea of public reason

As I indicated in my lecture, Rawls seems to me to modify – and improve – his account of ‘political liberalism’ by means of his ‘idea’ (and ‘ideal’) of public reason. If you want to write about this (the issue would be: ‘What is the idea of public reason? What does it contribute to Rawls’s political liberalism?’), the place to start is:

PL Lecture VI (‘The Idea of Public Reason’), and, especially, his 1997 paper ‘The Idea of Public Reason revisited’ which occurs in his **Collected Papers* and is added to **The Law of Peoples*.

But there is not much decent discussion of this (so far as I am aware); the best are
*Freeman *Rawls* ch. 9

C. Larmore ‘Public Reason’ in *Freeman (ed.) *Cambridge Companion to Rawls*
P. Weithman *Religion and the obligations of citizenship* ch. 7 (available as e-book from the library)

2. Rawls and Feminism

Not surprisingly Rawls's position has attracted the critical attention of feminists. Rawls does not deal directly with feminist issues, except for the long discussion of the family in 'The Idea of Public Reason Revisited' (pp. 156-64 in *LP or pp. 595-601 in *CP).

But for an excellent survey of the issues start with

Martha Nussbaum 'Rawls and Feminism' in *Freeman (ed.) *Cambridge Companion to Rawls*

The best critical discussions of Rawls's work from this perspective are those by Susan Okin: see –

 'Justice and Gender' *Philosophy and Public Affairs* 1987 42-72 (JSTOR)

 'Political Liberalism, Justice and Gender' *Ethics* 1994 23-43 (JSTOR)

It would also be good to look at:

Eva Kittay 'Human Dependency and Rawlsian Equality' in Diana Meyers (ed.) *Feminists Rethink the Self* (available in the library)

If you want to write about this, invent your own topic.